

NEW SOUTH WALES.

12,167

VOTES

AND

PROCEEDINGS

OF

THE LEGISLATIVE ASSEMBLY

DURING THE SESSION

OF

1879-80,

WITH THE VARIOUS DOCUMENTS CONNECTED THEREWITH.

IN FIVE VOLUMES.
VOL. V.

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LEGISLATIVE ASSEMBLY.

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SESSION 1879-80.

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1879.

NEW SOUTH WALES.

RAILWAYS OF NEW SOUTH WALES.

REPORT

BY

THE COMMISSIONER FOR RAILWAYS

FOR THE YEAR

1878.

Presented to Parliament by Command.



SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1879.

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1879.

NEW SOUTH WALES.

RAILWAYS OF NEW SOUTH WALES.

(REPORT FOR 1878.)

*The Commissioner for Railways to The Honorable the
Secretary for Public Works.*

Department of Public Works,
Railway Branch,

Sir,

Sydney, 28th August, 1879.

I have the honor to submit the following Report, showing the transactions of this Department for the year 1878, and embodying Returns of the progress made with works of construction, together with accounts of revenue and expenditure.

1.—RAILWAY CAPITAL AUTHORIZED.

No alteration was made in the Debenture Capital during the year. The amount of loans authorized remained at £12,298,161, of which sum £9,087,300 had been raised. The balance—£3,483,352—was not placed upon the market during 1878. The expenditure in excess of the sales, was temporarily charged to the surplus revenue fund at the disposal of the Government.

Railway debt.
Appendix
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p. 53-57.

Since the close of the year, however, Debentures to the amount of the available balance of the Loan Votes have been sold at prices in excess of the limit placed upon them.

The following additional sums were authorized to be raised by Loan in July last, increasing the Railway capital to £17,939,161, viz. :—

Loan Act of
July, 1879.

For the construction of additional Lines	... ..	£4,921,000
For the completion of Lines under construction, &c...	... ..	100,000
For Rolling Stock	... ..	620,000
		£5,641,000
Total	... ..	£5,641,000

The Railway capital bears interest as under.

£7,110,800—5 per cent. annual interest	... ..	£355,540
£5,187,361—4 per cent. annual interest	... ..	£207,494
£5,641,000—4 per cent. (still to be raised) annual interest...	... ..	£225,640

The average interest being 4.39 per cent.

2.—RAILWAY CAPITAL EXPENDED.

Appendix
Nos. 9-10,
p 58-59.

At the close of 1878, there had been expended on lines open for traffic £9,784,645, and on lines in course of construction £493,206—in all £10,277,851—of which amount the sum of £963,351 was expended during the year 1878, as under :—

Construction	...	...	...	...	...	£776,802
Rolling stock and machinery	...	...	...	...	...	171,662
Trial surveys	...	...	...	...	...	14,887
						<u>£963,351</u>

3.—LINES OPEN AND IN PROGRESS.

Of the £776,802 expended in 1878 for construction, the sum of £407,228 was expended on lines open for traffic, and the balance £369,574 invested in unproductive lines in course of construction.

In the following statement is given the length of Railway Lines opened for traffic during the year 1878.

*Southern Line.*See Appendix
No. 3, p. 41.

	Miles.
In operation—At the close of 1877—Sydney to Cootamundra	255
Opened on the 15th April, 1878—Cootamundra to Bethungra	15
Opened on the 6th July, 1878—Bethungra to Junee	18
Opened on the 3rd September, 1878—Junee to North Wagga Wagga	18
Total opened on 31st December, 1878	<u>306</u>
Average for the year	281

Western Line.

	Miles.
In operation—At the close of 1877—Parramatta Junction to Orange, including Richmond Branch	195

No additional mileage was opened on this line during 1878.

Northern Line.

	Miles.
In operation—At the close of 1877—Newcastle to Quirindi, including Morpeth Branch	148
Opened on the 2nd April, 1878—Bullock Island Branch	1½
Opened on the 14th October, 1878—Quirindi to Tamworth	38
Total opened on 31st December, 1878	<u>187½</u>
Average for the year	157

Lines open.

The above statement shows that (in the year 1878) the Southern Line was extended 51 miles to North Wagga Wagga, and the Northern Line 39½ miles, viz., 38 miles Quirindi to Tamworth, and 1½ mile Newcastle to Bullock Island. With these additions, amounting to 90½ miles, the total mileage open for traffic at the end of 1878 was 688½ miles. The openings, however, having taken place at different times in the year, the average mileage in operation equalled only 633 miles.

Lines in progress.

The following extensions were in progress on the 31st December, 1878 :—

South—North Wagga Wagga to Albury	...	...	81 miles 50 chains.
West—Orange to Wellington and Dubbo	...	...	85 „ 18 „
North-western—Werris Creek to Gunnedah	...	...	41 „ 14 „

making a total of 208 miles 2 chains.

There

There was also in progress, at the end of the year, a temporary line from North to South Wagga Wagga, including a low level bridge over the Murrumbidgee. The construction of this line was decided upon by the Government in October, 1878, in order to facilitate trade between Sydney and the Murrumbidgee District, there being reason to fear that trade was being hampered and traffic diverted elsewhere, in consequence of the cost of road carriage between North and South Wagga Wagga and the high rates of toll charged at the Company's bridge.

Temporary line, North to South Wagga Wagga.

The work was undertaken by Messrs. A. & R. Amos, the contractors for the permanent line, for the sum of £9,000, of which £2,000 was contributed by Messrs. Cornwell, Mixner, & Co., the contractors for the railway extension to Albury, in consideration of the facilities which the temporary line would afford them in carrying out their works. It was considered also that the completion of these works, by the facilities afforded, would be expedited, and that some portion of the length between South Wagga Wagga and Albury would be opened for traffic before the expiration of the contract time, viz., 31st December, 1880.

Work undertaken by A. & R. Amos.

The construction of the line from Junee to Narrandera, for which Parliament in 1876 voted £384,000, has at length been decided upon. The delay was caused by the diversity of opinion that existed as to the best route to adopt for connecting the town of Hay with the Great Southern Railway. The Engineer-in-Chief for Railways was in favour of a line diverging from the Great Southern Line at Hanging Rock, and thence *viâ* Urana and Jerilderie to Hay; while others, principally a committee consisting of gentlemen resident at Wagga Wagga, advocated the adoption of the route suggested by the Honorable William Macleay, M.P., viz., from Wagga Wagga in a direct line to Hay, keeping as near to the southern bank of the river Murrumbidgee as the formation of the country would, with advantage, admit of. Other alternative routes—all however diverging from the railway at Wagga Wagga—were proposed, and advocated with considerable energy, manifesting the great interest which the public took in the matter.

Delay in construction of line Junee to Narrandera.

Different routes advocated.

With a view to the settlement of the question you wrote, on the 14th March last, the following Minute to Cabinet:—

Minute by Secretary for Public Works.

Cabinet.

IN view of opening the country of the Darling and the South-western interior, by connecting the central town of Hay with our railway system, and in order to put to a practical test the conflicting opinions held by public men of influence and experience in that part of the Colony, and by other persons interested in its prosperity, and in conformity to a pledge given to the Legislative Assembly by the Government, I consider it expedient that the route from Junee to Hay *viâ* Narrandera and the line of country between Wagga Wagga and Hay, be traversed by two or more officers in whose report the country would have confidence. I think the Commissioner for Roads (Mr. W. C. Bennett) and the Surveyor General (Mr. P. F. Adams) might be asked to perform this work and I have no doubt that the opinion of two officers of their experience and integrity, while affording information for the guidance of the Government, would be accepted as a settlement of the conflicting opinions on the subject which naturally exist in the South-western District.

Minute to Cabinet. Country to Hay from Southern Line to be reported upon.

J.L., 14/3/79.

The report of these officers was received on the 3rd April; their recommendations (briefly stated) were, that the line from Junee to Narrandera should at once be proceeded with, and that the extension to Hay should follow as soon as possible—on the north bank of the river—if it were decided to construct a railway from Hanging Rock to Urana and Jerilderie—otherwise on the south bank.

Line, Junee to Narrandera recommended.

This

This report was laid on the table of the Assembly on the 30th April last, and before the close of the Session, the plans, &c., of the extension from Junee to Narrandera were approved by both Houses of the Legislature. The sum of £735,000 was also voted for the further extension of the line from Narrandera to Hay (105 miles), but the plans, &c., indicating the route which it is proposed to follow, have not yet been submitted for the approval of Parliament, as required by the provisions of the Railway Act.

Narrandera to Hay.

Werris Creek to Gunnedah.

Since the close of the year, 15 miles of the North-western Extension have been opened for traffic. The contract time for the completion of this line—Werris Creek to Gunnedah—was 30th June, 1879. In consideration of the contractor consenting to the opening, on the 25th of March last, of 15 miles of the line from Werris Creek to Breeza, the time for the completion of the remaining portion to Gunnedah, 26 miles, was extended three months, viz., to 30th September. From the progress made, however, there is every reason to believe that the line will be ready for traffic before that date.*

Appendix No 3, p. 41.

Following is a tabulated statement of the railways authorized, showing the mileage opened during 1878, the total mileage opened on the 31st December of that year, the extent of double line, and the lengths remaining to be constructed.

Railway.	Length of Line sanctioned.	Length opened during 1878.	Total length opened.	Portion laid with double rail.	Length remaining to be finished.
	Miles.	Miles.	Miles.	Miles.	Miles.
Great Southern	450	51	304	13½	146
Great Western	264	.....	179	.....	85
Windsor and Richmond	16	.....	16	.....	.....
Great Northern	426	38	182	10	244
Morpeth Branch	4	.....	4	.....	.....
Bullock Island do.	1½	1½	1½	.....	.....
Collingwood, Haslem's Creek, &c....	2	.....	2	1¼	.....
Total	1,163½	90½	688½	24½	475

Extent of lines authorized.

In addition to the above, provision has been made in the Loan Act, 43 Victoria, No. 11, passed on the 24th July last, for the following lines:—

From Dubbo to the vicinity of Bourke	227 miles.
From Gunnedah to a point opposite Narrabri	60 "
From Wallerawang to Mudgee	85 "
From Narrandera to Hay	105 "

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making a total of 1,640½ miles in operation, in course of construction, authorised, or preliminarily authorised.

4.—LAND TAKEN FOR RAILWAY PURPOSES.

Land taken for Railway. Appendix No. 4, p. 42.

A return is furnished in Appendix No. 4 of the total quantity and cost of land taken for railway purposes to the 31st December, 1878.

As

* NOTE:—The line from Breeza to Gunnedah was opened on the 10th September, three weeks prior to the expiration of the extended time.

As the lines are extended into the interior, the cost of land resumed for the railway of course decreases; the price paid for the 8,080 acres resumed to the present time averages £44 15s. 9d. per acre; in 1877 the average cost per acre was £46 5s. 4d., which shews a reduction in the twelve months of £1 9s. 7d. per acre on all the land resumed for railway purposes. Decrease in cost of land.

The cost of land on the various extensions varies very considerably; the lowest price paid was for the extension from Murrurundi to Tamworth, which averaged £13 0s. 6½d. per acre, while the highest price per acre averaged £2,717 7s. 7¼d. for the 16 acres 2 roods and 38 perches taken for the Darling Harbour Branch. The prices quoted include the cost of buildings and compensation for severance, and, although, no doubt, the maximum value was given at the time of purchase, the railway has so increased the value of land in its immediate vicinity that much higher prices could now be obtained. For instance, for the 240 acres of railway land between the Redfern Terminus and Parramatta Junction, the average price paid was £98 2s. 9½d. per acre, aggregating to the sum of £23,601; a like quantity of land could not now be obtained for five times that price. Variation of prices paid for land.

Immunity from litigation, in regard to the amounts demanded by claimants and those offered in conformity with the estimates of the Land Valuer, continued, during the past, as in former years, to be a marked feature in the adjustment of the railway land claims, and recourse to arbitration was had only to the extent of 1 in every 41 cases dealt with. The claims outstanding on the 31st December, 1877, were 294, to which were added 128 claims during the year. Of these 422 claims, 124 were settled in 1878, leaving at the close of that year, 298 in various stages of adjustment. Immunity from litigation.

5.—IMPORTATION OF RAILWAY MATERIAL.

In the Appendix will be found a return of the permanent way materials, locomotives, and miscellaneous articles imported during the year under review. Appendix No. 5, p. 43.

The following is an abstract of the return :—

Number of Ships employed.	Number of Tons of Goods Shipped.	Value of Goods Shipped.	Amount paid for Freight and Insurance.	Average rate of Freight and Insurance per ton.	Supply and cost of railway material.
			£ s. d.	£ s. d.	
			*23,327 13 3	*0 18 2½	
95	25,612	£310,038	†3,167 7 10	†0 2 5¼	

* Freight. † Insurance.

In the above are included—

	Weight in Tons.	Value.
Per. way materials for authorized extensions	...16,696	£141,977
" " renewals of existing lines...	2,581	22,560
" " doubling " " " " " " " "	... 2,131	14,843
18 locomotives	... 792	50,280
Miscellaneous articles	... 3,412	80,378
	25,612 tons	£310,038

7.—

6.—EXISTING LINES.

*Maintenance of Way and Works.*Appendix
No. 1, p. 11.

In Appendix No. 1, will be found the Report of the Engineer for Existing Lines on the condition of the lines of railway in his charge. The whole of the works have been maintained in good working order during the year, and very large additions have been made to improve the accommodation, and to facilitate the conduct of the traffic.

Improvements
and additions
on Southern
Line.

The improvements and additions, which are detailed in the Report of the Engineer, may be summarised as under :—

On the Southern Line, from Darling Harbour to North Wagga, including the Suburban Stations, the number of new works completed amounted to 131.

In addition to the above, twenty-nine bridges and culverts were put in ; 6,969 sleepers used for renewals ; 39½ chains of the Main Line relaid with steel rails ; and 3 miles 15¾ chains of sidings constructed.

Western Line.

On the Western Line (from Parramatta Junction to Orange), there were 108 new works completed ; 5,792 sleepers used for renewals ; 3 miles 23 chains of main line relaid with steel rails ; and 2 miles 8½ chains of sidings constructed. The work of doubling the line between Parramatta Junction and Parramatta was also commenced.

Windsor and
Richmond
Line.

On the Windsor and Richmond line, considerable progress was made in the work of improving gradients and strengthening bridges, for the purpose of increasing the train loads and thereby reducing the number of goods trains and consequently working expenses.

Advantage
gained by
reducing
gradients.

The advantage gained in the haulage by these improvements is shown in the following statement :—

	Previous to reduction of gradients.	Subsequent to reduction of gradients.	Increase of load.
	No. of loaded trucks.	No. of loaded trucks.	No. of trucks.
Blacktown to Riverstone	10	16	6
Riverstone to Mulgrave	10	14	4
Mulgrave to Richmond	10	18	8

Seven additional works were carried out on this branch during the year ; 3,893 sleepers used for renewals ; one half mile of main line relaid with steel rails ; and 20 chains of sidings constructed.

Northern
Line.Double way
Wallsend
Junction to
Hexham.Should be
extended to
West Mait-
land.

The most important work carried out on the Northern Railway was the construction of the double way between Wallsend Junction and Hexham—a distance of 6 miles 55 chains. The increase of traffic on this portion of the Northern system rendered the undertaking of the work imperative, and its completion has afforded the much-required facilities for the conduct of the business. Permanent relief, however, from the difficulty of working the traffic between Newcastle and West Maitland, will not be afforded until the double line is extended from Hexham to the latter station—a distance of 8 miles 55 chains.

There

There were 49 new works carried out on the Northern Line in 1878. New works, &c.
 228 Sleepers used for renewals, 48 chains of main line relaid with steel rails,
 and 1 mile 59 chains of sidings constructed.

The working expenditure, for the maintenance of way and works on Expenditure for maintenance of way and works. Appendix No. 14, p. 62.
 all the railways, exceeded that for 1877 by the sum of £24,623. This excess
 is partly accounted for by the increase of mileage and the cost of repairing
 damages caused by floods, but principally by the increased cost of maintaining
 the new lines, occasioned by their less perfect construction. The causes of these
 imperfections were remarked upon in my Report for 1877, and I will now only
 again quote from the Report of the Engineer-in-Chief of 4th November, 1872,
 in his allusion to the result which would follow the departure, in certain
 particulars, from the mode of construction adopted previous to that time.
 Mr. Whitton says—

“These alterations I propose with a view to greater economy in the first cost of construction—not because I believe the alterations to be judicious, but solely to meet the almost universal call for cheap railways—which simply means that what has been left undone by capital in the first instance must be paid for hereafter out of revenue.”

Locomotive and Carriage Division.

In the re-organization of the Railway Department in 1878, the Govern- Separation of permanent way from Locomotive Branch.
 ment decided to separate the superintendence of the Permanent Way from
 that of the Locomotive Branch. The services of an engineer, competent to
 undertake the duties of the latter branch, were sought for in England, and
 Mr. R. H. Burnett, C.E., was appointed, on the recommendation of Mr. John Appointment of Mr. Burnett.
 Fowler, C.E. (Inspecting Engineer for the Colony), whose advice in the matter
 was obtained by the Agent General. Mr. Burnett assumed the duties of the
 position on the 1st September, 1878, and in Appendix No. 2 will be found his Appendix No. 2, page 22.
 Report on the working of his branch of the department.

Mr. Burnett's predecessors have repeatedly brought under attention the
 excessive cost incurred in the working of this division of the Railway Service,
 in consequence of the absence of adequate workshop accommodation. The Insufficiency of workshop accommodation largely increases expenditure.
 present Locomotive Engineer makes the same representation, and adds—

“To recover lost ground a largely increased expenditure on repairs and renewals in the future
 must result, and as suitable workshops to enable these renewals and repairs to be coped with can-
 not at best be got into operation for a considerable time—while in the meantime the quantity of
 rolling stock to be maintained is growing at a greater ratio than the means available for dealing
 with it, during which time its condition must deteriorate rather than improve—the process of
 recovery to a state of efficiency, when taken in hand, will necessarily be felt for some years
 to come.”

Rolling Stock and Machinery.

The total expenditure on rolling stock has been £1,147,406, and the Expenditure on rolling stock.
 proportion it bears to the total capital expended on lines open for traffic is
 11·73 per cent. The expenditure in new stock, during 1878, was £166,693,
 which was charged to capital account. A sum of £91,742 was expended in
 repairing and renewing the existing stock and charged to the revenue vote
 for the year.

The

The following is an abstract of the rolling stock which was on hand on 31st December, 1877, and the number and description of vehicles supplied in 1878.

Appendix No. 6, p. 52.

Engines.		Passenger.											Goods.										Total of all Vehicles.							
Tank.	Passenger.	Goods.	Total.	Sleepers.	1st Class.	Composites.	Do. Smoking.	Do. E. B. Vans.	2nd Class.	Mail Vans.	Prison Vans.	Hearses.	Horse-boxes.	Carriage Trucks.	Break Vans.	Total.	Waggons.					Vans.				Total.				
																	Break Vans.	A.	B.	C.	D.	E.	Powder.	Sheep.	Cattle.		Meat.	Composite, Goods, and Cattle Trucks.	Ballast Waggons.	
Rolling Stock on hand, 31st December, 1877.																														
18	61	59	138	1	41	27	7	20	117	8	1	2	70	38	24	352	52	112	146	137	1900	206	8	72	83	11	..	80	2306	3296
Rolling Stock received during 1878.																														
..	0	10	16	..	7	16	..	..	..	1	..	..	..	..	3	26	15	..	..	..	380	..	1	106	100	..	1	5	607	649

Expiration of first five years contract for rolling stock.

Evils of system of obtaining supply of vehicles in small quantities.

In the year 1869, contracts were taken for the supply of the rolling stock required in the succeeding five years. Messrs. P. N. Russell & Co.'s tender was accepted for carriages and waggons, and the tender of Mort, Vale, & Lacy for the supply of locomotives. These contracts expired in June, 1874, and from that time till July, 1878, the rolling stock (other than engines) was obtained in small quantities as required from various local contractors (with the exception of three American cars imported from New York, and eight composite carriages ordered from the Ashbury Carriage Company of Manchester). The evils of this system of obtaining the supplies were soon made manifest, for, while the prices charged were comparatively high, the timber used in the vehicles was found to be insufficiently seasoned, the manufacturers admitting that, owing to the uncertainty of securing further orders, they did not feel justified in incurring the expense of storing an adequate supply of seasoned timber, or of erecting the requisite buildings for carrying out the contracts on a larger scale and consequently at more moderate prices.

Locomotives obtained from England and America.

The locomotives were, subsequent to the termination of Mort, Vale, & Lacy's contract, ordered from England and America—62 from the former and 13 from the latter country.

Tenders obtained for five years supply of rolling stock.

In the belief that, if reasonable facilities were given as regards time for completion and extent of orders, the rolling stock could be obtained in this colony as cheaply and as well constructed as it could be imported, the Government decided to invite tenders for five years supply. For a portion, however, of the 100 locomotives required within that period, the immediate demand was so great, as to necessitate a comparatively early date being fixed for their supply, and for these—22 engines—it was scarcely expected that local manufacturers would be able to submit offers. The result proved the correctness of this view. Three tenders were received for the supply of locomotives, and four tenders for the supply of the other rolling stock. In the following table are given the names of the successful tenderers, the number of vehicles they contracted for, and the amounts of their respective contracts.

Name

REPORT OF THE COMMISSIONER FOR RAILWAYS—1878.

13

Name of Contractor.	Number of Vehicles.	Amount of Contract.	
FOR LOCOMOTIVES.		£	
Atlas Company... ..	48	163,264	Names of successful tenderers.
H. Vale... ..	18	59,250	
FOR OTHER ROLLING STOCK.			
Hudson Brothers	1,895	206,650	
Moyes & Donald	204	47,165	
Wm. Ritchie	176	24,870	

7. REVENUE AND EXPENDITURE.

The financial result of the year's transactions under the above heading has not been so satisfactory as the transactions of several previous years have been—in part, owing to the causes stated in the preceding section of this Report—in part, to the increase of wages consequent upon the decision that the minimum wages paid to workmen should be 7s. instead of 6s. a day, but mainly to the large reductions in the rates of freight which were made in September and December, 1877. The object of the Government, in making these reductions, was to stimulate production; and it was stated in the Report of 1877, which was written before their effect could even partially be ascertained, that if this result should follow to an appreciable extent, the increased traffic over the lines would compensate for the lesser rates charged. So far, however, this anticipation has not been realized, and although it may be premature to say conclusively, even now, after an experience of some fifteen months, that it was unwise to make the reductions—the following table shows, that notwithstanding 31,598 additional tons of the articles reduced were carried, the earnings derived from the carriage of the total quantity were less in 1878 than in the previous year by the sum of £19,742. If the rates in force previous to the reductions had been maintained, the net revenue would have been increased by the sum of £37,454.

RETURN of Articles on which freight was reduced in September and December, 1877, showing increase and decrease for each class, in weight carried, and freight received. Appendix No. 19, p. 70.

Class.	1877.			1878.			Weight increase.	Weight decrease.	Amount of increase.			Amount of decrease.		
	Tons.	£	s. d.	Tons.	£	s. d.			£	s. d.	£	s. d.		
A Class... ..	113,799	64,415	7 9	113,960	47,879	10 8	15,887	15,726	5,739	5 8	22,275	2 9		
B Class... ..	17,526	9,692	12 11	24,131	11,094	9 11	8,482	1,877	3,186	2 3	1,784	5 3		
C Class... ..	4,506	4,311	11 11	3,668	2,914	12 10	71	909	.....	.....	1,396	19 1
D Class... ..	7,640	10,708	10 9	8,517	8,484	7 9	1,385	508	185	3 9	2,409	6 9		
Total Special Classes ...	143,471	89,128	3 4	150,276	70,373	1 2	25,825	19,020	9,110	11 8	27,865	13 10		
1st Class	1,314	2,473	18 8	1,498	2,730	11 11	243	59	413	17 6	157	4 3		
2nd Class	1,046	2,560	19 7	1,193	2,383	3 5	147	.....	.....	.....	177	16 2
Miscellaneous Classes...	161,872	28,719	13 10	186,334	27,653	16 6	27,191	2,729	2,398	9 7	3,464	6 11		
Total	307,703	122,882	15 5	339,301	103,140	13 0	53,406	21,808	11,922	18 9	31,665	1 2		

In Appendix No. 19 will be found a statement in detail of the above return, showing each item of traffic separately.

The gross earnings in 1878 were £902,989, the working expenses £536,988, and the net earnings £366,001.

Of the gross earnings the sum of £306,308 was derived from coaching traffic, and £596,681 from goods traffic; the proportion of the latter to the former was 66·08 to 33·92.

The following table shows the particulars of the coaching traffic for 1878, compared with 1877. The increase of earnings over those of 1877 amounted to £87,069.

COACHING

Transactions of 1878 not so satisfactory as several previous years.

Causes thereof.

Appendix No. 19, p. 70.

The gross earnings, the working expenses, and the net earnings.

The number of first-class passengers carried shows an increase of—	Increase in number of passengers.
84,469 for South and West lines.	
10,704 „ Northern line.	
<u>95,173 „ all lines.</u>	
The number of second-class passengers carried shows an increase of—	
388,230 for South and West Lines.	
9,296 „ Northern line.	
<u>397,526 „ all lines.</u>	
The number of season tickets (journeys) increased—	
230,302 for South and West lines.	
25,588 „ Northern lines.	
<u>255,890 „ all lines.</u>	
The total increase in the number of passengers carried on all lines was 748,589.	
The receipts for coaching traffic increased—	Increase in receipts.
£29,132 for South and West lines.	
5,589 „ Northern line.	
<u>£34,721 „ all lines.</u>	
The average receipts per head show—	Decrease in receipts per head.
A decrease of... .. 1½d. for South and West lines.	
An increase of ½d. „ North line.	
A decrease of... .. 1½d. „ all lines.	
The receipts from coaching traffic per average mile of line show—	Decrease in receipts per mile of line.
£ s. d.	
An increase of 0 16 4 for South and West.	
A decrease of 33 15 0 „ North.	
A decrease of 8 2 2 „ all lines.	
The receipts per train mile show a decrease of—	Increase in receipts per train mile.
3·56d. for South and West lines.	
·41d. „ Northern lines.	
3·19d. „ all lines.	
The proportion of percentage of classes of passengers shows—	Increases and decreases per centage of classes, numbers, and revenue.
A decrease of... .. ·23 for First-class.	
A decrease of... .. ·75 „ Second-class.	
An increase of ·98 „ Season Tickets.	
The proportion of percentage of receipts—	
Increased ·26 for First-class.	
Decreased ·74 „ Second-class.	
Increased ·48 „ Season-tickets.	

The goods traffic, compared in the same way, is shown as under:—

GOODS TRAFFIC.

Particulars of goods traffic.	1878.			1877.			
	S. & W.	North.	Total.	S. & W.	North.	Total.	
Tons carried...	Merchandise ... Tons	295,593	85,201	380,794	280,397	80,535	360,932
	Minerals... .. "	173,567	1,013,102	1,186,669	122,233	902,178	1,024,411
	Wool "	18,894	8,628	27,522	15,757	9,510	25,267
	Live Stock "	26,185	4,716	30,901	12,150	7,281	19,431
	Total	514,239	1,111,647	1,625,886	430,537	999,504	1,430,041
Receipts from Goods Traffic	Merchandise ... £	297,471	93,898	391,369	309,502	79,457	388,959
	Minerals... .. "	39,565	50,525	90,090	34,048	46,268	80,316
	Wool "	36,222	15,854	52,076	29,827	16,509	46,336
	Live Stock "	45,151	6,941	52,092	16,206	10,099	26,305
	Miscellaneous "	418,409	167,218	585,627	389,583	152,333	541,916
Total	1,253	9,801	11,054	1,271	1,145	2,416	
Total	419,662	177,019	596,681	390,854	153,478	544,332	
Average rate per ton.	Merchandise ... s.	20·13	22·04	20·55	22·07	19·73	21·55
	Minerals... .. "	4·56	1·00	1·52	5·57	1·03	1·57
	Wool "	33·34	36·75	37·84	37·86	34·72	36·67
	Live Stock "	34·48	29·43	33·71	26·67	27·77	27·07
	Mean	16·27	3·01	7·20	20·00	3·05	10·84
Average No. of tons per mile of line.	Merchandise ... Tons	621	543	601	669	606	654
	Minerals... .. "	365	6,453	1,875	292	6,783	1,856
	Wool "	39	55	43	37	71	45
	Live Stock "	55	30	49	29	55	35
	Total	1,080	7,081	2,568	1,027	7,515	2,590
Average receipts per mile of line.	Merchandise ... £ s. d.	624 13 9	598 1 7	618 5 6	738 13 5	597 8 7	704 12 9
	Minerals... .. "	83 2 4	321 16 3	142 6 5	81 5 2	347 17 7	145 10 0
	Wool "	76 2 0	100 19 7	82 5 5	71 3 7	124 2 5	83 18 9
	Live Stock "	94 17 1	44 4 2	82 5 10	38 13 7	75 18 7	47 13 1
	Miscellaneous "	2 12 8	62 8 7	17 9 3	3 0 9	8 12 2	4 7 7
Total	881 12 10	1127 10 2	942 12 5	932 16 6	1153 19 4	986 2 2	
Average receipts per train mile.	Merchandise ... d.	63·53	64·29	63·71	94·36	58·94	84·05
	Minerals... .. "	8·45	34·59	14·67	10·38	34·32	17·36
	Wool "	7·74	10·86	8·48	9·09	12·25	10·01
	Live Stock "	9·64	4·75	8·48	4·95	7·49	5·68
	Miscellaneous "	0·27	6·71	1·80	0·39	0·85	0·52
Total	89·63	121·20	97·14	119·17	113·85	117·62	

Increase of tonnage.

In the tonnage carried there was a gross increase of—

19,862 in merchandise.

162,258 in minerals.

2,255 in wool.

11,470 in live stock.

195,845 total increase.

Tonnage decrease per mile of line.

Per average mile of line open, the result shows—

A decrease of 53 tons in merchandise.

An increase of 19 " minerals.

A decrease of 2 " wool.

An increase of 14 " live stock.

22 tons total decrease.

Increase of receipts.

The receipts show an increase of—

£2,410 in merchandise.

9,773 in minerals.

5,740 in wool.

25,787 in live stock.

8,638 for miscellaneous.

£52,348 total increase.

Per

Per average mile of line open, the receipts show—

	£	s.	d.	
A decrease of	86	7	3	for merchandise.
„	3	3	7	for minerals.
„	1	13	4	for wool.
An increase of	34	12	9	for live stock.
„	13	1	8	for miscellaneous.
	<u>43</u>	<u>9</u>	<u>9</u>	total decrease.

Decrease in receipts per mile of line.

The average receipts per train mile, show—

	d.	
A decrease of	20·34	for merchandise.
„	2·69	for minerals.
„	1·53	for wool.
An increase of	2·80	for live stock.
„	<u>1·28</u>	for miscellaneous.
	20·48	total decrease.

Decrease in receipts per train mile.

It will be seen that the most remarkable feature in the above return is the increase, which has taken place in the live stock traffic on the Southern and Western Lines. On the Northern Line, there was a decrease, by which the earnings were reduced from £10,099 to £6,941; on the Western Line the increase from this service amounted to £2,650 only; but on the Southern Line the sum realized was £34,870, being £26,295 in excess of the revenue of 1877, or over 400 per cent. It is not difficult to account for this large increase. The tax on stock passing over the Border, imposed by the Victorian Government, coupled with the low rates for the carriage of live stock on our lines, and the prevalence generally of a favourable market during the year, induced the stock-owners of the Murrumbidgee and the Murray River Districts to send their live stock to Sydney for sale, instead of, as formerly, to Melbourne. That this increase was due to a diversion of the traffic is shown by the decreased number of live stock carried on the Deniliquin railway, and on the Victorian railways for 1878.

Increase in live stock traffic on Southern and Western Lines.

Diversion of live stock traffic from Victoria to New South Wales.

The modifications, however, recently proposed to the Government of Victoria in the application of the impost referred to, under which live stock, intended for the meat-preserving establishments, are to be exempted from the tax, will, no doubt, if carried into effect, lead to a re-diversion, to the Victorian lines, of the larger portion of this traffic.

WORKING EXPENDITURE,

The amount expended for working the traffic in 1878, exceeded that for 1877, by the sum of £118,003. The increased traffic, the greater number of miles opened, and the extra train mileage run, account for the larger portion of the increase, but a considerable amount is due to the causes referred to on pages 11 and 13 of this Report, viz., repair of flood damages, the comparatively excessive cost of maintenance of the new lines, the expense attending the disadvantageous working of the locomotive division owing to inadequate workshop accommodation and the increase in the men's wages. There is another item of increase, viz., the compensation paid for personal injuries, which is to be regretted on other than economical grounds. Of the £6,304 under this head, which, as compared with the compensation paid in 1877, shows

Working expenditure. Appendix No. 14, p. 62.

Causes of increase.

shows

Amount for compensation for personal injuries really chargeable to 1877.

shows an increase of £5,724, the sum of £4,457 was paid for an accident which took place in November, 1877. As, however, the amounts due to the persons injured were not ascertained until after the books of that year were closed, they have formed a charge against the working expenses of 1878.

Particulars of working expenditure.

In the following table are given the particulars of the whole of the expenditure :—

Appendix No. 14, p. 62.			1878.			1877.		
			S. & W.	North.	Total.	S. & W.	North.	Total.
Gross working expenses.	{	Maintenance of way, &c. ...	£ 98,130	25,669	123,799	76,159	23,017	99,176
		Locomotive power, &c. ...	138,766	48,997	187,763	109,727	37,118	146,845
		Repairs of carriages & waggons ...	21,350	10,131	31,481	17,567	7,206	24,773
		Traffic charges ...	114,814	46,474	161,288	88,473	37,710	126,183
		Compensation—Personal ...	6,304	.....	6,304	480	100	580
		Do. Goods ...	1,934	328	2,262	227	196	423
		Miscellaneous ...	20,349	3,742	24,091	16,371	4,634	21,005
	Total ...		401,647	135,341	536,988	309,004	109,981	418,985
	Expenditure per average mile of line ...		844	862	848	787	827	759
Expenditure per train mile.	{	Maintenance of way, &c. ...	d. 11.24	11.01	11.19	11.47	10.76	11.30
		Locomotive power, &c. ...	15.89	21.02	16.97	16.53	17.34	16.73
		Repairs of carriages & waggons ...	2.45	4.35	2.85	2.65	3.37	2.82
		Traffic charges ...	13.14	19.94	14.58	13.33	17.62	14.37
		Compensation—Personal ...	0.72	.....	0.57	0.07	0.05	0.07
		Do. Goods ...	0.22	0.14	0.20	0.03	0.09	0.05
		Miscellaneous ...	2.33	1.61	2.18	2.47	2.16	2.39
	Total ...		45.99	63.07	48.54	46.55	51.39	47.73
Proportion of expenditure to gross receipts	{	Maintenance of way, &c. ...	% 14.87	10.56	13.71	12.65	10.77	12.15
		Locomotive power, &c. ...	21.02	20.17	20.79	18.22	17.36	18.00
		Repairs of carriages & waggons ...	3.23	4.17	3.49	2.92	3.37	3.04
		Traffic charges ...	17.40	19.13	17.86	14.69	17.63	15.47
		Compensation—Personal ...	0.95	.....	0.70	0.08	0.05	0.07
		Do. Goods ...	0.30	0.14	0.25	0.04	0.09	0.05
		Miscellaneous ...	3.08	1.64	2.67	2.72	2.17	2.57
	Total ...		60.85	55.71	59.47	51.32	51.44	51.35

Increase in cost.

The total working expenditure compared with 1877, increased—
 £92,643 or 29.98 per cent. for South and West lines.
 25,360 or 23.06 „ North line.
 118,003 or 28.16 „ all lines.

Increase in cost per mile of line.

The expenditure per average mile of line open increased—
 £107 for South and West lines.
 35 for North line.
 89 for all lines.

Increase in cost per train mile.

The expenditure per train mile shows as follows :—
 A decrease of 0.56d. for South and West lines.
 An increase of 6.68d. for North line.
 An increase of 0.81d. for all lines.

Cause of increase of proportion of expenditure to gross receipts explained.

The proportion of expenditure to gross receipts from all sources shows—
 60.85 per cent. for South and West lines.
 55.71 „ for North line.
 59.47 „ for all lines.

For the year 1877 the proportion of expenditure to gross receipts was 51.35. The increased expenditure of 8.12 per cent., for 1878, is in a great part explained by the loss sustained in the earnings proportionate to the work done, as shown on page 13, for, although, the total earnings in 1878 largely increased, the earnings per train mile, through the reductions in the rates of carriage, fell from 7s. 9d. to 6s. 9¼d.

Net

Net earnings.

The per-centage of net earnings to capital invested in 1878, as against Net earnings. 1877, was as under :—

	1878.			1877.		
	No. of miles.	Capital invested.	Per-centage of interest.	No. of miles.	Capital invested.	Per-centage of interest.
South and West	501	7,467,408	3.46	450	6,889,416	4.26
North	187½	2,317,237	4.64	148	1,993,761	5.21
All Lines	688½	9,784,645	3.74	598	8,883,177	4.47

The subjoined abstract furnishes the per-centages, which the gross earnings, the working expenditure, and the net earnings bear to the capital expended on lines in operation for 1878, as compared with 1877. Per centages of gross earnings, expenditure and net earnings to capital.

		1878.			1877.		
		S. & W.	North.	Total.	S. & W.	North.	Total.
Net receipts from all sources ...	£	258,403	107,598	366,001	293,107	103,828	396,935
Do. per average mile ...	£	543	635	578	699	781	719
Do. per train mile ...	d.	29.59	46.17	33.08	44.15	48.52	45.22
Proportion of gross receipts to capital	%	8.84	10.48	9.23	8.74	10.72	9.18
Do. of expenditure to capital	"	5.38	5.84	5.49	4.48	5.51	4.71
Do. of net receipts to capital	"	3.46	4.64	3.74	4.26	5.21	4.47

The net earnings from all sources for the year show as follows :—

£34,704, or 11.84 per cent. decrease, S. & W.

3,770, or 3.63 per cent. increase, North.

30,934, or 7.79 per cent. decrease, all Lines.

Decrease of net earnings.

The net earnings per average mile of line open shew a

Decrease of £156 for S. & W. Line.

„ of 96 for North Line.

„ of 141 for all Lines.

Decrease of net earnings per mile of line.

The proportion of gross earnings to capital

Increased 0.10 per cent. on S. & W. Lines.

Decreased 0.24 „ on North Line.

Increased 0.05 „ on all Lines.

Per centage increase of gross earnings to capital.

The proportion of expenditure to capital

Increased 0.90 on S. & W. Lines.

„ 0.33 on North Line.

„ 0.78 on all Lines.

Expenditure to capital.

The proportion of net earnings to capital

Decreased 0.80 on S. & W. Lines.

„ 0.57 on North.

„ 0.73 on all Lines.

Net earnings to capital.

The

Summary of gross earnings, expenditure, and net earnings, 1878, compared with 1877.

The following is a summary of the gross earnings, working expenditure, and net earnings of the Railways for 1878, as against 1877 :—

	South & West.	North.	Total.
	£	£	£
Gross earnings, 1878	660,050	242,939	902,989
Do. 1877	602,111	213,809	815,920
Increase for 1878	57,939	29,130	87,069
Working expenditure, 1878... ..	401,647	135,341	536,988
Do. 1877... ..	309,004	109,981	418,985
Increase for 1878	92,643	25,360	118,003
Net earnings, 1878	258,403	107,598	366,001
Do. 1877	293,107	103,828	396,935
Decrease for 1878	34,704	.....	30,934
Increase for 1878 ... ..	.....	3,770	.....

£.—TON MILEAGE.

Gross ton mileage.

In the following tabulated statement are shown the average distance each passenger travelled and each ton of goods was conveyed, and the amount received per passenger and per ton for every mile carried :—

	South & West.	North.	Total.
Average mileage per passenger Miles.	11·82	17·41	12·55
Average mileage per ton, goods and live stock	82·87	14·40*	36·06
Average receipts per mile per passenger... ..	1·33	1·58	1·37
Average receipts per ton per mile, coaching traffic	18·26	19·93	18·59
Average receipts per ton per mile, goods traffic	2·36	2·65	2·44
Average receipts for coaching traffic per ton per mile, including tare.	·546	·677	·570
Average receipts for goods traffic per ton per mile, including tare.	·492	·590	·520

Importance of finding out net and tare of a train load.

In the Report for 1877, attention was drawn to the importance of ascertaining the cost of conveying a definite load for a definite distance. In no other way can it be ascertained, whether the charges made for the conveyance of passengers, merchandise, minerals, agricultural and pastoral produce, and for other leading items forming portion of the general traffic, are adequate, excessive, or insufficient; or whether one description of traffic is not placed at a disadvantage, by having to bear charges unduly increased so as to compensate for the deficient charges on some other description of traffic. The subject has been

* Due to short distance coal is carried on the Northern Line.

been receiving considerable attention in the mother country from railway economists, and the reports on the railways of New South Wales, contributing as they have done to a solution of the problem as to the mode in which the required particulars are to be ascertained, have met with considerable and gratifying commendation. Mr. Rae, who was credited by an acknowledged English railway authority with being the first official who had presented the public with a true distribution not only of railway income but also of railway earnings, is now on a visit to England, and has been requested by the Board of Trade to explain the system we have adopted, as they are desirous, Mr. Rae writes to say, "to profit by our experience."

Testimony of
English
Railway
authorities.

In the appendix to this Report, will be found the ton mileage returns of our lines for 1878, and in continuation of the course adopted in the Report for 1877, details of the net earnings of the different description of goods traffic are afforded in the following tables:—

Appendix
No. 44, p. 94.

The amount which each item contributes to the net earnings is shown as under:—

GREAT SOUTHERN, WESTERN, AND RICHMOND LINES.

Ton Mileage.

Description of Goods.	Weight carried.		Miles carried.		Average miles per ton.		Freight.		Tonnage—Amount per mile per ton.		Per ton per mile, net and tare.		Working expenses per ton per mile.		Net earnings per ton per mile.	
	Tons.	No.	No.	£	d.	d.	d.	d.	d.	d.	d.	d.	d.	d.		
Flour	9,733	699,009	71·82	4,197	1·44	·457	·252	·205								
Wheat	5,961	321,494	53·93	1,766	1·32	·417	·252	·165								
Coal	54,845	4,769,259	86·96	20,366	1·02	·269	·252	·017								
Shale	22,474	1,798,948	80·05	7,782	1·04	·278	·252	·026								
Firewood	98,237	2,663,761	27·12	13,952	1·26	·334	·252	·082								
Road metal	21,127	622,577	29·47	3,147	1·21	·334	·252	·082								
Wool	18,894	3,087,093	163·39	36,222	2·12	·486	·252	·234								
Trucks of hay...	19,130	659,374	34·47	6,905	2·51	·385	·252	·133								
Live stock	26,185	4,166,809	159·13	45,151	2·60	·345	·252	·093								
All other goods	237,652	23,824,542	100·25	280,174	2·82	·608	·252	·356								
	514,238	42,612,866	82·87	419,662	2·36	·492	·252	·240								

The large items of goods traffic on Gt. Southern, Western, and Richmond lines distinguished.

Description of goods.	Ton mileage.		Freight received.		Net earnings per ton per mile.		Proportion of net earnings.	
	No.	£	d.	£	d.	£		
Flour	2,205,807	4,197	·205	1,884				
Wheat	1,015,555	1,766	·165	698				
Coal	18,156,291	20,366	·017	1,286				
Shale	6,717,475	7,782	·026	728				
Firewood	10,017,612	13,952	·082	3,423				
Road metal	2,259,258	3,147	·082	772				
Wool	17,865,716	36,222	·234	17,419				
Trucks of hay	4,299,029	6,905	·133	2,382				
Live stock	31,435,335	45,151	·093	12,181				
All other goods	110,416,255	280,174	·356	163,536				
	204,388,333	419,662	·240	204,309				

The proportion to net earnings which they contributed shewn.

GREAT

GREAT NORTHERN RAILWAY.

Description of Goods.	Weight carried.	Miles carried.	Average miles per ton.	Freight.	Tonnage—Amount per ton per mile.	Per ton per mile, net and tare.	Working expenses per ton per mile.	Net earnings per ton per mile.
	Tons.	No.	No.	£	d.	d.	d.	d.
The large items of goods traffic on Great Northern Line distinguished.								
Flour.....	6,428	357,342	55·59	2,274	1·53	·496	·253	·243
Wheat	1,094	29,231	26·72	194	1·59	·515	·253	·262
Hay in bales...	8,185	414,831	50·68	2,611	1·51	·318	·253	·065
Coal (owner's trucks).	947,443	7,271,752	7·68	44,727	1·48	·507	·355	·152
Coal (Commissioner's trucks)	6,115	398,243	65·13	1,757	1·06	·311	·253	·058
Firewood	123	2,724	22·15	16	1·41	·369	·253	·116
Road metal ...	1,680	33,600	20·00	173	1·24	·515	·253	·262
Wool	8,627	1,135,168	132·74	15,854	3·35	·593	·253	·340
Live stock.....	4,716	477,847	101·32	6,941	3·49	·452	·253	·199
Other goods ...	127,236	5,889,682	46·29	102,389	4·17	·678	·253	·425
	1,111,647	16,010,420	14·40	176,936	2·65	·590	·283	·307

Description of Goods.	Ton mileage.	Freight received.	Net earnings per ton per mile.	Proportion of net earnings.
	No.	£	d.	£
The proportion to net earnings which they contributed shown.				
Flour	1,100,014	2,274	·243	1,119
Wheat.....	90,393	194	·262	100
Hay in bales	1,971,198	2,611	·065	537
Coal (owner's truck)	21,149,959	44,727	·152	13,479*
„ (Commissioner's truck)	1,357,504	1,757	·058	330
Firewood	10,388	16	·116	5
Road metal.....	80,640	173	·262	89
Wool	6,412,802	15,854	·340	9,130
Live stock	3,682,779	6,941	·199	3,069
All other goods	36,099,273	102,389	·425	64,265
	71,954,950	176,936	·307	92,123

Goods conveyed on Northern Line contribute more largely than those on Southern and Western Lines.

A careful study of the above figures will show the cost of earning, and the net revenue derived from each considerable item of the goods traffic. It will be seen that the goods conveyed on the Northern line, contributed proportionately more largely to the net earnings, than those conveyed on the Southern and Western* lines, and that this result is owing to the shorter distance the goods were carried, the charge, per ton per mile, being higher for short than for long distances.

Ton mileage of Coaching Traffic on Southern and Western Lines. Contribution to net savings of Western section.

In the following table is given, for the first time, the ton mileage of the Coaching Traffic, on the different sections of the Southern and Western Lines, and the revenue derived therefrom. The Western section shows, in a marked degree, its superiority as a revenue earning line. From the statement it will be seen that the gross earnings of that line for Coaching Traffic were £98,035, equal to £506 per mile, and that they contributed to the net earnings £39,854 or 73·68 per cent.

Contribution of Suburban section.

The Suburban section takes rank next. The gross earnings were £47,406 or £3,386 per mile, and contributed to the net earnings the sum of £10,105 or 18·68 per cent.

Contribution of Southern section.

The Southern section, with the longest mileage and earning in the gross the largest revenue, contributed to the net earnings the sum of £4,136 only, or 7·64 per cent. The gross earnings were £94,948, equal to the comparatively

* The net earnings for coal must be debited with interest on capital invested in appliances for shipping the coal at Newcastle and Bullock Island.

comparatively small return of £338 per average mile of line in operation. This result was owing to the small number of passengers travelling between Goulburn and Wagga Wagga.

Cause of the small contribution from Southern section.

SUBURBAN, SOUTHERN, AND WESTERN LINES.

Coaching.

Lines.	Weight carried.	Miles carried.	Average miles per ton.	Amount received for coaching.	Average earnings per ton per mile.	Average earnings per ton per mile net & tare.	Working expenses per ton per mile.	Net earnings per ton per mile.
	Tons.	No.	No.	£	d.	d.	d.	d.
Suburban	182,593	970,752	5.32	47,406	11.72	.605	.476	.129
Southern	17,052	1,129,191	66.22	94,948	20.17	.436	.417	.019
Western	22,199	1,060,385	47.76	98,035	22.19	.699	.415	.284
Total	221,844	3,160,328	14.25	240,389	18.26	.546	.423	.123

Ton mileage of coaching traffic.

Lines.	Ton mileage.	Revenue received.	Net earnings per ton per mile.	Proportion of net earnings.
	No.	£	d.	£
Suburban	18,798,011	47,406	.129	10,105
Southern	52,226,506	94,948	.019	4,136
Western	33,644,406	98,035	.284	39,854
Total	105,668,923	240,389	.123	54,095

Contribution of each section to net earnings.

9.—WOOL TRAFFIC.

The following is a return of the wool carried on the railways for the years 1877, and 1878.

	South and West.	North.	Total.
No. of bales in 1878	104,789	43,111	147,900
Do. 1877	87,382	46,215	133,597
Increase in 1878	17,407	.....	14,303
Decrease in 1878 .. ..	.....	3,104	.....
Revenue in 1878	36,222	15,854	52,076
Do. 1877	29,827	16,509	46,336
Increase in 1878	6,395	.....	5,740
Decrease in 1878 ... ..	.....	655	.....

Returns for 1878 compared with 1877. See Appendix No. 22, p. 77.

It will be seen that, although there was a total increase of 14,303 bales carried in 1878, there was a decrease in the quantity of wool brought down by the Northern line of 3,104 bales, equal to 7 per cent., notwithstanding that, in consequence of the extension of the railway to Tamworth, some portion of the wool, which had previously been sent to Brisbane as the nearest shipping port, was, in 1878, sent to Sydney. This decrease, however, is not surprising, in view of the fact, that the effect of the droughts of 1876-7, which destroyed

Decrease in wool conveyed by Northern line.

14·83 per cent. of sheep in the Colony, was more severe in the Northern than any other district. The per-centage of loss in the Northern District amounted to 21·67.

Increase in wool forwarded from Western and Southern Districts.

From the Western District the quantity of wool forwarded was 52,540 bales, giving an increase, as compared with the quantity sent in the previous year, of 2,293 bales. From the Southern Districts, however, where the drought was least felt, the increase in the number of bales carried amounted to 13,972, and of these, 10,000 were from stations in the Riverina country, the wool grown on which had, previously to 1878, been sent to Melbourne.

Wool grown in New South Wales sent to Victoria and South Australia.

About 150,000 bales of wool, the produce of sheep depastured in New South Wales, still find their way to the shipping ports of Victoria and South Australia, and may be divided approximately as under—Victoria, 116,000 bales; South Australia, 34,000 bales. The extension of our Railways to Bourke on the Darling River, and to Hay on the Murrumbidgee River, should afford the means of diverting—with a considerable saving in the cost of carriage, to the producers—the greater portion of this traffic to Sydney.

Will be sent to Sydney as extensions are opened.

The following is a summary of a return, showing the number of sheep in the Colony, at the close of the years 1877 and 1878 :—

Districts.	Number of Sheep, 1 January, 1878.	Number of Sheep, 1 January, 1879.	Increase on 1 January, 1879.	Decrease on 1 January, 1879.	Per-centage of Increase or Decrease.	
					Increase.	Decrease.
Border	10,046,662	12,781,858	2,735,196	.....	27·22	.....
Northern	4,623,005	4,526,526	.....	96,479	.....	2·08
Southern	2,950,313	3,486,777	536,464	.....	18·18	.....
Western	3,901,702	4,964,323	1,062,621	.....	27·24	.....
Total	21,521,682	25,759,484	4,334,281	96,479	19·69	.....

Increase in number of sheep.

10.—COAL TRAFFIC.

Appendices Nos. 25 to 33, pages 80—85.

The returns of the Coal trade, which will be found in the Appendix Nos. 25 to 33, afford the gratifying information, that notwithstanding the disarrangement at Newcastle of the conditions, and consequent partial disorganization of the system, of winning the coal—the disturbing influences of which are still agitating a portion of the mining community—the coal traffic has considerably increased. The exports to the neighbouring Colonies—Victoria taking the lead with 288,666 tons—have increased from 530,693 to 588,249 tons, while those to Foreign ports—San Francisco leading with 80,711 tons—have increased from 250,809 to 283,736 tons. The coal shipped coastwise has also increased by 17,263 tons—the quantity in 1878 having been 276,201 tons, as against 258,938 shipped in 1877.

Increase in coal traffic.

Increase in coal shipped at Newcastle. Appendix No. 26, p. 81.

The total quantity and value of coal shipped from the port of Newcastle during the last two years, and the increases in 1878, were as under :—

	Coasters.		Foreign and Intercolonial.	
	tons.	£	tons.	£
1878	276,201	187,587	871,985	602,557
1877	258,938	175,682	781,502	540,560
Increase in 1878	17,263	11,725	90,483	61,997

In the Appendix will be found monthly and yearly details of the quantity of coal carried, and the amount of freight received from each of the collieries during 1877 and 1878. The following is a summary of the return of the Northern Collieries :—

Year.	Tonnage.	Freight.	Per Ton.
	No.	£	s. d.
1877	848,999	41,948	0 11½
1878	953,558	46,484	0 11½

Appendix No. 31, p. 84.
Increase in quantity carried on Northern Railway.

For the Western Collieries the returns give the following :—

Year.	Tonnage.	Freight.	Per Ton.
	No.	£	s. d.
1878	52,487	19,590	7 5½
1877	45,288	16,989	7 6
Increase in 1878	7,199	2,601	.....
Decrease in 1878	.....	.....	0 0½

Appendix No. 18, p. 66.
Increase in quantity carried on Southern and Western Railways.

In addition to the above there were 58,228 tons conveyed on the Southern and Western, and 4,938 on the Northern line, the total freight on which amounted to £21,829. This sum has not been included in the revenue return of traffic, as the coal was used for railway purposes.

11.—TARIFF.

Goods Rates.

The reductions that were made in September, 1878, in the goods charges, applied for the most part to goods that were carried long distances. A reduction from 4d. to 2½d. per ton per mile was made in the carriage of copper, for the purpose of inducing the proprietors of the Cobar Mines to send their produce to Orange, for transmission by rail to Sydney, instead of to Melbourne by the Darling and Murray Rivers and Northern Railway of Victoria. A reduction of 20 per cent. was also made for all goods of the 1st, 2nd, 3rd, and 4th classes carried a greater distance than 300 miles. The tendency of these alterations was to secure additional traffic, and as, by the incidence of the charges, they could not affect the existing traffic, no unfavourable result could follow the reductions made. The rates for the carriage of cattle were found to be high for long distances, while those for sheep were unduly low. A rectification of this inconsistency followed, with satisfactory results. The parcels rates for long distances and for small parcels were largely reduced. The minimum freight for a parcel, which had been fixed at 7 lbs., was reduced to 3 lbs., and the rates of carriage were reduced from 4d. for the shortest, and 2s. for the longest distance, to 3d. and 1s. respectively. Altogether, the alterations made in the parcels rates amounted to a reduction of 25 per cent.

Reduction in rates for goods—see Appendix No. 45, p. 107.

Reduction in cattle rates for long distances.
Reduction in parcels rates.

Effect on the revenue by a reduction of rates.

Establishment of Central Booking, Parcels, and Inquiry Office, Appendix No. 24, p. 79.

The immediate effect of a reduction in railway rates, is, necessarily, a falling off in the returns, but this ought only to prevail until the public become aware of the alteration and can take advantage of it, when, if the reduction has been judiciously made, an increase of revenue should follow. As the amended rates were in operation only for the last five months of 1878, it might fairly have been anticipated that the returns for parcels traffic would have been considerably lower than those for 1877, when the old rates were charged; but they were, on the contrary, augmented by the sum of £956, the revenue having been increased from £28,731 to £29,687. The establishment in November last of the Central Booking, Parcels, and Inquiry Office, in George-street, Sydney, largely contributed to this result. The convenience this office afforded to the public for booking parcels, resulted in a considerable increase of this business, as shown in the return which will be found in the Appendix. Since the close of the year, the Central Office—becoming better known—has been even more largely availed of for booking parcels, obtaining tickets, and acquiring information on all matters affecting the Railway business, and may be pronounced to be a great public convenience and financial success.

Passenger Fares.

Abolition of system of return tickets.

The principal alteration made in the passenger fares has undoubtedly been the abolition of the system of return tickets. It is difficult to understand why this system should have been introduced in connection with the Railways of this Colony, unless it was thought desirable to follow the practice which obtained on English Railway lines. The conditions of traffic, however, on those lines are altogether different. In England, as in other countries, where the Railways are conducted by private enterprise, a system more or less competitive prevails. For instance, a resident in London, could go to Edinburgh either by the Great Northern Railway, or the Midland Railway, and if single fares only were issued he could go by one line and return by the other without disadvantage. To secure him for both the down and up journey, the inducement of a return ticket, at a reduction in the double fare, varying in amount with the advantages proffered by the competitive Company, is offered. But in this Colony, and other countries where Railways are constructed and managed by the State, the like conditions do not apply. There are, as a rule, no other means of travelling to and returning from a place but the one railway line, and as the railway affords *per se* the cheapest and quickest mode of conveyance, there is no reason for offering special inducement to a traveller to make use of it for both journeys. The system of return tickets was not abolished until the last month of the year with which the Report deals, and the effect of its abolition and of the reduction made in the single fare by way of compensation, cannot, for the present, be shown.

Reduction of fares on certain sections.

At the same time that the alteration referred to was made, the fares on the sections between Emu Plains and Bathurst, Picton and Goulburn, and Singleton and Murrurundi (which had been fixed at the comparatively high rate of 3½d. per mile 1st class, and 3d. per mile 2nd class, on account of the increased cost of working these portions of the lines and the comparatively small number of people travelling thereon) were reduced to 3d. and 2d. respectively. It was anticipated that these modifications would result in an immediate loss of £15,000 a year, unless the diminished charge was recouped by a greater number of passengers being induced to travel in consideration of the lower fares charged, but the result cannot be ascertained until the statistics of the present year are obtained and analyzed.

12.—RAILWAY ACCIDENTS.

The usual tabulated statement of the accidents, resulting in death or personal injury, which occurred during the year, will be found in the Appendix. It may be summarized as under :—

	Passengers.				Servants.				Trespassers.	
	Beyond their own control.		Miscconduct, or want of caution.		Beyond their own control.		Miscconduct, or want of caution.		Miscconduct, or want of caution.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Suburban	4	...	2	3	...	2	...
Southern	2	...	...	...	...
Western	7	1	1	4	5	...	...	1	...
Northern	1	...	...	1	3	1
	...	7	1	5	5	9	3	1	6	1

Return of railway accidents.
See Appendix No. 47, p. 129.

It will be seen that no passenger was killed, and only seven injured and those very slightly, from causes beyond a passenger's control, or to which he in no way contributed through his own carelessness. Two train accidents (one at Emu Plains and the other at Orange on the Western Line) call for special remark.

Accidents at Emu Plains and Orange.

The accident at Emu Plains occurred on the night of the 30th January, 1878, and was caused by a collision between two goods trains, both having been overthrown by the force with which they met. The driver and guard of the up train and the fireman of the down train were killed, and the driver of the down train and the fireman of the up train were severely injured. The enquiry, which followed, showed that the Guard of the up train brought his train from Wascoe's Siding in the expectation that he would be able to reach the siding at Emu Plains before the down train was due there, having miscalculated the time within which the running could be performed. He was charged with manslaughter, convicted, and sentenced to imprisonment for two years. The staff and ticket system under which the trains on the single lines have since been worked has made the repetition of such a collision impossible.

Accident at Emu Plains.

Guard convicted of manslaughter.

Staff and ticket system prevent the repetition of such an accident.

The accident at Orange occurred to the mail train, due to arrive there on the 28th May at 3.55 a.m. The train had passed the distance signal at Orange and was slowly approaching the station, when it left the main line, and, entering a siding on which some empty carriages were standing, came into collision with them. Six passengers were injured—one more so than the others—but none seriously. The force with which the train came in contact with the empty carriages must have been very slight, as no damage, except of the most trifling character, was done to the rolling stock. A searching inquiry into the cause of the train leaving the main line, was instituted, and the conclusion arrived at was, that it was due to the malicious act of some person or persons unknown. The points for the siding, which had been set for the main line and locked, were thrown over, the lock broken, and the fastenings removed. A reward of £200 and a free pardon to any accomplice, not being the actual offender, who would give information, were offered by the Government, without, however, any result.

Accident at Orange.

due to the malicious act of some person unknown.

Reward offered by Government.

13.—MISCELLANEOUS.

Rules and Regulations.

Rules and regulations for staff revised.

In the early part of 1878, the Rules and Regulations, for the guidance and conduct of the staff in working the traffic, were revised with great care and re-issued. Provision was made therein for working the single lines on the staff and ticket system, and the double lines on the absolute block system.

Lighting Railway Carriages.

Lighting carriages with gas.

The inadequacy of the light, afforded in the railway carriages by the use of oil lamps, has long been felt by the travelling public to be a great inconvenience. Arrangements were made during last year for lighting the carriages with gas, and this has been successfully accomplished. Forty-three carriages, out of a total of 180, on the South and West Lines, have been supplied with the requisite apparatus; the remainder of the carriages are being rapidly fitted, and the system will be extended to the Northern Railway as early as possible.

Conditions of Employment.

Conditions of employment established.

The character and capacity of the men employed in the Railway Department are matters of so much importance to the efficient working of the traffic and the proper conduct of the general business of the lines, that it was considered essential to establish conditions under which employment would for the future be given and those, already in the service, promoted. A copy of these conditions will be found in the Appendix. They propose to effect the following objects, which are held to be necessary to the proper organization of an efficient staff:—

Appendix marked A, p. 5.

- (1.) The establishment of a service having, in case of good behaviour, all the elements of permanence.
- (2.) A gradual and reasonable increase of wages during active employment, based upon good behaviour and the length of continuous service in any one grade.
- (3.) The right to a hearing before a committee, in the cases of those once enrolled on the permanent staff, before being finally dismissed at the will of a subordinate official.

Returns.

In addition to the Returns referred to in the Report, the following will be found in the Appendix:—

Appendix No. 11, page 59.

1. Table of mileage opened annually.

Appendix No. 17, page 65.

2. The rolling stock manufactured during 1878, with names of contractors, &c.

Appendix No. 18, page 66.

3. The particulars of the various classes of merchandise carried, its tonnage, and freight value.

Appendix No. 20, page 72.

4. The revenue and expenditure at each of the Stations.

Appendix Nos. 35 and 36, pages 86, 87.

5. Particulars of the suburban passenger traffic.

Appendix No. 21, p. 76.

6. The number of sheep in Border Districts.

Appendix No. 23, p. 78.

7. Statement of the value of the live stock and wool, &c., exported over the Border.

Appendix No. 45, p. 107.

8. Merchandise traffic rates from 1876 to 1878.

9. Comparative statement of the rates of railway carriage in each of the Australian Colonies. Appendix No. 46, p. 116.
10. Number and classification of railway employés, and the scales of, and total amount paid for, salaries and wages. Appendix Nos. 49-50, pp. 131-136.
11. Table of the progress and financial position of the railways, from 1855 to the end of 1878. Appendix No. 48, p. 130.
12. Return of free passes issued during 1878. Appendix No. 51, p. 137.

Annexed to the appendix are thirteen coloured diagrams, showing the following particulars of the Railway transactions for each of the twenty-four years from 1855 to the end of 1878.

1. Length of line opened on 31st December in each year.
2. Number of passengers.
3. Tonnage of goods.
4. Earnings from coaching traffic.
5. Earnings from goods traffic.
6. Gross and net earnings and working expenses.
7. Working expenses.
8. Earnings per train mile.
9. Working expenses per train mile.
10. Percentage of working expenses to gross earnings.
11. Net earnings.
12. Capital invested in lines open.
13. Interest on capital.

RECAPITULATION.

The transactions during the year are thus summarized:—

The expenditure for construction was £10,277,851, upon which the interest was £482,222, or 4·69 per cent.

The capital expended on lines open for traffic, was £9,784,645, upon which the interest was 4·73 per cent.

The working expenses were increased by £118,003, and the net earnings decreased by £30,934.

The net earnings were £366,001, yielding 3·56 per cent. to the total capital expenditure, and 3·74 per cent. to the capital expended on lines open for traffic. The interest paid by Government was therefore 1·13 and ·99 per cent. in excess of the percentage of net earnings to total capital, and to capital reproductively employed respectively.

At the close of the year, 688½ miles of line were open for traffic, and 208 miles were in the course of construction, to be completed by 31st December, 1880.

The rolling stock consisted of 154 locomotives, 378 coaching, and 3413 goods vehicles.

The number of employés was 5,156, and the wages paid £415,075 7s. 8d.

The cost of the railway materials, in the conveyance of which 95 vessels were employed, amounted to £283,543, and the freight and insurance to £26,495, making a total of £310,038.

During

During the year, 37,967 passenger trains and 28,681 goods trains were run a distance of 2,655,176 miles. The earnings amounted to £902,989, and the working expenditure to £536,988, or 59·47 per cent of the earnings. The number of passengers who travelled was 3,705,733, of whom 898,693 were first class, and 2,807,040 were second class; included in these figures are 8,590 season-ticket holders, representing 1,123,508 journeys. The proportion percentage of these classes is for first class passengers 13·59, second class 56·09, and for season-ticket holders 30·32.

The merchandise traffic consisted of 718,608 live stock, 147,900 bales of wool, 1,186,669 tons of minerals, and 380,794 tons of general goods.

The average earnings per mile open were £1,426, the average expenditure was £848, the net earnings were £578.

The average earnings per train mile were 81·62d., the expenses 48·54d., and the net earnings 33·08d.

There was an increase of 95,173 in the number of first class passengers, of 397,526 second class, and 255,890 in the journeys made by season-ticket holders, an increase in the receipts of £34,721 from coaching traffic, and of £52,348 from goods traffic—making a total increase of £87,069.

The decrease in the per centage of net earnings to capital invested is a salient point, which must necessarily attract public attention, and it is therefore satisfactory to have shewn that this decrease has principally arisen from reductions in rates advisedly made by the Government in the interest of the public. The rapid extension of the lines and the large increase in the traffic are good evidences of the growing prosperity of the Country; and I may fairly conclude this review of the transactions of the Railway Department during last year, by observing, that the facts and figures given therein furnish ample grounds upon which the Colony may justly congratulate itself.

I have the honor to be,

Sir,

Your obedient Servant,



Commissioner for Railways.

The Honorable John Lackey,
Secretary for Public Works, &c., &c.

APPENDIX

TO THE

REPORT ON THE RAILWAYS OF NEW SOUTH WALES,

1878.

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APPENDIX TO REPORT ON RAILWAYS—1878.

A.

Conditions of Employment in the Government Railway Service of New South Wales.

THE character and capacity of the men employed in the Railway Department are matters of so much importance to the efficient working of the traffic, and the proper conduct of the general business of the Lines, that I consider it essential to establish conditions under which employment will in future be given and those at present in the Service promoted.

Under these conditions advancement in the Service will be by promotion from one grade to another (according to seniority, capacity, and general conduct); the Staff have, therefore, recently been classified, and the rates of wages revised, and the number of classes in each position, with the wages pertaining thereto, will be found under the different headings.

THE following are the conditions for each Branch:—

LOCOMOTIVE BRANCH.

WORKSHOPS.

Only competent workmen will be employed in the Locomotive shops; they will be paid the average rates of wages found to be prevailing in private establishments for work similar to that which they are required to perform.

Lads will be taken into the shops as required, to learn the trades of fitter, turner, &c. They must be of good constitution, and able to read and write with facility; they will not be bound apprentice, but will be able to resign, and will be liable to dismissal, in the same way as the men; they will also be subject to the same rules and regulations as the men. The remuneration for their services will be as follows:—

1st six months	...	...	...	...	...	...	no pay.
2nd	„	...	...	...	...	...	8d. per day.
2nd year	...	...	...	...	...	...	1s. 2d. „
3rd	„	...	...	...	...	...	1s. 6d. „
4th	„	...	...	...	...	...	3s. „
5th	„	...	...	...	...	...	5s. „

At the end of five years they will be paid wages proportionate to the value of their services.

THE following will be the conditions for acquiring the positions of Cleaner, Fireman, and Engine-driver:—

CLEANERS.

Only young men between 17 and 22 years of age will be eligible for appointment as Cleaners. Each man must undergo a medical examination, and produce a certificate from the Railway Medical Board to the effect that he is free from bodily or mental infirmity, possesses good eyesight and hearing, and is not afflicted with colour blindness either by day or night; he must also produce satisfactory testimonials of character, and be able to read and write.

The rates of wages will be as follows:—

	s.	d.	
5th class—1st 6 months	5	0	per diem.
4th class—6 to 12 months	5	6	„
3rd class—12 to 18 months	6	0	„
2nd class—18 to 24 months	6	6	„
1st class—after 2 years (maximum rate)	7	0	„

6d. per day additional will be allowed for night work.

When required, 1st class Cleaners will be promoted to Firemen, according to seniority and efficiency, provided their general conduct has been satisfactory, and that they are eligible in all other respects.

FIREMEN.

FIREMEN.

All Firemen must have served as Cleaners, and as vacancies occur eligible men from the Cleaning Staff will be promoted. Before being appointed as Fireman each man who has not previously passed a medical examination will have to produce a certificate from the Railway Medical Board similar to that required under these conditions from Cleaners when entering the service. He must also undergo an examination in the Rules and Regulations applicable to Enginemen, especially those relating to the working of trains, signalling, &c.

The rates of wages will be as follows :—

3rd class.—1st 18 months	...	...	...	...	8s. per diem.
2nd „ 2nd „	...	...	...	...	9s. „
1st „ After 3 years service (maximum rate)	...	...	...	...	10s. „

New Firemen must always commence in the 3rd class.

As vacancies for Drivers occur, Firemen who have been not less than twelve months in the 1st class will be promoted according to seniority and efficiency, provided their general conduct has been satisfactory.

ENGINE DRIVERS.

No person will be allowed to undertake the duties of Engine Driver unless he has previously served as Fireman, and is eligible for promotion. Before being appointed as Driver each man must produce a certificate from the Locomotive Foreman or Overseer, showing that he has passed an examination, and is competent to take charge of a Locomotive Engine.

The subjects of examination must embrace a knowledge of the road, gradients, approaches to stations and sidings, positions of signals, &c., the examination of engine before joining a train, firing, trimming of syphons, oiling, testing of valves and pistons, and the various modes of uncoupling engines when they fail on the road, and the methods to be adopted to surmount any slight breakdown, &c., &c.

The rates of wages will be as follows :—

5th class—For first 12 months	...	...	...	...	11s. per diem
4th „ From 12 to 24 months	...	...	...	...	12s. „
3rd „ From 24 to 36 „	...	...	...	...	13s. „
2nd „ From 36 to 60 and upwards	...	...	...	...	14s. „

The position of 1st class Driver will only be obtainable as vacancies in that grade occur, and after serving as a Driver at least five years ; wages, 15s. per diem.

New Drivers must always commence in the 5th class.

Enginemen will be expected to qualify themselves for the higher grades, not alone by serving the required periods, but by acquiring such a knowledge of the principles, construction, and operation of the Locomotive Engine, of steam, and the principle of its expansion, of natural science and mechanics, &c., as will enable them to advance with credit to the highest position on the foot plate, and to take rank as mechanical engineers.

PERMANENT WAY BRANCH.

MECHANICS, &c.

None but competent workmen will be employed in the shops or elsewhere ; the wages will be at the same rates as paid in private employ for similar kinds of work.

LABOURERS.

The Permanent-way labourers must be strong able-bodied men, in good health, and capable of performing rough hard work. They must have perfect eye-sight and hearing, be of good character, and able to read and write. Promotion and increase of wages will be in accordance with merit.

These conditions will not apply to temporary men such as are employed in the flying gangs (except as to their ability to perform the work required of them), but qualified temporary men will be eligible for the permanent staff as vacancies occur.

GANGERS.

When gangers are required suitable men will be selected from the labourers. They must be steady and reliable, thoroughly understand the work, and be quite competent to undertake all the duties of the position.

INSPECTORS.

Gangers will be promoted to Sub-Inspectors, and Sub-Inspectors to Inspectors as required, in cases where they are qualified to fill such positions.

TRAFFIC

TRAFFIC BRANCH.

The following will be the conditions for acquiring the positions of Station-master, Goods' Clerk, Station Clerk, Telegraph Operator, Guard, Signaller, Foreman, Shunter, Porter, and Watchman :—

STATION-MASTERS.

Only persons having general railway experience will be eligible for promotion to Station-masters. It is desirable that these officers should possess a knowledge of all the outside duties, such as signalling, shunting, and general yard work, loading and unloading of all descriptions of traffic, and the working of trains, &c., as well as be able to perform the inside or office work. The position of Station-master is therefore one which guards and others who have gained such knowledge by working their way up from the lowest grades, and are qualified in other respects, may justly aspire to. A practical acquaintance with Morse telegraphy (which should be acquired by every employé in the Traffic Branch) will also be greatly conducive to such promotion, and good conduct will always be indispensable.

The stations are divided into six classes, and the salary attached to each class will be as follows:—

6th class—	£140 a year, with house.
5th class—	£150 do.
4th class—	£175 do.
3rd class—	£200 do.
2nd class—	£225 do.
1st class—	£250 do.

Station-masters will be paid according to the class of station they are in charge of, and increase of salary will only be obtainable by promotion to stations of a higher class, such promotions to take place as vacancies occur, and according to seniority, efficiency, and good conduct, and eligibility in all other respects.

The above classification does not include small wayside stations and platforms which are in charge of porters.

Should it be considered necessary, before any person is appointed as Station-master, he may be called upon to pass an examination in general railway matters, rules and regulations, accounts, correspondence, &c., &c.

CLERICAL STAFF.

It being considered undesirable to appoint as Station-master persons who have chiefly been accustomed to clerical duties, and as goods and station clerks are generally too much confined to their offices to admit of their acquiring a practical knowledge of outside work, it is deemed advisable to give them a separate classification, which will be as follows:—

3rd class ...	{ Minimum salary, £50 a year. Maximum ,, £110 ,,
2nd class ...	{ Minimum salary, £120 a year. Maximum ,, £165 ,,
1st class ...	{ Minimum salary, £175 a year. Maximum ,, £250 ,,

The maximum salary in each class to be obtained by yearly increases of £15 a year; promotions from one class to another will be made according to seniority, but only when vacancies in a higher class occur.

Increases of salary and promotion will always be dependent upon efficiency and good conduct.

In exceptional cases, when it is found necessary to accept the services of clerks who have had previous experience, the position they are to occupy in the classification will be regulated by the degree of proficiency they may have acquired; but the rule to be observed as closely as possible will be to receive into the Service lads between 15 and 17 years of age, whose competency will be ascertained by a probationary term of service of three months, after which they will commence at the lowest rate of remuneration, viz., the minimum of the third class. Before any lad will be appointed he will be required to produce a certificate from a schoolmaster that he can read and write with facility, and is acquainted with the rules of arithmetic.

TELEGRAPH

TELEGRAPH OPERATORS.

Lads of not less than 15 years of age will be received into the Service, as required, to learn the duties of Telegraph Operator. In all cases it will be necessary to produce a certificate from a Schoolmaster that they can read and write with facility, and are acquainted with the rules of arithmetic.

While on probation they will receive a nominal salary of 2s. 6d. per week, but when they have learned to operate and are appointed to stations they will come under the following classification, viz. :—

3rd class ...	{	Minimum salary, £60 a year.
	{	Maximum ,, £108 ,,
2nd class ...	{	Minimum salary, £120 a year.
	{	Maximum ,, £144 ,,
1st class ...	{	Minimum salary, £156 a year.
	{	Maximum ,, £180 ,,

The maximum salary in each class to be obtained by yearly increases of £12 a year.

Probationers will not be appointed as Operators unless the Telegraph Inspector reports that they are competent to take charge of an office, and they must always commence on the lowest pay in the 3rd class.

Promotions from one class to another will be made according to efficiency, seniority, and good conduct, but only when vacancies in a higher class occur.

Telegraph Operators will frequently be required to perform general railway work in addition to operating; it will, therefore, be to their advantage to acquire a thorough knowledge of passenger and parcels booking, and the duties of General Station Clerk, &c., as on the efficiency they attain in these matters will their promotion to a great extent depend.

GENERAL OUT-DOOR STAFF.

The employés comprised in the General Out-door Staff will be classified and paid as follows:—

Foremen (Goods and Coaching).—From 10s. to 12s. per day.

Head Goods Guards.—9s. per day, for first six months; after six months and up to eighteen, 9s. 6d.; after eighteen months and up to five years, 10s.; after five years and up to ten years, 10s. 6d.; after ten years, 11s.

Head Passenger Guards.—9s. per day for first year; 9s. 6d. for the second year; after two years and up to seven years, 10s.; after seven and up to twelve years, 10s. 6d.; after twelve years, 11s.

Assistant Guards.—8s. per day for first six months; after six months, 8s. 6d.

Brakesmen.—£2. 2s. per week.

Shunters and Signalmen.—Probationers (three months), 6s. per day.

3rd class, 7s. per day.

2nd ,, 7s. 6d. per day.

1st ,, 8s. to 9s. per day.

Head Shunters, 10s. to 11s. per day.

Porters (Goods and Coaching).—3rd class, including labourers, to receive 6s. per day for the first six months; second six months, 6s. 6d.; after twelve months to receive 7s.

2nd class, 7s. 6d. per day.

1st ,, 8s. ,,

Head Porters, 10s. per day.

Porters-in-charge.—£2 8s. per week, with house.

Watchmen (Goods Branch).—£2 2s. to £2 5s. per week.

Good conduct and efficiency will in all cases be necessary to entitle men to the benefits of this classification.

No one will be admitted into the Service for any position in the foregoing classification, whose age exceeds 35 years, or who is unable to read and write.

Every applicant must undergo a medical examination, and produce a certificate from the Railway Medical Board that he is free from all bodily and mental infirmity, is physically able to perform the duties of the position he seeks, and that his eyesight and hearing are perfect. He must also produce approved certificates of good character.

Porters will be appointed as Brakesmen when required; they must thoroughly understand the working of brakes, signalling, and how to protect trains, &c.

Vacancies

Vacancies for Guards will be filled by promoting the most suitable men from the Shunting Staff and Porters. Every Guard must run as Assistant for at least twelve months before being allowed to take independent charge of a train. Every man must also pass an examination in the duties, &c., before being appointed Assistant Guard, and also before being promoted to Guard. The chief subjects of the examinations will be as follows :—

ASSISTANT GUARDS.

Education.
 Knowledge of Rules and Regulations, especially those relating to train working.
 Shunting.
 Signalling.
 Working of brakes.
 Securing of loading.
 Single and double line working under the different systems.
 Protection of trains.
 Steep gradient working.

GUARDS

Will be carefully re-examined on the subjects for Assistant Guards.

Knowledge of road, gradients, &c.
 Knowledge of positions and descriptions of signals.
 Knowledge of approaches to stations and sidings.
 Knowledge of station yards.
 General railway working.

Men who have not previously undergone a medical examination—such as those who joined the Service before these conditions came into operation—must be examined as to their sight and knowledge of colours before being allowed to run as Brakesmen, or being promoted to Assistant Guard or Guard.

A good address and respectful bearing will be indispensable qualifications for Passenger Guards.

GENERAL.

APPOINTMENT OF EXPERIENCED MEN.

The foregoing conditions, except as to medical examination, moral character, ability to read and write, &c., will not apply to persons who can produce certificates that they have served on other Railways in any of the capacities mentioned, and are considered by the Head of the Branch competent to undertake the duties without any probationary career. Such persons, however, after being appointed will not be promoted to a position higher than that for which they hold certificates, except under the same conditions as men trained in the Colony.

RULES AND REGULATIONS.

Every person in the Railway Department will hold his situation conditionally on his being subject to, and strictly observing the Rules and Regulations established from time to time for his guidance, whether published with the General Rules and Regulations or otherwise; and every employè must consider all rules of general application equally as binding upon him as those specially pertaining to his own particular position or duties.

PROMOTION.

It must be distinctly understood, that in every case promotion will chiefly depend upon the person's capacity to perform the duties of a superior class or position, combined of course with general fitness and good conduct. To merely serve the prescribed time in any class or position will not of itself qualify any one for promotion.

LEAVE.

Every servant, except Station-masters and the clerical staff, will be entitled to a day's leave on full pay for each proclaimed Government holiday. Those servants who cannot take such leave on the proclaimed holidays, in consequence of being required to work, will, on making application, be allowed the same number of days at a future time, provided the Head of the Branch decides that they can be conveniently spared. Should, however, the exigencies of the Service not admit of the whole or any of the holidays being taken before the 31st of March of the year following that for which they are due, an equivalent in cash will be paid.

In

In addition to the above, Engine Drivers and Firemen will be allowed from three to six days' leave of absence each year, on full pay, the exact number of days to be regulated in each case according to the general conduct of the person and the amount of work he has performed. This leave will only be granted at times most convenient to the Department, and the Locomotive Superintendent will have the power to disallow it altogether in cases where he considers the person unworthy of the indulgence.

Station-masters and the Clerical Staff, if they can be conveniently spared, will be allowed two weeks' leave of absence in each year. Any such leave not taken when due will only be cumulative to four weeks.

Except for proclaimed holidays, no remuneration will be allowed in lieu of leave.

FREE PASSES.

Holiday free passes will not be granted to any employés who, through misconduct, are not deserving of such indulgence, nor at times when there is likely to be any difficulty in providing sufficient carriage accommodation for the public.

Employés whose duties prevent their living in a town will be allowed the privilege of having their children conveyed to and from school by the rail free of charge, provided there be no objection to stopping trains at the point where they are required to be picked up and set down.

INVESTIGATION OF CHARGES.

To secure to the employés a fair investigation of the charges brought against them from time to time, such as carelessness or misconduct in working the traffic, causing accidents, &c., a Board will be appointed consisting of representatives from the Traffic, Locomotive, and Permanent-way Branches, one from each Branch, whose duty it will be to thoroughly inquire into cases referred to them, take evidence, decide who is at fault and to what extent, and recommend punishment accordingly.

Every case in which employés in more than one Branch appear to be implicated, and it is uncertain with which Branch the fault lies, or where there is any difficulty in deciding as to the degree of culpability of the persons in each Branch when the blame is divided, will be dealt with by the Board; the Board will also be called upon to inquire into and report on any other cases, should it be considered that the officers of the Branch concerned have not made a proper investigation, or there is any doubt as to the justice of the punishment recommended.

In all cases, however, whether investigated by the Board or otherwise, employés in any Branch of the Service will have the right of appeal to the Commissioner, should they consider themselves unfairly dealt with.

CHA^s. A. GOODCHAP,
Commissioner for Railways.

Railway Department,
Sydney, 10 July, 1878.

Approved,—
JOHN SUTHERLAND,
Secretary for Public Works.

No. 1.

The Engineer for Existing Lines to The Commissioner for Railways.

Department of Public Works, Railway Branch, Engineer's Office,

Sir,

I have the honor to report on the condition of the existing Lines of Railways for the year ending 31 December, 1878.

GREAT SOUTHERN RAILWAY.

Sydney to Parramatta Junction—Double line—Length, 13 miles 16 chains.

The whole of the works on this length, as well as those on the Darling Harbour, Haslem's Creek Cemetery, and Collingwood branches, have been maintained in good working order during the year.

Various alterations, as well as additional new works, have been carried out on this length during the year, a list of which is given hereafter.

Parramatta Junction to Cootamundra—Single line—Length, 239 miles 56 chains.

The whole of the works and permanent-way on this length have been kept in good safe repair.

Cootamundra to Bethungra—Single line—Length, 15 miles 10 chains.

This section of the line was opened for public traffic on the 15th April, 1878, and the whole of the works throughout have been kept in good repair.

Bethungra to Junee—Single line—Length, 18 miles 28 chains.

This portion was opened for public traffic on the 6th July, 1878, and has been kept in good running order.

Junee to North Wagga—Single line—Length, 17 miles 38 chains.

This length was opened for public traffic on the 3rd September, 1878, and has been kept in good order throughout.

Early in February last that portion of the line between Binalong and Cootamundra was severely damaged by floods, owing to sufficient water-ways not having been provided in constructing the line.

In consequence of this it was found necessary to put in a great number of additional culverts, also one additional span of 20 feet to the viaduct over Murrumburrah Creek, the embankment at each end having been washed away,—the particulars of which will be found in the list of works carried out during the year.

In connection with the above it was found necessary to cut various side drains and inlet and outlet drains, so as to effectually carry off the flood waters, and I do not anticipate that any serious damage will arise in future from this cause.

The subsidence of the new embankments in various parts has caused great expense in keeping them to their proper level; but notwithstanding this the permanent-way has been kept in good running order.

The following works have been completed during the year, viz. :—

- At Sydney*, weigh-bridge at goods-shed fixed.
- New signal erected.
- Gas laid on in lamp-room at goods-shed.
- Buffer stops, northern end of George-street siding, erected.
- Entrance gates to goods-shed removed and re-erected.
- Fence bounding Prince Alfred Park, eastern side of yard, renewed.
- Hay gauge erected at goods-shed.
- Alterations, Audit Office, new office for foreman, permanent-way, erected.
- Two additional forges erected.
- Crane at blacksmith's shop removed and re-erected.
- New arrival platform.
- Additions to store offices.
- New office for check clerk erected.
- New lamp-room erected.
- New office for pay clerk and draftsman erected.
- New machinery erected, carpenters' shop.
- Alterations to booking office.

At Darling Harbour distance signal erected.
 Goods office erected.
 10-ton crane erected on wharf.
 5-ton crane erected on wharf.
 Improvements, Dixon-street.
 New foot over-bridge erected.
Eveleigh, retaining-wall built on western side of railway, south of Wells-street.
 Booking office erected.
 Two turnstiles erected.
 New block signal-box erected.
 Two new platforms erected.
At Macdonald Town, booking-office erected.
 Gas laid into platform.
At Newtown, new foot over-bridge erected.
 New goods office erected.
 New block-signal box erected.
 Up and down platforms lengthened.
At Stanmore, two new platforms erected.
 Closet and urinal erected.
 Booking-office erected.
 New distance signals erected.
At Petersham, platforms lengthened.
 New booking-office erected.
 Ladies' waiting-room erected.
 New foot over-bridge erected.
 New semaphore erected.
 New block-signal box erected.
 Over-bridge, Crystal-street, widened, nearly completed.
At Ashfield, wicket-gate erected.
 Booking-office erected.
 New stockyard erected.
 New culvert built at Alt-street.
 Over-bridge partially renewed.
At Croydon, lamp fixed on platform.
 Stove fixed in office.
 New semaphore erected.
 Watercloset and urinal erected and fenced in.
At Burwood, gate-house erected.
 New station erected.
At Redmyre, stove fixed.
 New turnstiles erected.
 New road approach fenced.
At Homebush, yard from Station-master's house to railway line fenced.
 Sheep-yard paled.
At Auburn, ticket-office erected.
At Parramatta Junction, new signal erected at Dogtrap Road.
At Merrylands, platform erected.
 Waiting-shed erected.
 New signal erected.
At Fairfield, new booking-office erected.
 New ladies' waiting-room erected.
 New parcels-office erected.
At Cabramatta, two lamps and posts erected.
 Gate-house rebuilt.
At Menangle, new waiting-shed erected.
At Douglass Park, new platform erected.
At Big Hill, staff and ticket-box erected.
Mittagong, dockwall extended.
 Culvert lengthened 13 feet.

New repeating distance signal erected.
Bowral, Station-master's house fenced in.
At Moss Vale, tank fixed at gate-house.
At Jordan's Crossing, office removed from Amos siding and re-erected.
 New signals erected.
At Barber's Creek, additional tank stand for water supply erected.
At Marulan, buffer stops fixed.
At Goulburn, new blacksmith's shop and forge erected.
 Footpath made on bridge.
 Signal erected.
 Roof of Mrs. Phillips' house repaired.
 Office for Locomotive Inspector erected.
 Gate-house, Monday-street, fenced.
 Goods-shed office altered.
 New gates erected.
 New office for Inspector Lewton erected.
At Breadalbane, tank fixed at gate-house.
 Two lamps and posts erected.
 Station-master's house fenced in.
 Hay gauge erected.
At Fish River, railway fence bounding Mr. Kennedy's land wired.
At Gunning, railway fence bounding Glebe land wired.
 Railway fence bounding Mr. Reynolds' land wired.
 Stock-yard altered and additional rail put on.
 Road from station fenced.
 Crane removed from Binalong and re-erected.
At Jerrawa, Telegraph Office erected.
 Buffer stops erected.
 Two distance signals erected.
Yass, tank for water supply erected.
 Buffer stops erected.
At Bowning, water-closets altered.
 New water-closet, Station-master's house.
 Stock-yard enlarged and altered.
 Tank fixed at gate-house.
At Galong, waiting-shed erected.
At Rocky Ponds, two distance signals erected.
At Murrumburrah, office lined.
 Lamp-room erected.
 Two lamps and posts erected.
 Coal stage erected.
 Partition between station-master's office and parcels office removed.
 Addition made to bridge.
At Wallendbeen, two distance signals erected.
At Cootamundra, stock-yard erected.
 New gates erected.
 New viaduct constructed.
 New lamp-room erected.
 Station drained.
 Gate erected at Burke-street.
 Station-master's house separated from approach road by a paled fence.
At Bethungra, distance and semaphore signal erected.
 Enginemen's house and coal stage removed from Cootamundra and re-erected.
At Junee, new wool stage erected.
At North Wagga, enginemen's house removed from Bethungra and re-erected.

Bridges,

Bridges, culverts, &c., put in during the year :—					
At		No.	No. of openings.	Size of openings.	
Miles.	Chains.				
223	57	1	5	1'10"	Culvert.
224	10	1	1	10'	Do.
224	22	1	3	1'10"	Do.
224	26	1	1	10'	Do.
225	8	1	1	30' x 6'	Covered drain.
225	9	1	4	1'10"	Culvert.
225	47½	1	1	10'	Do.
225	60	1	1	10'	Do.
226	.....	1	2	10'	Do.
226	10	1	3	1'10"	Do.
226	20	1	1	10'	Do.
226	57½	1	1	10'	Do.
227	.....	1	1	10'	Do.
227	52	1	3	10'	Do.
229	27	1	1	20'	Bridge, additional span.
232	38	1	2	10'	Culvert.
243	27	1	1	10'	Do.
246	16	1	1	10'	Do.
246	26	1	1	10'	Do.
247	4	1	1	10'	Do.
247	24	1	3	1'10"	Do.
249	10	1	4	11'	Bridge.
249	63	1	3	1'10"	Culvert.
249	66	1	3	1'10"	Do.
249	70	1	3	1'10"	Do.
250	14	1	3	1'10"	Do.
250	57	1	1	10'	Do.
251	40	1	3	1'10"	Do.
252	29	1	3	1'10"	Do.

The following sidings have been laid in during the year :—

Sidings to new engine-shed, Sydney	Feet.	230
Sidings up-line side, Sydney yard	1,544	
Through road to ditto	163	
Sidings at ¼-mile	537	
Sidings at Newtown	667	
Sidings at Petersham extended	264	
Sidings at Ashfield, up-line	264	
Sidings at Ashfield, down line	339	
Sidings at Burwood	150	
Sidings at Parramatta Junction	1,726	
Through roads (2) to ditto	354	
Sidings, Parramatta Junction, extended	274	
Sidings for Brick and Pottery Company, at 14 miles south, Inside Fence	295	
Do. do. Outside Fence	1,139	
Sidings at Merrylands	530	
Sidings at Jordan's Crossing	1,186	
Loop Siding, Mittagong, lengthened	867	
New Siding, Mittagong	1,155	
Sidings, Big Hill (now in course of construction)	294	
Sidings (2), Goulburn	1,508	
Dead end sidings, Goulburn, lengthened	126	
Siding, Jerrawa	304	
Siding, Yase	710	
Siding, Billabong	1,305	
Siding, Wallace Town	996	
Total	16,877	

Permanent-

Permanent-way relaid with steel rails :—

	1877. feet.	1878. feet.	Total. feet.
Main "up" line, 1st mile	1,387	.....	1,387
Main "down" line, 1st mile	1,173	2,587	3,760
Main "down" line between 1 & 2 miles	.....	20	20
Main line, at 68 miles	952	.....	952
Total	3,512	2,607	6,119

The following sleepers have been used for renewals during the year :—

Sydney to Parramatta Junction	380
Parramatta Junction to Campbelltown	1,865
Campbelltown to Picton	4,038
Picton to Barber's Creek	586
Marulan to Bowning	100
Total	6,969

GREAT WESTERN RAILWAY.

Parramatta Junction to Orange—Single line—Length 178 miles 49 chains.

The whole of the permanent-way and works on this length are in good state of repair.

The work of taking out the excessive super-elevation given to the outer rail in curves during the construction of the line between Bathurst and Orange has been completed at a cost of £51.6 6s. 6d., exclusive of engine power, &c., which I estimate at £100, making a total of £61.6 6s. 6d.

The work of laying down a second line of rails between Parramatta Junction and Parramatta was commenced in August last.

Drawings, plans, sections, and specifications are being prepared for laying down a second line of rails between Lithgow Zigzag and Bowenfels, together with extensive coal sidings, new station buildings, goods-shed, &c., at Lithgow.

The completion of these works will greatly facilitate the working of the traffic.

The following works have been completed during the year, viz. :—

At Blacktown, semaphore signal erected.

At Rooty Hill, goods-shed erected.

Tank fixed.

Penrith, underground tank constructed at Gate-house, Cross Roads.

2 lamps erected.

Floor of engine-shed, asphalted.

Catch-pit for water crane constructed.

Foundation for Tangye pumping-engine.

New shed at station-master's house erected.

At Emu Plains, goods-shed erected on platform.

Lamp erected.

New buffer-stops erected.

At Brookdale (Wascoe's-siding), new gate erected.

Lamp and post erected.

New house for porter-in-charge erected.

Wicket-gate erected in fence at Lapstone.

At Wascoe's, new ticket-office erected.

At Springwood, ticket and telegraph office erected.

Wicket-gate erected.

Signal removed and re-erected.

At The Valley, new tank fixed.

At Falconbridge, hand-gate erected in fence.

At Alphington, level-crossing made.

At Blue Mountain, new station nearly completed.

At Katoomba, new telegraph office erected.

At Blackheath, waiting-shed erected.

At Mount Victoria, fence at station-master's house removed.

Urinals roofed in.

At

At Mount Wilson, new signals erected.
 Loading stage erected.
 Stock-yard erected.
 New gates erected.
 New steps for platform fixed.
 Telegraph Office erected.
 Level crossing laid in.
At Vale of Clwydd, box for signalman erected.
At Clarence Siding, house for porter in charge erected.
 Gate erected.
 Steps and hand-rail fixed to platform.
At Lithgow, lamp fixed.
 Distance signal altered.
 Culverts for new sidings lengthened.
 New gates erected.
 New distance signal erected.
 Parcel office partitioned off.
 Gate erected at platform.
 Staff and ticket-box erected.
At Bowenfels, level crossing laid in.
 Signals altered.
Wallcrawang, cattle-yard altered.
At Rydal, two wicket gates erected.
 Turnstiles erected.
 New signal erected.
 Railway fence bounding Mr. M'Laughlan's land wired.
 Loading stage erected.
At Tarana, room for telegraph operators erected.
 Addition built to Station-master's house.
 New signal erected.
At Locke's platform, new signals erected.
At Macquarie Plains, turnstile erected.
 Verandah erected.
 New lamp-room and parcels-office erected.
 Fence at Station-master's house removed.
 Station yard levelled.
 Loading stage removed from Raglan, re-erected, and lengthened.
At Raglan, hay gauge erected.
 New tank fixed.
At Kelso, turnstiles made and fixed.
 Cattle stage made cattle-proof.
 New kitchen and verandah built to Station-master's house.
 Pump fixed to tank.
 Station-master's house fenced in.
At Bathurst—Coal-stage lengthened 30 feet. Additional coal-stage erected.
 Turnstiles erected at goods-shed and Lambert-street gates.
 New kitchen to refreshment rooms erected.
 Blacksmith's shop erected.
 Cattle-yards altered.
 Gate-houses at Vale Road, and Russell-street fenced in.
 Signals altered.
 New cesspit constructed.
 New tool-house erected.
 Railway fence bounding Glebe land paled.
At Perth, new semaphore erected.
 Distance signal erected.
At George's Plains, new semaphore erected.
 New hay gauge erected.

At New Bridge, urinals erected.
 Verandah added to Station-master's house.
 New station built.
At Blayney, hay gauge erected.
 Gate to new siding made and fixed.
 New verandah erected.
At Spring Grove, signals erected.
 Hay gauge erected.
 Station-master's house fenced in.
 Lamp erected.
 Alterations to station.
At Spring Hill, alterations to station.
 Semaphore signal erected.
 Two lamps erected.
 Hay gauge erected.
At Orange, hay gauge erected.
 Lamps erected.
 New stock-yards erected.
 Goods office erected.
 Gas lamps erected at entrance to station.
 Additions made to loading stage.
 Station-master's house drained.

The following sidings have been laid in during the year :—

	feet.
Sidings at Seven Hills extended	216
Sidings, Brookdale	1,745
New block siding, Springwood	351
Through road, Springwood	169
Loop siding, Springwood, lengthened	308
Loop siding, Katoomba	800
Loop siding, Blackheath	896
Block siding, Lithgow	479
Block siding, Lockes	213
Coal sidings (2), Bathurst	961
Siding west of engine-shed, Bathurst	204
Siding made into loop, and extended, Bathurst	424
New through road, Bathurst	181
Siding over turntable, Bathurst	42
Loop and block sidings, Wimbledon	1,014
Block siding, New Bridge, lengthened... ..	242
Siding to limekiln, Blayney	644
Block siding, Spring Hill, extended	116
Block siding, Orange	402
Block siding, Orange, extended... ..	534
New cattle siding, Orange	1,182
Total	11,122

Permanent-way relaid with steel rails :—	1875.	1876.	1877.	1878.	Total.
	feet.	feet.	feet.	feet.	feet.
Between 13 and 14 miles				1,451	1,451
Between 14 and 15 miles			1,082		1,082
Between 36 and 37 miles				147	147
Between 38 and 39 miles			2,204	2,601	4,805
Between 51 and 53 miles	5,325	3,644	10,560		19,529
Between 58 and 62 miles				13,200	13,200
Total	5,325	3,644	13,846	17,399	40,214

The

The following sleepers have been used for renewals during the year :—

Parramatta Junction to Penrith	5,584
Penrith to Springwood	188
Springwood to Mount Victoria	20
Total... ..	5,792

Branch Line, Blacktown to Richmond—Single line—Length, 16 miles 11 chains.

The whole of the permanent-way and works on this branch line are in good repair.

Considerable progress has been made during the year with the work of improving the gradients, strengthening the bridges, &c., &c.

The advantage gained in the haulage by these improvements is very clearly shown in the following statement :—

STATEMENT showing loads drawn by small engines on the Richmond line, before and after the gradients were reduced.

	Previous to gradients being reduced.		After the gradients were reduced.		Increase of load after the gradients were reduced.	
	Loaded.	Empty.	Loaded.	Empty.	Loaded.	Empty.
Blacktown to Riverstone	10	14	16	21	6	7
Riverstone to Mulgrave	10	12	14	17	4	5
Mulgrave to Richmond	10	.....	18	25	8	25
Richmond to Mulgrave	10	.....	15	.....	5	.....
Mulgrave to Riverstone	10	.....	11	.....	1	.....
Riverstone to Blacktown	10	.....	12	.....	2	.....

and these advantages will be still further increased when the improvements in the gradients shall have been finished as far as Mulgrave Station, which I estimate will be about April next.

The following works in connection with these improvements have been completed during the year :—

- 106 chains of cuttings, embankments, and road lifted.
- 139 chains of cuttings, embankments, and road lowered.
- 245 chains of road ballasted with stone ballast.
- 4,992 cubic yards of stone ballast put on the line.
- One level crossing shifted and remade.

The following works have been completed during the year :—

- At Mulgrave*, new goods-shed erected.
- New waiting shed erected.
- At Windsor*, kitchen erected.
- Station improved.
- At Clarendon*, passenger platform partially covered in.
- Horse-dock constructed.
- Loading platform erected.

The following sidings have been laid in during the year :—

Siding at Schofield's	feet.	651
Through road to do.		174
Siding at Riverstone extended... ..		74
Siding at Clarendon		402
Total		1,301

Permanent-way relaid with steel rails :—

Between 21 and 23 miles	feet.	2,642
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The following sleepers have been used for renewals during the year :—

Blacktown to Richmond	No.	3,893
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APPENDIX TO REPORT ON RAILWAYS—1878.

19

ACCOUNT of Permanent-way Rails turned, renewed, and broken, from the opening of the various Extensions, Great Southern, Western, and Richmond Lines to the 31st December, 1878.

Extensions.	Length.	Date when opened for Traffic.	Time opened for Traffic up to 31st December, 1878.	Rails.		
				Number turned.	Number renewed.	Number broken.
	m. ch.		yrs. ms.			
Sydney yard and up to 1st mile-post				1,133	1,258	7
1st mile-post to Parramatta Junction	13 16	26 Sept., 1855	23 3	1,043	243	8
Parramatta Junction to Liverpool	8 68	26 Sept., 1856	22 3	673	64	3
Liverpool to Campbelltown	11 65	17 May, 1858	20 7½	234	48	7
Campbelltown to Menangle	6 50	1 Sept., 1862	16 4	47	16	11
Menangle to Picton	12 28	1 July, 1863	15 6	224	96	1
Picton to Mittagong	23 75	1 Mar., 1867	11 10	408	32	5
Mittagong to Sutton Forest	8 62	2 Dec., 1867	11 0	49	8	4
Sutton Forest to Marulan	28 57	6 Aug., 1868	10 4	139	25	22
Marulan to Goulburn	19 73	27 May, 1869	9 7	91	19	12
Goulburn to Gunning	30 20	9 Nov., 1875	3 2	175	106	68
Gunning to Bowning	29 26	3 July, 1876	2 6	58	27	11
Bowing to Binalong	14 42	1 Nov., 1876	2 2	15	4	2
Binalong to Murrumburrah	19 48	12 Mar., 1877	1 9½	8	1	.....
Murrumburrah to Cootamundra	25 13	1 Nov., 1877	1 2	4	.....	.....
Cootamundra to Bethungra	15 10	15 April, 1878	0 8½	3	.....	.....
Bethungra to Junee	18 28	6 July, 1878	0 6	1	.....	.....
Junee to North Wagga	17 38	3 Sept., 1878	0 4	1	.....	.....
Sydney to North Wagga	303 79			4,306	1,947	161
Parramatta Junction to Blacktown	8 24	4 July, 1860	18 6	454	176	15
Blacktown to Rooty Hill	3 66	12 Dec., 1861	17 0½	61	13	5
Rooty Hill to South Creek	3 75	1 May, 1862	16 8	45	8	1
South Creek to Penrith	4 66	7 July, 1862	16 6	366	177	1
Penrith to Weatherboard	27 70	11 July, 1867	11 5½	5,381	930	1
Weatherboard to Mount Victoria	14 70	1 May, 1868	10 8	1,907	277	4
Mount Victoria to Bowenfels	19 49	18 Oct., 1869	9 2½	1,449	253	11
Bowenfels to Wallerawang	7 46	1 Mar., 1870	8 10	319	39	.....
Wallerawang to Rydal	6 11	1 July, 1870	8 6	138	10	3
Rydal to Locke's Platform	19 11	20 April, 1872	6 8	350	12	4
Locke's Platform to Macquarie Plains	5 31	1 July, 1872	6 6	120	2	.....
Macquarie Plains to Raglan	5 3	4 Mar., 1873	5 10	47	1	.....
Raglan to Kelso	3 0	1 May, 1875	3 8	101	1	.....
Kelso to Bathurst	1 35	4 April, 1876	2 9	54	9	3
Bathurst to Blayney	27 69	1 Nov., 1876	2 2	217	154	.....
Blayney to Orange	19 75	19 April, 1877	1 8½	20	48	1
Parramatta Junction to Orange	178 61			11,029	2,110	49
Blacktown to Richmond	16 11	1 Dec., 1864	13 10	467	139	.....

NOTE.—This statement does not include the relaying of the line from Sydney to Parramatta Junction, laid originally with Barlow rails, and renewed with double-headed rails; nor those portions of the Southern and Western lines which have been relaid with steel rails.

The following shows the number of men per mile of single line, engaged in the maintenance of the permanent-way :—

GREAT SOUTHERN, WESTERN, AND RICHMOND RAILWAYS.

	Men per mile.
Sydney to Parramatta Junction, including Haslem's Creek Cemetery Branch, Darling Harbour Branch, and Sidings, Head of Darling Harbour	1'30
Parramatta Junction to Goulburn, including Collingwood Branch	'77
Goulburn to North Wagga	1'10
Parramatta Junction to Bathurst	'76
Bathurst to Orange	1'00
Richmond Branch	'99

LIST OF MACHINERY IN WORKSHOPS ON 31ST DECEMBER, 1878.

- 1 12-horse power Portable Engine.
- 1 Wood Turning Lathe.
- 1 Wood Planing Machine.
- 1 Morticing and Boring Machine.
- 1 Circular Saw and Bench.
- 1 Cross-cut Saw and Bench.
- 1 Band Saw Machine.
- 1 Tenoning Machine.
- 1 Horizontal Boring Machine.
- 1 Variety Wood Working Machine.

GREAT NORTHERN RAILWAY.

Newcastle to Hexham.

Double line—Length, 10 miles.

Hexham to Quirindi.

Single line—Length, 134 miles 22 chains.

Quirindi to Tamworth.

Single line—Length, 37 miles 23 chains.

This section was opened for public traffic on the 15th October, 1878..

The permanent-way between Newcastle and Murrurundi is in very good order.

Between Murrurundi and Quirindi the road is in good running order. Some parts are rather difficult to maintain after rainy weather, in consequence of the soft nature of the formation.

From Quirindi to Tamworth the greater part of the permanent-way is yet in an unfinished state, but notwithstanding is kept in very good running order.

Station buildings, bridges, and culverts, are in very good state of repair.

The fencing between Newcastle and East Maitland, with the exception of a small portion which is now being renewed, is in good condition.

From East to West Maitland it is getting bad, and arrangements will shortly be made for its renewal.

Between West Maitland and Singleton it is getting rather weak in places.

Beyond Singleton the whole is in very good condition.

The following additional works have been carried out during the year :—

At Newcastle, two sidings 1,890 feet long have been laid in for the accommodation of the coal traffic.

A coloured lamp for guidance of steamers fixed.

Siding for timber loading, lengthened 300 feet.

Weighbridge erected for weighing the Newcastle Coal Company's coal, and siding connected therewith, lengthened 360 feet.

Three sidings, 2,100 feet long, laid in for the accommodation of goods and passenger traffic.

At Honeysuckle Point, a traverser line laid in at end of carriage-shed.

Two waiting-rooms for drivers, &c., built.

Additional boiler fixed in machine-shop.

Gas lamp fixed at Bullock Island Road crossing.

At Bullock Island, offices for wharfinger erected.

Siding, 240 feet long, laid in for supplying coal to hydraulic engine.

At the Waratah Coal Junction, a junction and siding, 1,188 feet long, laid in for the accommodation of the Ferndale Coal Company.

The second line from Wallsend Junction to Hexham Station laid in and completed.

At Hexham, new booking-office, ladies' room, and kitchen to Station-master's house erected.

At Victoria-street, East Maitland, waiting-shed erected.

At East Maitland Goods-yard, sheep wharf lengthened 80 feet.

At Morpeth Junction, station buildings taken down and rebuilt on an enlarged scale.

At Morpeth, sidings in connection with the H.R.N.S.N. Company's yard extended 90 feet.

Goods shed erected.

River wharf constructed near Northumberland-street platform.

At High-street, West Maitland, level crossing widened and improved.

Galvanized iron fence erected round Station-master's house and grounds.

A siding, 180 feet long on Commissioner's land and 378 feet outside fence, laid in for discharging road metal.

At Elgin-street, West Maitland, hay stage enlarged.

Verandah, 12 feet wide, added to front of goods-shed.

An additional siding, 660 feet long, laid in for goods traffic.

Approach road made *via* Devonshire-street, and goods-yard enlarged and improved.

At Wollombi Road, sheep wharf constructed, and siding 996 feet long laid in.

At Lochinvar, ladies' room and booking-office erected.

At Greta, ladies' waiting-room erected.

Complete set of signals fixed.

At Branston, a ladies' waiting-room, and kitchen to Station-master's house, erected. At

At Singleton, refreshment-rooms extended and improved.
 Siding 2,154 feet long laid in.
At Muslebrook, wicket gates fixed at level crossings.
 Culvert under approach road lengthened 20 feet.
At Scone, level crossing constructed.
At Wingen, weatherboard residence for signalman erected.
At Blandford, closet and urinal accommodation provided.
At Murrurundi, sand furnace erected.
 Booking office erected, and parts of existing buildings fitted up as refreshment rooms.
At Temple Court, platform constructed.
 Gatekeeper's house erected.
At Quirindi, six small cottages for station employés erected.
 Guard's room erected.
At McKay (between Willow-tree and Quirindi), platform constructed.
At Tamworth, stable for shunt horses erected.
 Wool stage constructed.
 Guard's room erected.

Line relaid with steel rails during the year :—

						feet.
Between 1 and 5 miles ... ..	...	...	...	...	...	2,748
Between 16 and 18 miles ... ..	...	...	...	...	...	402
						3,150
					Total	3,150

ACCOUNT of Permanent-way Rails turned, renewed, and broken, during the year 1878.

Extensions.	Length.	Date when opened for traffic.	Time opened for Traffic up to 31st Dec., 1878.	Rails.		
				Number turned.	Number renewed.	Number broken.
Newcastle to Murrurundi, including Morpeth and Bullock Island Branches	m. ch. 124 69	.....	yrs. mos.	176	37	5
Murrurundi to Quirindi.....	24 78	13 Aug., 1877	1 4½	...	...	...
Quirindi to Tamworth	37 23	15 Oct., 1878	0 2½	...	...	...
Newcastle to Tamworth, including Morpeth and Bullock Island Branches.....	187 10	.....	.....	176	37	5

The following shows the number of men per mile of single line engaged in the maintenance of the permanent-way.

Newcastle to Murrurundi, including Morpeth Branch	80
Murrurundi to Tamworth	1.25

W. MASON.

No. 2.

The Locomotive Engineer to The Commissioner for Railways.

Department of Public Works, Railway Branch, Locomotive Engineer's Office,

Sir,

Referring to your minute of the 22nd instant, relative to the report required from me for the Locomotive and Carriage Departments for 1878, which pressure of other work has prevented my preparing in the comprehensive form indicated in the minute paper of July 15/78, I have now the honor to submit the following brief report:—

Although the matter affecting the locomotive and carriage departments requiring my attention and consideration on newly taking charge of these branches of the service could not be otherwise than numerous, yet, owing to my connection with the railway having commenced near the close of the year, viz., 1st September, 1878, my report could not, under any circumstances, embrace from personal knowledge more than a comparatively brief portion of that year.

Many of the principal matters connected with the locomotive branches have already been dealt with by me in the various reports that I have submitted from time to time. Amongst the principal the following may be briefly enumerated:—

1. The inadequate workshop accommodation and plant for maintaining the engines, carriages, and other rolling stock;
2. The absence of adequate running sheds, water supply, and other appliances at the various depôts throughout the lines;
3. The defective condition of the rolling stock;
4. The want of adequate engine power; and
5. The great diversity in type of the engines and other vehicles.

(1.) The workshop question is one which for several years past has been brought prominently forward by my predecessors as a matter of vital importance to the safe and economical working of the railway.

Every year during which this matter has remained in its unsatisfactory condition has increased the evils that result, and added to the difficulties which will be experienced in dealing with the subject when the work of providing new workshops shall be taken in hand, owing to the gradual increase in the meantime of the rolling stock.

The various points bearing on this important question have already been fully dealt with in my report of 24th May last, and I would now again urge the necessity for early action being taken to provide adequate workshops, as essential not only to efficiency and economy, but to safety in the working of the department.

(2.) The need for enlarged engine-sheds and improved water supply and other appliances at the various depôts throughout the lines, is only of secondary importance to that of the main workshops in its bearing on the efficient and economical working of the department, and is one which has been already dealt with in my report of May last.

(3.) The maintenance of the rolling stock during the year 1878, so far as my limited acquaintance with the department for that period warrants an expression of opinion—based in great measure on the reports appended—appears to have been conducted with care and economy, as far as the inadequate appliances available for the purpose would permit; but the actual condition of the stock and plant generally, including specially engines and vehicles, has been, in my opinion, far from satisfactory for a considerable time past.

Considering the inadequate workshops and appliances with which the locomotive and carriage departments have been conducted for years past, a better state of things could not reasonably be expected.

As regards the locomotives—to which I have specially directed my attention, as being the source from which the more serious consequences of too long-continued a postponement of adequate repairs might be anticipated—my minute of July, 17/79, showed that there were then no less than thirty-five engines on the Southern and Western Lines alone waiting to come in for thorough examination and repair (besides those actually in the workshops and others waiting minor repairs), but which could not be taken in hand, owing to the want of shop-room and plant.

To recover lost ground a largely-increased expenditure on repairs and renewals in the future must result, and as suitable workshops to enable these renewals and repairs to be coped with cannot at best be

got

got into operation for a considerable time—while, in the meantime, the quantity of rolling stock to be maintained is growing at a greater ratio than the means available for dealing with it, during which time its condition must deteriorate rather than improve—the process of recovery to a state of efficiency when taken in hand will necessarily be felt for some years to come.

(4.) The want of adequate engine power, under which the department has long suffered, has contributed largely to the present backward state of repairs by frequently compelling engines requiring to come into the shops to be continued at work for too long a period, resulting in undue wear and tear, besides causing other well-known inconveniences in working, by which the measures necessary to secure proper care in the running of the engines are rendered impossible.

In the course of 1878 six passenger and twelve goods engines were added to the stock, and since then seven passenger, eleven goods, and three light tank-engines for the Richmond line have been delivered, in addition to the two goods engines ordered to replace those destroyed last year in the accident at Emu Plains, while the various orders now in hand will go still further to meet the difficulty in which the department is placed by inadequate engine power.

As regards other rolling stock, large contracts, extending over five years, have been entered into with Messrs. Hudson Brothers, Messrs. Moyes and Donald, and Mr. Ritchie, to meet the deficiency in carriages and waggons.

It must, however, be borne in mind that addition to the rolling stock in the absence of proper means for accommodating and repairing them is not an unmixed advantage, for, while it enables defective engines and vehicles to be stopped, pending the opportunity for repairing them, it adds proportionately to the already overcrowded state of the workshops and sheds.

(5.) The great variety in the types of the engines and carriages invites attention, as tending largely to increase the difficulties as well as the cost of maintenance.

Out of a total of 180 engines there are no less than twenty-three different patterns, and the carriages are almost equally diversified, while four or five types of engines, and probably as many types of carriages, ought to be sufficient to meet all requirements of the traffic.

To secure proper efficiency and economy in the working of the Railway every effort should be directed, not only to keep down but to reduce the number of types at the earliest possible date.

As a further means of promoting the efficiency of the Service, I would recommend as worthy of consideration the advisability of providing house accommodation for the drivers and firemen, and other workmen employed at the outlying stations, where houses are not otherwise available.

I attach reports to the 31st December, 1878, which I have received from the locomotive overseers, together with a list of pumping engines, machinery, and plant added during the year.

I have, &c.,

ROBT. H. BURNETT,

Locomotive Engineer.

GREAT SOUTHERN, WESTERN, AND RICHMOND RAILWAY.

Report from the Locomotive Overseer to the Locomotive Engineer on the condition of the Rolling Stock, Machinery, and Pumping Engines, to 31st December, 1878.

LOCOMOTIVE ENGINES AND TENDERS.

No. 2. Nearly worn out, but is still serviceable for shunting, for which purpose it is constantly in use in Sydney yard.

No. 5. In working condition, but requires to come in for the turning up of wheels, and other repairs of a general character. The boiler is in good condition.

No. 6. In working order, but not in use, being unsuitable for general use; the tender is running with No. 2 engine.

No. 7. In working condition, and employed running Darling Harbour coal trains.

No. 8. In fair working order. Used for shunting purposes at Goulburn. The tank has been repaired and the boiler is in a perfectly safe condition, the pressure being reduced to 90 lbs. to the inch.

No. 9. Out of repair and recommended to be broken up.

No. 10. In fair condition generally.

No. 11. In working order, but is still unemployed, being unsuited for ordinary traffic. Cylinders are nearly worn out.

No. 12. In fair working condition. Employed as emergency engine at Bathurst, but seldom used.

No. 13. In good working order; used as a ballast engine. The boiler is in sound condition.

No. 14. In working order but requires to come in for the turning up of wheels and a general repair. The boiler and cylinders are defective, as explained in my report on the condition of rolling stock, on 31st August last, but are yet quite safe for running.

No. 15. Still running, but is at once to be taken in for a thorough repair, including the taking of the boiler out of the frames and renewing those portions that are defective. The imported duplicate cylinders put in early in 1878 have to be replaced with new ones, as one of them has a crack in it extending the whole of its length.

No. 16. In fair running order, but the boiler and cylinders are defective as stated in last report. The duplicate boiler for the 14 to 16 class of engines not having been indented for as recommended by me in September last, these engines will be delayed a long time in the shop while the necessary renewals are being effected to the boilers.

No. 17. Undergoing a general repair. The boiler is in a satisfactory state.

No. 18. In good order but the tires on engine wheels are wearing thin.

No. 19. In fair general condition, except that a flaw in the corner of copper fire-box will shortly have to be attended to.

No. 20. In fair general condition. The boiler is now in a sound state, having recently had the defective corners cut out of copper fire-box, and corner plates screwed on in the usual way, also a patch put on the fire-door ring.

No. 21. In good condition, having just left the shop after a general repair.

No. 22. In fair general condition. The leading wheel tires of tender are, however, wearing thin. The boilers of the above six goods engines, Nos. 17 to 22, are all in sound condition, except that of No. 19. While No. 21 was last in the shop for repairs seven additional copper screw stays were put in the tube-plates below the tubes in consequence of the bulging of the plate. Three duplicate boilers were imported for this class (available also for 44 to 47 class). One of these was put into No. 17 and one into No. 47, and one remains yet in the store. The old boiler belonging to the above class (from No. 18) has not yet been taken in hand for repairs. The cylinders and faces of steam ports of the above engines are generally much worn.

No. 23. In good running order, and the boiler, though patched in the corners of the copper fire-box, is in a sound state.

No. 24. In first class order, having just left the shop after undergoing a thorough repair,—the defective boiler having been replaced with that taken from No. 35 engine, which had in the meantime been renewed in the copper fire-box.

No. 25. In fair general condition, but is chiefly used for shunting, pending an opportunity of changing the wheels, two of the tires being loose.

No.

No. 26. In good running condition. Underwent a general repair in October last, but the copper fire-box is not in a satisfactory state, although kept tight and quite safe as previously reported.

No. 27. In fair general condition, but will soon require to come in for turning up wheels and a general repair.

No. 28. Undergoing a general repair. It is being found necessary also, in consequence of flaws in the corners of copper fire-hole plate, to cut away the same and screw on angle patches as usual in such cases. This fire-box was renewed in September, 1876; it was therefore unusually early for it to become defective. After the repairs to No. 28 the boilers of the above engines, 23 to 28, will be in fairly satisfactory condition—except No. 26, which will have its boiler changed at an early date. The cylinders of the above engines are generally much worn, and several are cracked and secured with bolts.

No. 29. Will require to come in early for a general repair.

No. 30. In fair running order, but the barrel of boiler and fire-box are defective, as explained in last report, but are still quite safe for use.

No. 31. In first rate order, having just left the shop after a thorough repair, when the new boiler (stated in last report as being made for No. 30) was put in, it being found necessary to remove the defective boiler from the frames. The latter boiler has not yet been taken in hand to see whether it is capable of being repaired for No. 30 engine, but it will be done as early as practicable.

No. 32. In good general condition.

No. 33. In fair working order, but will soon require to come in for a general repair.

No. 34. In running order, but will be taken in at once for a thorough repair, when the old duplicate boiler from No. 32 will be put in after being renewed as required.

No. 35. In fair working order, but will soon have to come in for a general repair.

The boilers of the foregoing four bogie engines Nos. 32 to 35 are all in good condition except that in No. 34.

There are three spare old duplicate boilers belonging to this class along with 23 to 28 class, two of which (those from Nos. 24 and 25 engines) are being fitted with entirely new copper and iron fire-boxes.

No. 36. In good running order.

No. 37. In fair general condition.

No. 38. In safe working order, but is employed at Wagga principally shunting, pending an opportunity for taking it in, turning up of wheels and a general repair.

No. 39. In good general condition.

The boilers of the foregoing engines for mixed traffic Nos. 36 to 39 class have given general satisfaction, no defects of a serious nature having exhibited themselves.

No. 40. In working order, but used principally for shunting, pending its being taken in for new boiler as per previous report.

No. 41. In safe working order, but will soon require a general repair and new boiler.

No. 42. In fair working order but the boiler is defective.

No. 43. In good working order having recently received a general repair, but the boiler is defective, similar to those of the three preceding engines of the same class as reported previously. The new duplicate boilers for these engines are now coming to hand, and No. 40, which has the worst boiler, will be taken in at once.

No. 44. About to leave the shop after a thorough repair, when it was fitted with the old boiler removed from No. 47, which had been renewed in the fire-box and fitted with crown stays, as explained in last report.

No. 45. In running order but will soon have to come in for a general repair. Boiler is defective.

No. 46. In good running order, except the inefficiency arising from the defectiveness of boiler.

No. 47. In good condition having recently been under a general repair.

In my last report the defect in the construction of the fire-boxes of the above class of goods engines Nos. 44 to 47 was duly explained. Nos. 45 and 46 are still running with the original defectiveness in the stays of fire-box. The old boiler, however, from No. 44 is being altered for one of these engines.

No. 48. In the shop for changing wheels (in consequence of breaking of crank axle), and is also receiving a general repair.

No. 49. In fair running order, but will require shortly to come in for turning up of wheels and a general repair.

No.

No. 50. In good condition. Received a general repair in November last.

No. 51. In fair general condition.

No. 52. Destroyed at Emu Plains accident. The old boiler has not yet been taken in hand for repairs, having other work more pressing.

No. 53. In fair general condition. Left the shop in November after a general repair. There is, however, a slight flaw in the crank axle, but not such as to be dangerous to run at present; but the engine will be taken in early to have a strap fitted to flawed axle.

No. 54. In fair running order, but will soon have to be taken in for a general repair.

No. 55. Just stopped from running; about to be taken in for a general repair.

No. 56. In good condition, having left the shop in November after a general repair.

No. 57. Just taken in for a general repair.

No. 58. Will shortly require to be taken in for a general repair. A flaw was discovered in the crank axle in October, when a strap was put on to prevent the extension of same.

No. 59. In fair condition.

The foregoing twelve goods engines, 48 to 59 class, are all in good condition with respect to the boilers—no flaws or defects of great importance have as yet manifested themselves. Only one improved cast-iron draw frame has been fitted as yet in the above engines, as the original draw frames have answered better since being strengthened by the addition of angle pieces.

No. 60. In running order, but requires to come in for a general repair.

No. 61. Undergoing a general repair.

No. 62. Undergoing a general repair.

No. 63. In good condition—received a general repair in October last.

No. 64. In good condition.

No. 65. In good condition. Received a general repair in September last.

The foregoing six 5-ft. wheel passenger engines, 60 to 65 class, have given general satisfaction as regards the boilers; no serious defects having yet shown themselves.

No more engines have been fitted with improved cast-iron draw frames, as the original draw frames have answered better since being strengthened by the addition of angle pieces, and of course the frames will not be removed while they continue to give satisfaction.

No. 66. Requires to be taken in for sundry minor repairs, otherwise in good condition; the boiler being in good order.

No. 67. In working order, but will soon have to come in for a general repair.

No. 68. In working order, but will soon require to come in for a general repair.

No. 69. In safe working condition, but will be taken in as early as possible for a general repair. A piece is broken out of the exhaust port, causing a slight "blow" through, but not sufficient to call for the taking out of the cylinders at present.

No. 70. In safe working order, but will be taken in the first opportunity for a general repair. This engine is running with a piece broken out of the steam port, an additional piece of metal having to be cast on the valve in order to cover the port.

No. 71. In fair general condition.

No. 72. In fair general condition.

No. 73. In working condition, but will soon require to come in for turning up of wheels, &c.

No. 74. In fair general condition. None of the above 8 suburban tank engines Nos. 67 to 74 class, have been in the shop for general repair more than once, but the most of them will shortly have to come in for that purpose. The boilers of these engines have given general satisfaction. The cylinder castings have not been so satisfactory, especially in Nos. 69 and 70 (supplied by Mort and Co.), which have defective steam ports, and the faces of steam chests are honeycombed.

No. 75. In fair running order, but will soon require to come in for turning up wheels and other repairs. When engines 75 to 78 were built at the Railway Works to replace worn out engines 1 to 4, the old tender, frames and wheels of 1 to 4 were utilized, and new tanks made for them. The old tender having the best tanks (No. 1) was, however, run with No. 75, previous to the renewal of tank. The tender formerly belonging to destroyed 103 engine has now been temporarily attached to 75, to allow of the tender of 75 being fitted with the new tanks.

No.

No. 76. In good running order, but will shortly require wheels turned up and other repairs.

No. 77. In good general condition.

No. 78. In fair general condition. The above four engines, Nos. 75 to 78, for mixed traffic, have given general satisfaction.

No. 79. In good running order, having just left the shop after a general repair. No extra trouble has been caused through leaky copper stays since last report.

No. 80. In safe running order, but requires to come in for turning up wheels and a general repair. The bulging of copper plates in fire-box has not become worse, and the boiler is in a tight and safe condition.

No. 81. In fair working condition. Since the repairing of the stays in fire-box the boiler has been maintained in a tight and safe state.

No. 82. In good condition, having undergone a general repair in November last.

No. 83. In fair general condition, but the wheels require turning up.

No. 84. In working order, but must soon be taken in for turning up wheels, and a general repair.

No. 85. In good order, having just left the shop after a general repair.

No. 86. In good order, having received a general repair in September last.

No. 87. In running order, but the wheels will soon have to be turned up.

No. 88. In good general condition.

No. 89. In the shop for turning up of wheels and sundry repairs.

No. 90. In fair general condition, but the wheels require turning up.

No. 91. In good general condition.

No. 92. In good general condition.

The tubes and stays in the fire-boxes of the foregoing fourteen bogie engines, Nos. 79 to 92, have not, since last report, required much more than ordinary attention to keep them tight.

Nos. 93 and 94. In fair general condition, but the wheels require turning up.

No. 95. In fair general condition, but wheels will soon require turning up.

No. 96. In good condition. A second flaw was discovered in the crank axle in October last, when it was taken out and condemned. The opportunity was taken at that time for giving the engine a general repair.

No. 97. In fair general condition, but the wheels require turning up.

No. 98. In fair condition, but will soon have to come in for turning up of wheels and other repairs. The flaw in axle has not extended since last report.

No. 99. In good order. Received a general repair in September last.

No. 100. In fair general condition, but the wheels will soon require to be turned up.

No. 101. In good condition, having just left the shop after a general repair.

No. 102. In fair general condition, but will soon require wheels turned up and other repairs.

No. 103. Destroyed. The repairs to old boiler have not yet been commenced, but the tender is completed, and has been attached temporarily to No. 75.

No. 104. In good order. Received a general repair in October last.

The tubes and stays in the fire-boxes of the foregoing twelve goods engines, Nos. 93 to 104, have required a little more than ordinary attention in keeping them tight, but no very serious defects have exhibited themselves.

No. 105. Will shortly be taken in for turning up wheels and other repairs. This American engine has so far given satisfaction in the way it has run, and the boiler has caused no trouble, but this engine has not been employed beyond Picton or Penrith, not being provided with efficient brake power.

Nos. 106 and 107. In good condition.

No. 108. In working condition, but will have early to come in for turning up of wheels and sundry repairs, including the re-ferruling or caulking of some of the tubes in fire-box.

No. 109. In good condition.

Nos. 110 and 111. In fair running order, but will soon have to come in for turning up wheels and sundry repairs.

No. 112. In good condition.

No. 113. In good condition.

Nos. 114, 115, 116, and 117. In good condition.

The foregoing twelve goods engines, Nos. 106 to 117, have given general satisfaction.

No. 118. In good condition.

No. 119. In good condition, except that there is a leak in the outer shell of fire-box, between it and the engine frames, which probably will require the boiler taken out of the frames in order to stop it.

No. 120. In good condition, except that it is leaky—in the same manner as No. 119 engine.

Nos. 121, 122, and 123. In good condition.

With the exception of Nos. 119 and 120, these six engines have given satisfaction.

From the foregoing statement it will be seen that there are over thirty engines requiring more or less urgently to come in for turning up wheels and other repairs—in some cases of a very extensive character. The engines during the past year have been maintained in a safe condition, and as efficient as possible, under the circumstances of the limited number available and the extreme deficiency of workshop accommodation for repairing them. With the increase of work, consequent on the extension of lines and the additional traffic and rolling stock, the question of further workshop accommodation is assuming serious proportions, and will not longer admit of delay; otherwise, I fear considerable interference with the traffic will be the result. I therefore strongly recommend that the proposed new workshops, embodying all modern appliances, be at once provided. I understand that money was voted last year for the erection of workshops at Penrith, Bathurst, and Goulburn. If these were provided it would afford considerable relief in the matter of carrying on the work at Sydney, as at present there are urgent orders arriving every morning from the South and West Lines for work that must be forwarded the same night, in order to keep engines from being laid up waiting for the same. Such work could, in the majority of cases, be far more economically performed in the districts where required than at Sydney, provided the necessary accommodation were furnished.

CARRIAGES, BRAKE VANS, WAGGONS, ETC.

Sleeping Carriages—(1 in number).

No. 1. Requires painting and slight repairs. Was recently supplied with new duplicate bogies and wheels.

First Class Carriages—(32 in number).

^{Nos.}

- 1, 2. Will shortly require repairs and painting.
- 3, 4. In good condition.
- 5, 6. In good condition.
- 7, 8. In fair condition.
9. Requires repairs and painting.
10. In good condition.
11. In good condition; just retrimmed.
12. Requires retrimming.
13. In fair condition.
- 14, 15. In good condition.
- 16, 17. In good condition.
18. Requires repairs and painting.
19. In first-class order, having just been repaired and painted.
20. Requires painting and retrimming.
21. Requires painting.
- 22, 23. Require painting and slight repairs.
24. In fair condition, but painting somewhat shabby.
25. Requires varnishing and retrimming.
26. Will soon require repairs and painting.
27. Will soon require repairs and painting.
28. Requires painting outside and inside renovated; wheels are much worn.
29. Will soon require painting.
30. In fair condition.
- 31, 32. In good condition.

Composite Carriages—(35 in number).

^{Nos.}

1. Requires repairs and painting.
2. Will soon require repairs and painting.
3. In first-rate order, having just been repaired and painted.
- 4, 5. In good condition.

Composite

Composite Carriages—(35 in number)—contd.

Nos.

6. Requires repairs and painting.
7. In good condition.
8. In good condition.
9. Will soon require repairs and painting.
10. In good condition.
11. Has just been repaired and painted.
12. In fair condition.
13. Will shortly require repairs and painting.
14. In fair condition.
- 15, 16, 17, 18, 19, 20. In good condition.
21. Requires retrimming.
22. Requires slight repairs and revarnishing.
23. In fair condition.
- 24, 25. In good condition.
26. In shop, being repaired and painted.
- 27, 28. Will soon require repairs and painting.
- 29, 30. do. painting.
- 31, 32, 33, 34, 35. In good condition.

Composite Smoking Carriages—(6 in number).

Nos.

1. In good condition.
2. About to be taken in for painting.
3. In fair condition.
- 4, 5. In good condition.
6. In fair condition.

Composite Break Vans—(20 in number).

Nos.

- 1, 2. In good condition.
3. Requires repairs and painting.
4. Requires painting.
5. In good condition.
6. Will soon require repairs and painting.
- 7, 8. In good order.
- 9, 10. Require repairs and painting.
11. Recently repaired and painted.
- 12, 13, 14, 15. In good order.
16. In fair order.
17. Requires repairs and painting.
18. In fair condition.
19. In shop, being repaired and painted.
20. Requires repairs and painting.

Second Class Carriages—(68 in number).

Nos.

1. Requires repairs and painting.
2. Vacant number, transferred to G. N. R.
3. Do. do. to mail vans.
- 4, 5.
6. Requires slight repairs and painting.
7. Vacant number, converted to 1st class.
8. Do. do. mail van.
9. Do. do. 1st class.
- 10, 11, 12, 13. In fair condition.
14. Requires repairs and painting.
15. Undergoing repairs and painting.
16. In good condition.
17. In fair condition.
18. Just repaired and painted.
- 19, 20. In fair condition.
21. Just repaired and painted.

Second Class Carriages—(68 in number)—contd.

- Nos.
 22. In fair order.
 23, 24, 25, 26. In good order.
 27. Requires repairs and painting.
 28. In fair condition.
 29. Being repaired and painted.
 30. In good condition.
 31. In fair condition; but will soon require painting.
 32. Requires slight repairs and painting.
 33. In good order.
 34. In good order.
 35. In the shop, for changing wheels, &c.
 36. In fair condition.
 37, 38. In good condition.
 39. In fair condition; will soon require painting.
 40, 41. In good order.
 42. Will soon require slight repairs and painting.
 43, 44, 45. In good condition.
 46. In good order, recently repaired and painted.
 47. In fair condition.
 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60. Vacant numbers transferred to Comp. Bk. Vans.
 61. In shop, for changing wheels, &c.
 62. In fair condition.
 63. Will soon require repairs and painting.
 64. Requires slight repairs and painting.
 65. In fair order.
 66. Requires painting.
 67. In fair condition.
 68, 69, 70, 71, 72, 73. Vacant numbers transferred to smoking carriages.
 74. In good order.
 75. Requires repairs and painting.
 76, 77, 78. Requires repairs and painting.
 79, 80. In fair condition.
 81, 82, 83. Require painting.
 84. In shop, being lifted.
 (sic) 85.
 86. Will shortly require repairs and painting.
 87. Requires painting.
 88, 89, 90, 91. In good order.
 92, 93. Will soon require sundry repairs.
 94. Requires painting; was recently supplied with a new set of wheels.

Mail Vans—(5 in number).

1. In fair order.
2. Will soon require painting.
- 3, 4. In fair order.
5. About to be taken in for repairs and painting.

Prison Van—(1 in number).

1. In fair order.

Hcarse—(2 in number).

1. Requires painting.
2. In fair order.

Horse-boxes—(51 in number).

- 1, 2, 3, 4. In fair condition.
- 5, 6. In good order.
- 7, 8, 9, 10. In fair condition.
- 11, 12, 13, 14, 15, 16. In fair order, but will soon require slight repairs and painting.
17. In shop, for removal of woodwork.
- 18, 19, 20, 21, 22, 23. In fair order, but will mostly require to come in early for sundry slight repairs.

Nos.

- 24. In shop for changing wheels, &c.
- 25. Requires painting.
- 26, 27. In good order.
- 28. Requires painting.
- 29, 30. In fair condition.
- 31. Requires painting.
- 32. Requires painting.
- 33. In fair condition.
- 34. In good repair.
- 35. In shop, being repaired and painted.
- 36, 37. Will shortly require painting.
- 38. Recently repaired and painted.
- 39. In fair condition.
- 40. Has recently been repaired and painted.
- 41. Will soon have to come in for painting.
- 42. In fair condition.
- 43, 44. Will soon require painting, &c.
- 45. In good order.
- 46. Recently repaired and painted.
- 47, 48, 49, 50, 51. In fair order.

Carriage Trucks—(26 in number).

- 1. In good order.
- 2, 3, 4. In fair condition.
- 5, 6, 7. In good order.
- 8, 9, 10. In fair condition.
- 11. In good order.
- 12, 13, 14, 15, 16, 17, 18. In fair condition.
- 19, 20, 21. In good condition.
- 22, 23. In fair order.
- 24. In good condition.
- 25. In fair condition.
- 26. Was recently repaired and painted.

Break Vans—(57 in number.)

- Heavy or Light.
- 1. Light. In fair condition.
- 2. Heavy. In good order.
- 3. „ In good order.
- 4. „ In good order.
- 5. „ In good order.
- 6. Light. In good order.
- 7. „ In fair condition.
- 8. „ Undergoing repairs.
- 9. „ Requires to be taken in for repairs and painting.
- 10. Heavy. Requires repairs to break gear.
- 11, 12. „ In fair condition.
- 13. „ Requires slight repairs.
- 14, 15. Heavy. In good repair.
- 16. Light. Requires repairs and painting.
- 17. „ Will shortly be taken in for repairs and painting.
- 18. „ In fair condition.
- 19. „ Requires repairs and painting.
- 20. Heavy. Recently repaired and painted.
- 21. „ In good order.
- 22. „ In good order.
- 23. Light. In fair order.
- 24. „ Recently repaired and painted.
- 25. „ In good order.
- 26. „ Undergoing repairs.
- 27. Heavy. In good order.
- 28, 29. „ Recently repaired and painted.

No.		
30.	Heavy.	In fair condition.
31, 32.	Light.	Require repairs and painting.
33.	Heavy.	About to be taken in for repairs and painting.
34.	"	In fair order.
35.	"	Requires lifting.
36.	"	In fair order.
37, 38.	"	In good condition.
39.	"	In good repair.
40.	"	Recently rebuilt and painted.
41.	"	Will soon require repairs and painting.
42.	"	In the shop for repairs.
43.	"	Will soon require repairs.
44.	"	Will soon require repairs.
45.	"	In good order.
46.	"	In the shop for repairs.
47.	"	In fair condition.
48.	"	In good repair.
49.	"	Will soon require repairs.
50, 51, 52.	"	In fair condition.
53 to 57.	"	In good repair.

A. Low-sided Waggon (72 in number)—

3 of these are now undergoing repairs—several require more or less extensive renewals, but the great majority are in good condition.

B. High-sided Waggon (105 in number)—

5 of these are undergoing repairs. Several others require repairs, but the most of them are in good order.

C. Covered Goods Vans (98 in number)—

2 of these are under repairs. A few others will shortly require repairs and painting, but they are generally in good condition.

D. Medium-sided Waggon (1,834 in number)—

20 of these are in the shop for repairs. A number of others will soon have to be taken in, but the great majority is in good order.

E. Timber Waggon (162 in number)—

5 of these are undergoing repairs. With a few exceptions the others are all in good order.

Powder Vans (6 in number)—

These are in good general condition, except one undergoing repairs.

Sheep Vans (114 in number)—

4 are undergoing repairs, and several others will shortly require to come in the shop, but the great majority is in good order.

Cattle Vans (131 in number)—

4 are undergoing repairs, but with a few exceptions the others are in good order.

Composite Cattle and Goods Van (1 in number)—

New vehicle, not yet tried.

Meat Vans (10 in number)—

1 is undergoing repairs, and 1 requires renewing; the others are all in fair or good condition.

Ballast Waggon (42 in number)—

Several require repairs of a more or less extensive nature, but they are generally in good order.

The passenger and goods stock have been maintained in a thoroughly safe and efficient state, especially with regard to those portions, the good condition of which is essential to safety, such as wheels, springs, break and draw-gear, &c. Repairs to bodies of carriages, however, such as painting, trimming, &c., have not in all cases been carried out as early as desirable, partly in consequence of the deficiency of vehicles; but latterly this evil has not been quite so much felt, owing to the receipt of new stock. The want of workshop accommodation, however, as previously reported, is still felt to be a great bar to economy and thorough efficiency in carrying on the work in question. The deficiency of accommodation and appliances is experienced equally in all branches of the carriage and waggon department, excepting perhaps the smith's shop; but special mention might perhaps be made of the painting. In addition to the

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the unsuitability of the existing paintshop (as explained in last report), I may state that in very many cases a coat of varnish applied to a carriage beginning to appear shabby has such a reviving effect as to make the painting appear like new work. But owing to the want of room in the shop such cannot be done, and the vehicles have to run until the painting becomes so bad that it has all to be burned off to the bare wood, thus involving a large unnecessary expense for painting. The whole of the goods and passenger stock have always been maintained by the entire or partial renewal of same as found necessary.

During the past year the undermentioned vehicles have been entirely rebuilt, viz. :—

Heavy break-van, No. 40.

C van, No. 29.

D waggons, Nos. 137, 641, 592, 419, 154, 594, 638, 1111, 1491, 1492, 1493.

Meat-van, No. 5.

There are, however, still a number of D waggons laid up awaiting an opportunity for rebuilding them.

MACHINERY IN WORKSHOPS.

No.	Description.	Remarks.
<i>Machine Shop, Sydney.</i>		
1	20 horse-power horizontal steam engine	In good order.
2	Old locomotive boiler for above ...	The old Cornish boiler not making sufficient steam has been replaced with that from No. 4 old locomotive, which is in serviceable condition.
3	Do. do. ...	From old locomotive No. 3. In fair condition.
4	8-feet double-headed wheel-turning lathe	In good order.
5	4-feet 6-in. do. do.	do.
6	3-feet 6-in. do. do.	do.
7	5-feet 6-in. single-headed do.	do.
8	4-feet do. do.	do.
9	15-in. screw-cutting lathe	do.
10	12-in. do.	do.
11	11-in. do.	In fair condition.
12	11-in. do.	In good order.
13	10-in. do.	do.
14	10-in. do.	do.
15	10-in. do.	do.
16	9-in. do.	do.
17	8-in. do.	In fair order.
18	6-in. do.	In good order.
19	9-in. common slide do.	In fair order.
20	12-feet planing machine ...	do.
21	10-feet do. ...	In good order.
22	6-feet do. ...	do.
23	3-feet do. ...	do.
24	Double-headed shaping machine, 18-in. stroke	do.
25	Single-headed do. do.	In fair order.
26	Bolt and nut do. do.	In good order.
27	Do. do. do.	do.
28	Slotting machine, 12-in. stroke ...	do.
29	Do. 6-in. do. ...	In fair order.
30	Screwing machine ...	In good order.
31	Do. ...	do.
32	Cylinder-boring mill (attached to lathe)	do.
33	Radial drilling machine ...	do.
34	Do. do. ...	do.
35	Do. do. ...	do.
36	Vertical do. ...	do.
37	Small do. ...	do.
38	Do. do. ...	do.
127	Vertical do. ...	do.
39	Hydraulic press ...	do.
40	Circular saw bench ...	do.
41	Do. do. ...	do.
42	Grindstone and trough ...	do.
43	Do. do. ...	do.
44	Pillar crane, for lathe ...	do.
45	Jib do. do. ...	do.
46	Overhead do. do. ...	do.
47	Do. do. ...	do.
48	Twist drill grinding machine ...	do.
49	Hand and slide lathe ...	do.
50	Overhead travelling crane ...	do.
51	Do. do. ...	do.
93	Brass finishers' lathe ...	do.
—	Shafting, pulleys, &c., for the foregoing ...	do.

No.	Description.	Remarks.
<i>Boiler Shop.</i>		
55	10 horse-power portable engine and boiler	In good condition.
56	Large punching and shearing machine... ..	do.
57	Small do. do.	do.
58	Pillar vertical drilling machine	do.
59	Plate-bending machine	do.
60	Fly punch machine	do.
61	Circular saw for cutting tubes	do.
62	Blast fan	do.
63	Vertical saw for cutting brake blocks	do.
96	Plate-heating furnace	do.
94	Tube-cleaning machine	do.
	Shafting, pulley, &c., for foregoing	do.
<i>Pattern Shop.</i>		
52	14-in. Pattern-makers' lathe	In good order.
53	Small wood-turning do.	do.
54	Wardell saw bench	do.
<i>Blacksmith Shop.</i>		
64	Fire bending machine, with furnace	In good order.
65	Fire stretching do. do.	do.
66	Iron crane for wheels	do.
67	Do. do.	do.
68	45-cwt. steam hammer and furnace	do.
69	3-ton crane for do.	do.
70	Vertical boiler with donkey engines for do.	do.
71	15-cwt. steam hammer	In working order, but the cylinders will soon require re-lining, when new piston, &c., will also be required.
72	20 cwt. crane for foregoing	In good order.
73	5 cwt. steam hammer	do.
74	Blast fan	do.
75	20 cwt. crane for tires	do.
<i>Carriage Shop.</i>		
97	14 horse-power portable engine and boiler	In good order.
98	Vertical saw for brake blocks	do.
99	Band saw	do.
100	General joiner	do.
101	Vertical drilling machine	do.
102	Screwing machine	do.
103	Grindstone and trough	do.
104	5½ scroll saw	do.
105	3½ morticing and boring machine	do.
	Shafting, pulleys, &c., for foregoing	do.
<i>General at Sydney.</i>		
76	Locomotive engine weighing machine	In good order.
77	Travelling crane	do.
78	Do.	do.
79	Oil tester	do.
80	Small turntable	do.
81	Do.	do.
82	Do.	do.
83	Do.	do.
84	Do.	do.
85	Traverser	do.
86	Do.	do.
87	Crab winch for lifting engines	do.
88	Do. do.	do.
89	Do. do.	do.
90	Do. do.	do.
91	5 ton jib crane	do.
92	Hand fire-engine	do.
95	10 ton jib crane	do.
<i>Penrith.</i>		
106	4 horse-power vertical engine and boiler	In good order.
107	10-in. screw cutting lathe	do.
108	5-in. do.	do.
109	10-in. shaping machine	In fair order.
110	Drilling machine	In good order.
111	Screwing do.	do.
112	Portable punching and shearing machine	do.
	Shafting, pulleys, &c., for foregoing	do.

APPENDIX TO REPORT ON RAILWAYS—1878.

35

No.	Description.	Remarks.
<i>Bathurst.</i>		
116	Large vertical drilling machine ...	Not yet erected.
117	Small do. do. ...	In good order.
118	10-in. screw cutting lathe ...	} Not yet erected.
119	Small shaping machine ...	
<i>Goulburn.</i>		
113	2 horse-power vertical engine and boiler ...	In good order.
114	10-in. screw cutting lathe ...	do.
115	Small drilling machine ...	do.

ENGINES AND PUMPS FOR SUPPLYING WATER.

No.	Place.	Description.	Remarks.
1	Sydney ...	6 horse-power engine and two pairs 7" pumps with two tubular boilers.	In good order.
2	Duck River ...	3½" hand-pump ...	do.
3	Liverpool ...	4 horse-power engine and boiler, and pair 5½" pumps.	In fair condition. New foot-valve required.
4	Do. ...	Windmill pump ...	Out of repair. The hole in frame in which the centre shaft works is worn, and allows the sweeps to catch the frame. Not worth repairing.
5	Menangle ...	6 horse-power engine and boiler and pair of 7" pumps.	In good order.
6	Bargo ...	4 horse-power engine and two boilers and 7" double acting pump.	do.
7	Wingecarribee ...	4 horse-power Garrett and Marshall's pumping engine.	do.
8	Barber's Creek ...	4 horse-power engine and boiler and 4" double acting pump.	do. except that chimney requires renewing.
9	Goulburn ...	Tank, supplied by gravitation ...	In good order.
10	Mulwarree Ponds ...	Tangye Bros. steam pump ...	} do.
11	Do. ...	do. do. ...	
12	Do. ...	Vertical boiler for above ...	
13	Fish River ...	4 horse-power Garrett and Marshall's pumping engine and vertical boiler.	do.
14	Yass ...	Tangye Bros. steam pump ...	} do.
15	Do. ...	do. do. ...	
16	Rocky Ponds ...	do. do. ...	
17	Illalong Creek ...	Pair of 4" hand pumps ...	do.
18	Cootamundra ...	4 horse-power vertical engine and boiler, and pair of 5" pumps.	do.
18½	Bethungra ...	Tangye Bros. steam pump ...	do.
18¾	Wallacetown ...	2½" double acting force pump ...	do.
19	North Wagga ...	Tangye Bros. steam pump ...	do.
20	Penrith ...	6 horse-power portable engine and boiler, and two pairs 3½" pumps.	Working barrels in bad order.
20½	Do. ...	Tangye Bros. steam pump ...	In course of erection.
21	Wascoes ...	Tank supplied by gravitation ...	In good order.
22	Blue Mountain ...	4 horse-power Garrett and Marshall's pumping engine.	} Coupled and worked together.
23	Do. ...	do. do. ...	
24	Blackheath ...	4 horse-power engine and boiler, and 4-in. double acting pump.	In good order.
25	Mount Victoria ...	Pair 3-in. hand pumps ...	do.
26	Lithgow ...	Tank supplied by gravitation ...	do.
27	Rydal ...	2 horse-power engine and vertical boiler, and pair 3-in. pumps.	do.
28	Tarana ...	4 horse-power engine and boiler, and 4-in. double acting pump.	do.
29	Bathurst ...	3 horse-power vertical engine and boiler, and Tangye Bros. deep well pump.	Not yet in use.
30	Do. ...	Tangye Bros'. 5-in. steam pump ...	In good order.
31	Do. ...	do. 4-in. do. ...	do.
32	Macquarie River ...	3½-in. hand pump ...	do.
33	Reedy Creek ...	Tangye Bros'. 5-in. steam pump ...	do.
33	Blayne ...	Tangye Bros'. 5-in. steam pump ...	do.

ENGINES, &c.— <i>continued.</i>			
No.	Place.	Description.	Remarks.
34	Blayney	Tangye Bros'. 4-in. steam pump	In good order.
35	Orange	4 horse-power portable engine and boiler, and 6-in. single lift pump.	do.
36	Mulgrave	2 horse-power engine, vertical boiler, and pair 3½-in. pumps.	do.
37	Richmond	2 horse-power engine and boiler, and pair 3-in. pumps.	do.
<i>Pumping Machinery added to stock during the year 1878.</i>			
18½	Bethungra... ..	Tangye Bros'. steam pump.	
18¾	Wallacetown	2½-in. double acting force pump	Purchased of A. & R. Amos.
19	North Wagga	Tangye Bros'. steam pump.	
20½	Penrith	do. do.	Required in addition to previously existing appliances.
29	Bathurst	3 horse-power vertical engine and boiler, and Tangye Bros'. deep well pump.	Not yet erected.
31	Do.	Tangye Bros'. steam pump... .. .	This will not be required after completion of erection of No. 29.
34	Blayney	do. do.	do.

The existing pumping machinery has been maintained in efficient repair.

Additional appliances are, however, urgently required, viz., new watering stations established at Mittagong and Weatherboard, an additional tank at Yass, and a pumping engine at Goulburn, reports and recommendations on each case having been duly forwarded. Two watering stations are also required in connection with the two additional locomotive depôts about to be established at Murrumburrah and in the Bowenfels District respectively.

There are also questions relating to a supply of water for Picton, the deficiency of pumping power at Bargo, Blue Mountains, and Blackheath, shifting pump at Rydal, additional reservoirs at Tarana and Springdale, and the re-arrangement of pumps at Bathurst and Blayney, the whole of which, with more or less urgency, claim attention.

The early part of the year 1878 being very dry considerable difficulty was caused, and extraordinary means had to be resorted to to ensure a sufficient supply of water for working the traffic on the Western Line, and additional steam pumps were erected at Blayney and Bathurst. One of the steam pumps, however, at Bathurst, will be removed when the deep well pump there has been erected. It was also found necessary to erect additional tanks at Barber's Creek and Penrith, and at the latter place an additional steam pump is being erected. The hand pump and tanks formerly belonging to Messrs. A. & R. Amos, at Wallacetown, were purchased as it is necessary for some of the engines to take water between Bethungra and Wagga. The Tangye Bros'. steam pump temporarily erected at Reedy Creek was returned into store in June last, the hand-pump there being found sufficient for the requirements.

An additional jib crane is being fixed to the water-tank at Wascoe's, one crane being found to be insufficient.

W. SCOTT,

2/4/79.

GREAT NORTHERN RAILWAY.

Report from the Locomotive Overseer to the Locomotive Engineer on the condition of the Rolling Stock, Machinery, and Pumping Engines, to 31 December, 1878.

LOCOMOTIVE ENGINES AND TENDERS.

Nos. 1 & 2 Engines and Tenders.—Are in fair working order.

No. 3 Engine and Tender.—Is laid up for a general repair to engine and new boiler.

No. 4 Engine and Tender.—Is in fair working order with the exception of its wheels. The tires are thin and will not stand turning up again.

No. 5 Engine and Tender.—Is in fair working order with the exception of the boiler. A new boiler was ordered for this engine 20 July, 1878.

No. 6

No. 6 Tank Engine.—Is in first-class working order.

No. 7 Tank Engine.—Was laid up 4/11/78 for thorough repairs to engine, also examination of boiler. The boiler has been examined and found to be in a very bad state of grooving and corrosion.

From the monthly report for November it will be seen that I ordered a new boiler for this engine in July, 1878.

No. 8 Engine and Tender.—Laid up 17/12/78 for thorough repairs to engine and new boiler.

No. 9 Tank Engine.—Requires laying up for a pair of new cylinders as early as practicable. A new pair ready in the shop to put in.

No. 10 Engine and Tender.—Laid up 3/9/78 for thorough repairs to engine and examination of boiler. This engine and boiler was finished on 14/12/78.

Nos. 11 & 12 Engines and Tenders.—Are in fair working order.

No. 13 Engine and Tender.—Is in fair working order with the exception of tires; they are thin and will not stand turning up again.

No. 14 Engine and Tender.—Requires laying up for thorough repairs to engine and tender. The old boiler taken out of frame of No. 16 is being thoroughly repaired, and will be used for No. 14 as early as practicable.

No. 15 Engine and Tender.—Requires laying up for thorough repairs to engine and tender, and boiler, as early as practicable.

No. 16 Engine and Tender.—Was laid up for thorough repairs, on the 3/9/78, to engine and tender. The new boiler ordered for No. 14 was used for this engine. Finished and commenced to run on the 14/11/78.

No. 17 Engine and Tender.—Requires laying up for thorough repairs as early as practicable.

No. 18 Engine and Tender.—Was laid up 18/11/78 for thorough repairs to engine and boiler. (See Monthly Report for November, 1878, for repairs effected.)

No. 19 Engine and Tender.—Requires laying up for thorough repairs.

No. 20 Tank Engine.—This engine was laid up for thorough repairs to engine and boiler in October, 1878. Finished, and commenced to run 31/12/78. Is now in good working order.

No. 21 Engine and Tender.—Is in good working order, with the exception of the tires; they are very thin and will not stand turning up again.

No. 22 Engine and Tender.—Is in first-class working order, with the exception of the slide valves; and tires require turning up.

No. 23 Engine and Tender.—Was laid up in August, 1878, for thorough repairs. Finished, and commenced to run October, 1878; and is now in first-class working order.

No. 24 Engine and Tender.—Requires laying up for thorough repairs to engine and examination of boiler. This engine was used for ballasting the extension between Quirindi and Tamworth from June 30, 1878, to September 10, 1878.

No. 25 Engine and Tender.—Is in first-class working order.

No. 26 Engine and Tender.—Is in first-class working order. The cylinders of engines Nos. 23, 24, 25, and 26, where they are jointed together, are all leaking; they require taking apart and the joints planed and scraped as early as practicable. These joints never were a good job.

Nos. 27 and 30 Engines and Tenders.—Are in good working order. New slide valves were put into these two engines December, 1878.

Nos. 28 and 29 Engines and Tenders.—Are in good working order, with the exception of the slide valves; they require new ones as early as practicable.

Nos. 31, 32, 33, 34, 35, and 36 Engines and Tenders.—Are all in fair working order.

CARRIAGES, BRAKE VANS, WAGONS, &c.

First class Carriages.

Nos. 1 to 7, 10, 12 to 16 are all in good working order. Nos. 8 and 9 are now undergoing thorough repairs, painting, and trimming. No. 11 requires laying up for thorough repairs, painting, and trimming.

Composite Carriages.

Nos. 1 to 8 are all in good working order.

Second

Second class Carriages.

Nos. 1 to 4, 6 to 9, 12 to 22, 27, 28 to 30, 32 to 34, 36 to 40, 42 to 48, are all in good working order. No. 5 is now undergoing renewal to body. No. 10 requires the body to be renewed as early as practicable, it has been in use about twenty-two years. Nos. 11, 31, 35, and 41 require laying up for thorough repairs and painting. Nos. 23 to 26 and 29 are all in good working order, but require to be fitted up with Venetian blinds to side lights as early as practicable.

Post Office Vans.

Nos. 1 to 4 are all in good working order.

Horse-boxes.

Nos. 1 to 5, 7, 8, 10 to 19, are all in good working order. No. 6 is now undergoing thorough repairs and painting. No. 9 requires laying up for repairs and painting.

Carriage Trucks.

Nos. 1 to 5, 7 to 12 are all in good working order. No. 6 requires laying up for thorough repairs and painting.

Brake Vans.

Nos. 1 to 7, 9 to 16, 19 to 34, are all in good working order. No. 17 is now undergoing thorough repairs and painting. Nos. 8 and 18 are laid up for thorough repairs and painting. No. 8 has been in use eleven years. No. 18 about eight years.

A Trucks.

Nos. 1 to 12, 14 to 16, 19, 21 to 40, are all in fair working order. Nos. 18 and 20 laid up for ordinary repairs. Nos. 13 and 17 require laying up for renewals as early as practicable, they have been in use about twenty-two years.

B Waggon.

Nos. 1 to 6, 8 to 16, 18 to 24, 26 to 39, are all in good working order. Nos. 7, 17, 25, and 40 are laid up for thorough repairs and painting.

C Vans.

Nos. 1, 2, 4, 6, 8 to 41 are all in good working order. Nos. 3, 5 and 7 converted into powder vans.

D Waggon.

Nos. 1 to 3, 6, 8, 10 to 12, 15, 16, 19 to 21, 23 to 30, 32 to 38, 40 to 50, 52, 54 to 72, 74 to 82, 84, 86 to 88, 90, 92 to 95, 98 to 100, 102 to 107, 109 to 115, 117, 119 to 121, 123 to 125, 128 to 131, 133 to 136, 138 to 143, 146 to 148, 150 to 152, 154, 155, 161 to 169, 171 to 173, 176, 177, 179 to 186, 189, 191, 193 to 201, 203 to 447, are all in good working order. Nos. 9 and 157 laid up for ordinary repairs. No. 202 was broken to pieces on Messrs. J. and A. Brown's line, 21/11/75.

The following D waggon are in possession of Mr. Wakeford, ballasting Tamworth Extension:—Nos. 4, 5, 7, 13, 14, 17, 18, 22, 31, 39, 51, 53, 73, 83, 85, 89, 91, 96, 97, 101, 103, 116, 118, 122, 126, 127, 132, 137, 144, 145, 149, 153, 156, 158, 159, 160, 170, 174, 175, 178, 187, 188, 190, and 192. These waggon will require a thorough overhauling and lifting when returned by Mr. Wakeford.

Timber Trucks.

Nos. 1 to 44 are all in good working order.

Powder Vans.

Nos. 1 to 3 are in good working order (formerly Nos. 3, 5, and 7 C Vans).

Sheep Vans.

No. 1 laid up for a thorough repair and painting. Nos. 2 to 13, 15 to 22, 24 to 34, 36 to 64, are all in good working order. Nos. 14, 23, and 35 are laid up for ordinary repairs.

Cattle Vans.

Nos. 1 to 32, 34 to 52, are in good working order. No. 33 laid up for ordinary repairs.

Meat Van.

No. 1 is in good working order (formerly No. 6 Cattle Van).

Ballast Waggon.

Nos. 1 to 7, 9 to 30, 32 to 43, are all in good working order. Nos. 8 and 31 are laid up for ordinary repairs.

MACHINES AND TOOLS.

No. 1.—One 25 h.-p. horizontal engine and boiler for driving machinery and tools in machine shop at H. S. Point. The boiler is 20 ft. long by 5 ft. 6 in. in diameter, in first class working order.

No. 2.—A new duplicate boiler made at the works, and of the same dimensions as the one in use. This boiler is set in brickwork, with the exception that the flues are not connected with the chimney; the mountings and connections are not yet finished.

No.

- No. 3.—One 10 h.-p. diagonal engine-boiler that was used for driving machinery and tools in old machine shop; this engine and boiler will require a thorough repair before being used again. It is my intention to use this engine and boiler after being thoroughly repaired, to drive the tools and fan in the new boiler-shop.
- No. 4.—One self-acting slide, brake and bar, facing lathe movable bed 20 ft. long; base plate 30 ft. long, used for turning wheels. This lathe is in first-class working order.
- No. 5.—One 5-ft. double-headed wheel lathe, in first-class working order.
- No. 6.—One self-acting screw-cutting gap lathe, 17-in. centres, bed 25 ft. long. This lathe had been some years in use before it came here; is now in fair working order.
- No. 7.—Self-acting screw-cutting lathe, 12-in. centres, bed 15 ft. long; in fair working order.
- No. 8.—Lathe, 10-in. centres, bed 12 ft. long (not self acting). This lathe is in fair working order.
- No. 9.—Self-acting screw-cutting lathe, 9-in. centres, bed 10 ft. long. This lathe is in first-class working order.
- No. 10.—Self-acting screw-cutting gap lathe, 9-in. centres, bed 10 ft. long; in first-class working order.
- No. 11.—Self-acting screw-cutting lathe, 6-in. centres, bed 6 ft. long; in fair working order.
- No. 12.—Lathe, 8-in. centres, wooden bed 6 ft. long, used for turning patterns and cutting tube; in fair working order.
- No. 13.—Self-acting planing machine to plane work, 6 ft. long, 3 ft. 6 in. wide; in fair working order.
- No. 14.—Self-acting planing machine to plane work, 6 ft. long, 3 ft. 6 in. wide; in first-class working order.
- No. 15.—Self-acting slotting machine, 12-in. stroke; in first-class working order.
- No. 16.—Self-acting double-headed shaping machine, 18-in. stroke; in first-class working order.
- No. 17.—Bolt and nut-screwing machine, to screw from $\frac{1}{2}$ in. to 2 in. diameter. This machine is in first-class working order.
- No. 18.—Boring machine for boring out cylinders. This machine was made at the works, and is fixed on bed of No. 4 lathe. This machine is in first-class working order.
- No. 19.—Radial drilling machine, in first-class working order.
- Nos. 20 and 21.—Vertical drilling machines, to drill holes 2 in. diameter in centre of work 2 ft. 8 in. diameter; in first-class working order.
- No. 22.—Punching and shearing machine, arranged so that both operations can go on at once to punch holes $\frac{3}{4}$ in. diameter in $\frac{5}{8}$ -in. plate. This machine is in fair working order.
- No. 23.—Punching and shearing, arranged so that both operations can go on at once, to punch holes $\frac{3}{4}$ in. diameter in $\frac{5}{8}$ -in. plate. This machine was purchased from Messrs. Vale & Lacy in August, 1875, and has not been used at the works; it will require considerable repairs before it can be used.
- No. 24.—Small hand-punching press, for punching holes in sheet iron; in fair working order.
- No. 25.—Plate-bending machine; was purchased from Vale & Lacy in August, 1875; had been in use some years before it came here. In fair working order.
- No. 26.—Hand-punching bears, in fair working order.
- No. 27.—Fan blast, in first-class working order.
- No. 28.—Circular saw bench, in fair working order.
- No. 29.—Slide-valve facing machine. In first-class working order.
- Nos. 30 and 31.—Grind-stones with wooden frames. In fair order.
- No. 32.—Small hand-machine, for making bolts and nuts. This machine is now useless.
- No. 33.—Weighing-machine for weighing engines. This machine is not used as it does not weigh correctly; each time an engine is moved off and on the weights vary.
- No. 34.—Hydraulic press for drawing wheels off and on their axles. In first-class working order.
- Nos. 35 and 36.—Portable cranes. In fair working order.
- No. 37.—Crab-winch used for lifting waggons and carriages. In first-class working order.
- No. 38.—Crab-winch fixed on top of gantry for lifting engines, boilers, tenders, &c. In first-class working order.

No. 39.—Crab-winch with malleable frames. In fair working order.

No. 40.—Crab-winch with cast-iron frames. In fair working order.

No. 41.—Hydraulic test pump, by Tangye Bros., for testing boilers. In first-class working order.

PUMPING ENGINES AND PUMPS.

Nos. 1 and 2. *Bullock Island Junction*.—There are two of Tangye Bros' special steam pumps at this place, and are in first-class working order.

I may state for your information that the works at Honeysuckle Point are supplied from this pumping station, also the hydraulic cranes for shipping coals at the dyke.

No. 3. *Morpeth*.—There are a pair of hand-pumps 4-in. diameter, and 5½-in. stroke, worked by crank and fly-wheel at this place, and are in first-class working order.

No. 4. *West Maitland*.—One pumping engine 3 horse-power, made by Garrett & Marshall. The engine requires a thorough repair; the boiler belonging to this engine is at the works, Honeysuckle Point and has been thoroughly repaired, and now ready for fixing in brickwork.

The engine is at present worked by a vertical boiler I had in stock.

The pumping engine that was used at Honeysuckle Point has been thoroughly repaired, and will be taken to West Maitland to replace the one at present in use there while being repaired.

This work will be done as early as practicable.

No. 5. *Anvil Creek*.—One hand-pump, 4-in. diameter, 5½-in. stroke. In first-class working order.

No. 6. *Singleton*.—One 3 h.-p. table engine, working a pair of 4-in. pumps, and is in first-class working order.

No. 7. *Ravensworth*.—The double-acting pump, with engine fixed on boiler, made by Messrs. P. N. Russell & Co., Sydney, is now at the works, H. S. Point, undergoing a thorough repair to engine, boiler, and pumps, which I expect will be finished in about 6 weeks.

No. 8. *Aberdeen*.—The pumping engine at this station is a 4 h.-p. horizontal engine, driving three pumps, 4 in. diameter, 9 in. stroke.

The pumps are fixed down the well, and are driven with gearing. In good working order.

No. 9. *Wingen*.—One 4-in. hand pump, 5½ in. stroke, in good working order.

No. 10. *Murrurundi*.—This pumping engine is the same class as at Ravensworth, a double-acting pump with engine fixed on boiler.

The engine and pump in fair working order; the boiler requires repairing and new tubes.

No. 11. *Page River*.—There is one of Tangye Bros' special steam pumps at this place, and is in first-class working order.

This engine and pump was formerly in use at Throsby's Creek, and was fixed at the Page River during the drought, while the water was scarce at Murrurundi.

I purpose to fix this engine and pump at Chilcott's Creek, where at present there is a 3-in. hand pump.

No. 12. *Chilcott's Creek*.—One 3-in. hand pump, in good working order, also a cast-iron tank fixed at this creek, which will hold 8,000 gals. of water.

No. 13. *Quirindi*.—There is one of Tangye Bros' special steam pumps at this place, and in first-class working order.

No. 14. *Ravensworth*.—The engine at present in use at this station is a small special steam pump by Tangye Bros.

This steam pump is intended to be moved from one station to another, while the other pumps and engines are being repaired.

No. 15.—Pumping engine made by Garrett & Marshall. This engine was formerly used at H. S. Point and has had a thorough repair.

I propose to fix this engine at West Maitland, while the one at present in use is being repaired.

No. 16. *Tamworth*.—One Tangye Bros' special steam pumps. In first-class working order.

THOS. BOAG.

27/2/79.

No. 3

No. 3.

DATES of OPENING, and the length in miles of the different sections of Railway Lines, from the commencement to 31 December, 1878.

Date of opening.	To where opened.	Southern Line.	Western Line.	Northern Line.	All Lines.
26 Sept., 1855	Parramatta	14			14
26 Sept., 1856	Liverpool	9			9
	Total, 1856	23			23
5 April, 1857	East Maitland			17	17
	Total, 1857	23		17	40
19 Mar., 1858	Newcastle			1	1
17 May, 1858	Campbelltown	12			12
27 July, 1858	West Maitland			2	2
	Total, 1858, 1859	35		20	55
2 July, 1860	Lochinvar			7	7
4 July, 1860	Blacktown		8		8
	Total, 1860	35	8	27	70
12 Dec., 1861	Rooty Hill		3		3
	Total, 1861	35	11	27	73
24 Mar., 1862	Branxton			8	8
1 May, 1862	South Creek		5		5
7 July, 1862	Penrith		5		5
1 Sept., 1862	Menangle	6			6
	Total, 1862	41	21	35	97
7 May, 1863	Singleton			14	14
1 July, 1863	Pictou	13			13
	Total, 1863	54	21	49	124
2 May, 1864	Morpeth			3	3
1 Dec., 1864	Richmond		16		16
	Total, 1864, 1865, 1866	54	37	52	143
1 Mar., 1867	Mittagong	24			24
11 July, 1867	Weatherboard		28		28
2 Dec., 1867	Sutton Forest	9			9
	Total, 1867	87	65	52	204
1 May, 1868	Mount Victoria		15		15
6 Aug., 1868	Marulan	28			28
	Total, 1868	115	80	52	247
19 May, 1869	Musselbrook			31	31
27 May, 1869	Goulburn	20			20
18 Oct., 1869	Bowenfels		20		20
	Total, 1869	135	100	83	318
1 Mar., 1870	Wallerawang		8		8
1 July, 1870	Rydal		6		6
20 Oct., 1870	Aberdeen			7	7
	Total, 1870	135	114	90	339
17 April, 1871	Scone			9	9
1 Aug., 1871	Wingen			10	10
	Total, 1871	135	114	109	358
1 Jan., 1872	Sidings, Collingwood, &c.	1		1	2
5 April, 1872	Murrurundi			14	14
22 April, 1872	Locke's Platform		19		19
1 July, 1872	Macquarie Plains		5		5
	Total, 1872	136	138	124	398
4 Mar., 1873	Raglan		5		5
	Total, 1873, 1874	136	143	124	403
4 Feb., 1875	Kelso		3		3
9 Nov., 1875	Gunning	31			31
	Total, 1875	167	146	124	437
4 April, 1876	Bathurst		2		2
3 July, 1876	Bowning	29			29
1 Nov., 1876	Binalong	14			14
1 Nov., 1876	Blayney		27		27
	Total, 1876	210	175	124	509
12 Mar., 1877	Murrumburrah	20			20
19 April, 1877	Orange		20		20
13 Aug., 1877	Quirindi			24	24
1 Nov., 1877	Cootamundra	25			25
	Total, 1877	255	195	148	598
2 April, 1878	Bullock Island Branch			1½	1½
15 April, 1878	Belhungra	15			15
6 July, 1878	Juncos	18			18
3 Sept., 1878	North Wagga Wagga	18			18
14 Oct., 1878	Tamworth			38	38
	Total, 1878	306	195	187½	688½

No. 4.

ABSTRACT of the total Quantity and Cost of Land taken for Railway purposes, to the 31st December, 1878.

APPENDIX TO REPORT ON RAILWAYS—1878.

Railway Lines.	Length.	Quantity taken.		Total.	Amount claimed.	Amounts paid.				Probable Amounts to be paid.	Total Cost.	Rate.		
		Private.	Crown.			For Land and Buildings.	For Severance.	As Costs of Arbitration.	Claimants' Costs on Conveyances.			Per Mile of Line.	Per Acre.	
	Miles chns.	a. r. p.	a. r. p.	a. r. p.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
GREAT WESTERN LINE.														
Parramatta Junction to Bathurst	131 30	1,325 1 34	1,600 2 19½	2,926 0 13½	82,252 15 4	36,378 7 1	5,746 8 5	37 16 6	1,445 7 3	969 0 8	44,576 19 11	339 6 2½	33 12 7½	
Bathurst to Orange	47 75	586 1 35	141 2 21	728 0 16	36,709 14 0	7,840 19 9	1,618 1 3	158 1 3	297 12 8	4,108 3 6	14,022 18 5	292 10 6	23 18 2½	
Orange to Wellington and Dubbo	85 25½	315 1 9½	900 1 7	1,215 2 16½	27,844 0 9	4,912 16 11	181 8 2	39 10 0	141 11 4	7,987 8 0	13,262 14 5	155 8 11½	42 1 2½	
Richmond Branch	16 11½	122 2 29½	17 1 29½	140 0 19½	7,357 16 8	3,005 3 9	1,744 13 1	.....	272 14 7	357 6 10	5,379 18 3	333 5 0	43 17 0½
TOTAL, GREAT WESTERN...	280 62	2,349 3 28½	2,659 3 37½	5,009 3 25½	154,164 6 9	52,137 7 6	9,290 10 11	235 7 9	2,157 5 10	13,421 19 0	77,242 11 0	275 2 1	32 17 4½	
GREAT NORTHERN LINE.														
Newcastle to Murrurundi	119 44	1,474 3 38½	376 3 2½	1,851 3 1	163,430 15 8	53,200 14 3	8,396 11 11	690 12 9	1,770 14 0	2,338 12 5	66,397 5 4	555 7 10½	45 0 3½	
Murrurundi to Tamworth	62 36	502 2 34	351 2 16	854 1 10	14,134 6 7	4,262 8 11	1,701 16 8	15 15 0	103 1 6	466 0 6	6,549 2 7	104 17 4½	13 0 6½	
Werris Creek to Gunnedah	41 22	379 0 23½	385 2 0	764 2 23½	9,437 9 1	1,407 4 9	143 0 0	23 1 6	.....	3,616 18 10	5,190 5 1	125 14 11½	13 13 9½
Morpeth Branch	3 35½	34 3 22½	1 2 28½	36 2 11	32,367 4 0	18,088 0 9	1,411 16 3	605 16 2	368 7 11	60 17 11	20,534 19 0	5,962 19 2½	588 11 6½	
Bullock Island Branch	1 25½	19 2 18½	6 2 32½	26 1 11½	14,680 2 0	3,325 16 3	.....	170 7 6	52 4 7	6,140 0 0	9,688 8 4	7,346 13 4	493 17 2½
TOTAL, GREAT NORTHERN...	228 3	2,411 1 17½	1,122 0 39½	3,533 2 16½	234,049 17 4	80,284 4 11	11,653 4 10	1,505 12 11	2,294 8 0	12,622 9 8	108,360 0 4	475 3 8½	44 18 8½	
GREAT SOUTHERN LINE.														
Sydney to Darling Harbour	1 11½	16 2 38	.....	16 2 38	52,930 0 0	44,812 15 0	.....	348 15 0	300 14 0	20 0 0	45,482 4 0	39765 17 1½	2717 7 7½
Sydney to Parramatta Junction	13 50	240 1 37	28 0 3	268 2 0	35,160 6 6	21,054 7 10	1,144 15 0	641 3 6	141 13 10	618 18 0	23,600 18 2	1,732 3 6½	98 2 9½	
Parramatta Junction to Goulburn	120 51	1,316 2 32½	671 3 10½	1,988 2 3½	79,396 3 0	31,299 4 3	6,996 8 10	604 16 3	1,371 0 5	3,472 9 6	43,743 19 3	362 12 1½	33 4 5½	
Goulburn to Yass	54 21	549 3 6	229 0 21	778 3 27	41,979 3 9	15,863 5 6	2,448 12 9	317 13 6	510 6 7	1,471 9 2	20,611 7 6	379 16 10½	37 9 9½	
Yass to Cootamundra	64 55	468 2 35	511 3 24	980 2 19	11,839 10 0	4,220 8 4	561 19 1	175 10 6	63 9 6	1,417 18 10	6,439 6 3	99 10 10½	13 14 9	
Cootamundra to Wagga Wagga	55 35	210 2 8	566 3 37	777 2 5	13,892 2 11	3,995 10 3	197 12 7	.....	102 13 4	3,779 10 3	8,075 6 5	145 13 3½	38 7 0½
Wagga Wagga to Albury	77 49	515 1 32	636 3 18	1,152 1 10	57,715 10 3	1,958 9 0	67 10 0	.....	12 11 8	26,284 0 11	28,322 11 7	364 18 5½	54 18 11½
TOTAL, GREAT SOUTHERN...	387 32½	3,318 1 28½	2,644 2 33½	5,963 0 22½	292,912 16 5	123,204 0 2	11,416 18 3	2,087 18 9	2,502 9 4	37,064 6 8	176,275 13 2	455 0 3½	53 2 4½	
TOTAL ON ALL LINES to 31ST DECEMBER, 1878	896 17½	8,079 2 34½	6,426 3 30½	14,506 2 24½	681,127 0 6	255,625 12 7	32,360 14 0	3,828 19 5	6,954 3 2	63,108 15 4	361,878 4 6	403 15 8	44 15 9	

No. 5.

RETURN OF PERMANENT-WAY MATERIAL, RAILS FOR RENEWALS, AND MISCELLANEOUS ARTICLES IMPORTED DURING THE YEAR ENDING 31st DECEMBER, 1878.

12-K

Date of Invoice.	Name of Ship.	Rails.		Fishplates.		Bolts and Nuts.		Spikes.		Chairs.		Eln Keys.	Name of Contractor.	Rate per Ton.	Invoice Cost.	Freight.	English Charges.	Colonial Charges.	Total Cost.	Cost per Ton.	Date of Arrival.
		No.	Tonnage.	No.	Tonnage.	No.	Tonnage.	No.	Tonnage.	No.	Tonnage.										
Indent for Doubling Line, Parramatta to Parramatta Junction; Doubling Line, Lithgow; and for Sidings, Lithgow, April, 1878.																					
1878.			T. c. q. lbs.		T. c. q. lbs.		T. c. q. lbs.		T. c. q. lbs.		T. c. q. lbs.			£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	1878.
25 Sept.	Windsor Castle	761	200 5 1 21	..	..	..	..	..	..	..	..	..	Guest & Co.	5 17 6	1176 12 0	150 4 1	30 12 4	21 13 11	1379 2 4	6 17 8 1/2	30 Dec.
31 Oct.	Cuzco	1240	293 2 3 24	..	..	..	..	..	..	..	..	..	Patent Nut and Bolt Company.	5 17 6	1757 9 11	224 7 3	42 11 6	32 8 1	2058 16 0	0 17 6	28 Nov.
10 Sept.	Trafalgar	..	..	..	..	..	..	44400	25 2 2 16	..	..	..	..	10 10 0	203 17 9	27 12 3	6 12 5	2 19 10	301 2 3	11 19 6 1/2	30 Dec.
10 "	Do.	..	..	..	..	12000	7 2 3 12	..	..	..	..	..	..	13 10 0	96 8 7	8 0 8	2 6 0	0 17 5	107 12 8	15 11 10	30 "
		2001	499 8 1 17	..	..	12000	7 2 3 12	44400	25 2 2 16	..	..	..	..		3294 8 3	410 4 3	82 2 3	57 0 3	3844 14 0		
Indent for Chairs, Spikes, and Bolts and Nuts for Renewals, Great Southern and Western Railway, September, 1877.																					
1878.														£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	1878.
30 Jan.	Earl Dalhousie	..	..	..	..	..	..	..	..	6000	09 7 2 0	..	Head, Wrightson, & Co.	3 3 6	220 5 4	52 0 8	6 15 7	7 12 2	236 13 9	4 2 7 1/2	22 July.
25 "	Do.	..	..	..	..	15000	8 9 3 7	..	..	..	..	..	Darwell, Bros. & Smith	16 10 0	140 2 0	8 17 4	3 8 9	1 2 2	153 10 3	17 8 9 1/2	22 "
25 "	Do.	..	..	..	..	..	..	8000	4 12 1 16	..	..	..	..	13 5 0	60 0 0	3 15 11	1 9 4	0 9 6	65 14 9	14 4 7 1/2	22 "
						15000	8 9 3 7	8000	4 12 1 16	6000	09 7 2 0	..	..		420 7 4	64 13 11	11 13 8	9 3 10	505 18 9		
Indent for 150 tons Steel D. II. Rails, with necessary fastenings, for Renewals, Great Northern Railway, September, 1877.																					
1878.														£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	1878.
8 Feb.	Glamis	..	..	..	..	..	..	..	..	..	..	..	Darwell Bros. & Smith	13 0 0	58 17 4	4 19 5	2 1 9	..	65 18 6	14 11 4 1/2	..
8 "	Do.	..	..	..	..	3500	1 19 2 13	..	..	..	..	..	..	16 10 0	32 13 8	2 2 1	0 18 8	..	35 14 5	18 1 8 1/2	..
13 Mar.	Do.	..	..	1600	8 3 3 2	..	..	..	..	..	..	..	Guest & Co.	8 10 0	69 12 0	8 16 8	2 8 4	..	80 17 0	9 17 6	4 July.
6 Feb.	Do.	..	..	..	..	..	..	..	..	4000	46 5 0 0	..	Head, Wrightson, & Co	3 4 6	148 19 6	46 3 10	5 0 6	..	200 3 10	4 6 6 1/2	4 "
18 April	Mauldesden	644	150 3 0 18	..	..	..	..	..	..	..	..	..	Guest & Co.	6 11 0	983 10 8	187 14 7	29 10 9	..	1200 16 0	7 19 11	..
		644	150 3 0 18	1600	8 3 3 2	3500	1 19 2 13	8000	4 10 2 7	4000	46 5 0 0	..	..		1233 13 2	249 16 7	40 0 0	..	1583 9 9		
Indent for 1,178 tons of Steel D. II. Rails, with necessary fastenings, for Doubling Line, Wallsend Junction to Hexham, Great Northern Railway, and for Renewals, Great Northern Railway, December, 1877.																					
1878.														£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	1878.
23 April	Mauldesden	..	..	7500	38 10 0 10	..	..	..	..	..	..	..	Ebbw Vale Co.	6 8 6	247 7 10	52 2 0	7 8 0	..	306 17 10	7 19 5	July.
23 "	Do.	..	..	1100	5 12 3 22	..	..	..	..	..	..	..	..	6 8 6	36 5 8	7 12 0	1 1 11	..	44 19 7	7 19 2 1/2	..
30 "	Ghanivor	..	..	..	..	..	..	..	..	28500	330 16 0 8	..	Andorston Foundry Co.	2 15 6	917 19 7	413 10 2	26 10 6	..	1368 0 3	4 2 1 1/2	Sept.
18 "	Do.	..	..	..	..	..	..	..	..	..	..	..	Ransomes & Rapier	3 2 6	203 2 0	38 5 7	5 15 9	..	247 3 10	9 7 0 3/4	..
16 May	Do.	4740	1178 0 0 0	..	..	..	..	..	..	..	..	..	Bolckow, Vaughan, & Co.	5 13 6	6685 3 0	1452 8 11	204 19 4	1 1 6	8343 12 9	7 1 8	..
14 "	Syria	..	..	..	..	8500	4 18 3 9	..	..	..	..	..	Barwell, Bros. & Smith	16 0 0	79 1 4	4 19 0	2 2 8	..	86 3 0	17 8 11 1/2	..
14 "	Do.	..	..	..	..	7000	4 1 0 25	..	..	..	..	..	..	12 10 0	50 15 4	4 1 0	1 1 0	..	55 17 4	13 15 0 1/2	..
14 "	Do.	..	..	..	..	15000	8 14 1 19	..	..	..	..	..	..	16 0 0	139 10 0	9 15 8	2 18 7	..	162 5 0	17 9 6 1/2	..
14 "	Do.	..	..	..	..	50000	28 19 0 0	..	..	..	..	..	..	12 10 0	361 17 6	32 9 4	9 7 0	..	408 13 10	13 18 10 1/2	..
		4740	1178 0 0 0	8600	44 3 0 4	23500	13 13 1 0	57000	33 0 0 25	28500	330 16 0 8	25000	..		8721 3 6	2015 3 8	261 4 9	1 1 6	10998 13 5		

APPENDIX TO REPORT ON RAILWAYS—1878.

No. 5 continued—RETURN OF PERMANENT-WAY MATERIAL imported during the year 1877—continued.

Date of Invoice.	Name of Ship.	Rails.		Fishplates.		Bolts and Nuts.		Spikes.		Screws.		Name of Contractor.	Rate per Ton.	Invoice Cost.	Freight.	English Charges.	Colonial Charges.	Total Cost.	Cost per Ton.	Date of Arrival.	
		No.	Tonnage.	No.	Tonnage.	No.	Tonnage.	No.	Tonnage.	No.	Tonnage.										
Indent for 1,000 tons of Steel T. Rails with the necessary fastenings for Renewals, Bathurst to Orange, and Goulburn to Wagga Wagga, May, 1877.																					
1877.			T. c. q. lbs.		T. c. q. lbs.		T. c. q. lbs.		T. c. q. lbs.		T. c. q. lbs.		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	1878.	
18 Oct.	Strathdon	910	200 4 3 12									Guest & Co.	7 5 0	1461 16 3	150 3 8	33 16 8	21 13 10	1657 9 5	8 5 6 1/2	20 Jan.	
12 "	Goldingham	684	160 10 1 11									Patent Nut and Bolt Co.	7 5 0	1091 5 0	112 17 9	25 9 9	15 1 1	1244 13 7	8 5 5 1/2	18 "	
20 "	Evelyn												23 10 0	2 16 3 1/2	23 7 7	7 4 2	2 14 6	624 16 0	24 16 7	26 Feb.	
20 "	"					22390	12 15 1 11			56112	25 1 0 0		17 0 0	217 0 11	11 16 6	2 14 4	1 7 8	232 19 5	18 5 1	20 "	
20 "	"							32152	13 3 2 4				15 15 0	207 10 8	12 0 9	2 12 7	1 8 7	223 12 7	16 10 5 1/2	20 "	
3 Dec.	"	456	100 7 3 17									Guest & Co.	7 5 0	727 17 3	75 5 11	17 10 0		831 10 8	8 5 8	20 "	
		2050	454 3 0 12			22396	12 15 1 11	32152	13 3 2 4	56330	25 3 1 16			4283 18 10	385 12 2	89 7 6	53 3 2	4815 1 8			
Indent for 1,600 tons Steel T. Rails with fastenings for relaying Richmond Line, May, 1877.																					
1877.				25200	123 15 0 0							Ebbw Vale Co.	7 17 6	974 10 7	114 0 6	23 4 4	13 0 8	1124 16 1	9 1 9 1/2	16 Jan.	
12 Oct.	Peterborough											Patent Nut and Bolt Co.	23 7 6	659 3 0	30 13 7	14 17 0	3 16 8	708 10 9	25 2 6	20 "	
4 "	Sarah Nicholson					27604	15 9 0 0	40848	16 13 0 0				16 17 6	269 14 5	16 15 0	5 18 5	2 1 10	235 9 8	18 9 6 1/2	20 "	
4 "	"												15 12 6	200 3 1	17 18 2	5 17 9	2 4 10	236 3 10	17 3 0 1/2	20 "	
20 Nov.	Cedric the Saxon	990	219 3 1 26									Guest & Co.	7 5 0	1589 0 3	164 7 8	36 19 19	23 14 10	1814 2 7	8 5 6 1/2	1 April.	
2 "	Alexander Duthie	910	200 5 2 18										7 6 0	1452 1 0	150 4 3	34 4 0	21 13 11	1658 3 11	8 5 7 1/2	17 Feb.	
30 Oct.	Tyburnia	1371	300 16 3 18										7 5 0	2181 2 7	225 12 8	51 16 10	32 11 10	2491 3 11	8 5 6 1/2	20 "	
2 Nov.	Lamer Moor	1136	250 0 1 13										7 5 0	1812 12 8	187 19 3	42 13 11	27 1 8	2069 13 6	8 5 7 1/2	17 "	
6 Nov.	Cross Hill	1160	252 7 2 5										7 5 0	1829 14 8	189 5 8	43 1 3	27 0 10	2089 8 5	8 5 6 1/2	20 "	
4 Dec.	Lusitania	1091	373 5 1 9										7 5 0	2706 3 7	279 10 0	63 10 2	37 6 6	3086 19 3	8 5 5 1/2	26 "	
11 "	Northbrook	22	4 18 2 20										7 5 0	35 15 5	3 14 0	1 3 0	0 10 8	41 3 1	8 6 8 1/2	9 Mar.	
		7276	1600 17 3 25	25200	123 15 0 0	27604	15 9 0 0	40848	16 13 0 0	63920	28 4 0 0			13761 1 9	1390 0 9	323 7 3	191 10 3	15656 0 0			
Indent of 10,112 tons of Steel single-headed Rails, with the necessary fastenings, for Extension, Wagga Wagga to Albury, January, 1878.																					
1878.		1205	300 8 2 6									Bolekow, Vaughan & Co.	6 2 6	1840 2 4	225 6 5	47 12 0	32 10 11	2145 11 8	7 2 10	Nov.	
14 Aug.	Chimborazo												6 2 6	7226 16 4	150 4 5	31 6 7	21 14 0	1430 1 4	7 2 6 1/2	30 Dec.	
27 "	Strathdon	804	200 5 3 18										6 2 6	2452 12 10	300 6 6	57 0 7	43 7 8	2363 7 7	7 2 6	26 "	
7 Oct.	Aconcagua	1614	400 8 2 15									Patent Nut and Bolt Co.	20 17 6	507 5 3	23 4 4	12 2 3	3 9 11	551 1 9	22 13 6 1/2	15 Nov.	
8 July	Emmerdale									63208	24 0 0 0			14 17 6	171 16 2	9 11 2	4 2 8	186 13 8	16 3 3	15 "	
8 "	"					20328	11 11 0 0			34216	14 2 0 0			13 17 6	195 12 9	10 17 9	4 13 5	1 6 11	212 10 10	15 1 5 1/2	15 "
19 Aug.	Wave of Life			10692	50 2 1 14							Rhymney Iron Co.	6 14 0	335 15 11	46 15 1	8 11 7	5 8 7	396 11 2	7 18 3	18 Dec.	
31 July	"			10692	50 2 1 14								6 14 0	335 15 11	46 15 1	8 11 7	5 8 7	396 11 2	7 18 3	18 "	
30 Aug.	"									34216	14 2 0 0			14 0 0	197 8 0	13 15 9	4 13 0	217 7 4	15 8 9	18 "	
30 "	"					20328	11 11 0 0							15 0 0	173 5 0	11 5 1	4 4 2	1 5 0	189 19 3	16 8 1 1/2	18 "
30 "	"									63208	24 0 0 0			21 0 0	610 6 0	23 12 4	11 10 5	2 12 8	548 10 5	22 11 5 1/2	18 "
7 Dec.	Hereford	805	200 6 2 6									Bolekow, Vaughan & Co.	6 2 6	1227 0 0	150 5 0	32 0 7	21 14 1	1430 19 8	7 2 10 1/2	7 "	
		4428	1101 9 2 17	21384	100 4 3 0	40656	23 2 0 0	68432	29 0 0 0	106596	48 12 0 0			£ 9173 16 6	1016 18 11	226 17 9	141 12 7	10559 5 9			

No. 5 continued—RETURN OF PERMANENT-WAY MATERIAL imported during the year 1878—continued.

Date of Invoice.	Name of Ship.	Rails.		Fishplates.		Bolts and Nuts.		Spikes.		Screws.		Name of Contractor.	Rate per Ton.	Invoice Cost.	Freight.	English Charges.	Colonial Charges.	Total Cost.	Cost per Ton.	Date of Arrival.
		No.	Tonnage.	No.	Tonnage.	No.	Tonnage.	No.	Tonnage.	No.	Tonnage.									
Indent for 8,800 tons of Rails, with necessary fastenings, Extension, Tamworth to Armidale, Great Northern Railway, 19th October, 1876.																				
1877.			T. c. q. lbs.		T. c. q. lbs.		T. c. q. lbs.		T. c. q. lbs.		T. c. q. lbs.		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	1878.
Sept.	Mennoek	4480	995 1 0 26									Société Cockerill	7 0 0	6965 8 7	1358 8 10	220 12 3	4 18 5	8540 8 1	8 11 10	Jan.
Oct.	Athelstane	5113	1145 4 1 11		101 0 0 8							"	7 12 0	767 12 6	137 17 10	22 8 0	0 11 7	928 9 11	9 3 10	
28 Sept.	Rialto	592	130 5 2 18									Guest & Co.	7 0 0	8016 10 5	1415 19 6	250 15 2	3 0 6	9686 5 7	8 9 18	Feb.
28	Trevclyan	910	200 5 2 18									"	7 9 8	973 17 3	97 14 3	27 13 10		1099 5 4	8 8 9	18 Mar.
1878.												"	7 9 6	1497 2 3	150 4 3	33 15 8		1686 2 2	8 8 44	3 Jan.
Mar.	Glamis	454	100 2 0 1									Société Cockerill	7 7 0	735 14 9	75 1 6	8 17 8		833 13 2	8 6 62	4 July.
"	"				63 14 1 6							"	7 19 0	506 10 9	66 3 7	13 19 3		587 13 4	9 4 54	4 "
18 April.	Mauldesden	8435	1856 6 0 10									Guest & Co.	7 0 6	13040 10 10	2293 15 6	405 16 1	2 13 6	15742 15 11	8 9 72	4 "
3 June.	Syria	1362	300 1 0 8									"	7 0 6	2342 18 0	225 0 10	56 10 9		2523 9 7	8 9 24	29 "
7 June.	Caroline	1089	239 13 3 25									"	7 9 6	1791 14 11	179 13 6	58 14 1	0 18 6	2031 3 0	8 9 53	Nov.
		22435	4967 0 0 5		164 14 1 14									36535 0 3	6000 5 0	1118 1 9	12 2 6	43668 6 1		
Indent for 17,600 tons of Steel single-headed Rails with fastenings, for the Great Southern and Western Extension, October 19th, 1876.																				
1877.																				
18 Sept.	Polynesian	223	50 3 2 16									Guest & Co.	7 8 0	371 6 11	37 12 9	9 1 2	5 0 4	423 1 2	8 8 72	1878.
17 "	"			35640	175 0 1 12							Ebbw Vale Co.	8 0 0	1400 2 10	184 6 0	32 9 2	17 10 1	634 8 1	8 9 54	8 Jan.
28 "	Trafalgar	908	199 16 2 24									Guest & Co.	7 9 6	1493 15 5	149 17 6	35 1 7	21 13 0	1700 7 6	8 10 2	13 "
28 "	Windsor	682	150 2 0 7									"	7 9 6	1122 0 0	112 11 6	26 9 2	15 0 2	1276 0 10	8 10 04	17 "
23 "	Duke of Sutherland	682	150 2 0 1									"	7 9 6	1122 0 0	112 11 6	26 9 2	15 0 2	1276 0 10	8 10 04	3 "
28 Nov.	Star of China			29052	142 10 3 24							Ebbw Vale Co.	8 0 0	1140 7 8	112 11 8	27 2 7	14 5 1	1294 7 0	9 1 72	19 "
3 Dec.	Whampoa	1139	250 8 1 0									Guest & Co.	7 9 6	1871 16 8	172 8 4	44 8 11	31 6 0	2119 14 11	8 9 54	1 "
21 "	The Tweed	910	200 4 2 15									"	7 9 6	1496 14 8	137 13 8	35 8 2	21 13 10	1691 4 11	8 8 114	31 Mar.
20 "	Northbrook	2024	446 0 2 24									"	7 9 6	3334 2 5	334 10 6	78 5 7	48 6 5	3795 4 11	8 10 2	9 "
1878.	Christiana	676	148 18 0 16									"	7 9 6	1113 1 8	111 13 7	26 1 1	16 2 8	1266 19 0	8 10 2	4 Apr.
12 Jan.	Thompson											"	7 9 6	2618 11 5	262 14 8	78 11 10	37 19 0	2097 16 11	8 11 13	2 May.
3 "	June	1600	350 6 0 23									"	7 9 6	748 0 0	75 1 0	17 19 8	10 16 10	851 17 6	8 10 34	1 Mar.
29 Dec.	Northam	454	100 1 1 10									"	7 9 6	748 0 0	75 1 0	17 19 8	10 16 10	851 17 6	8 10 34	1 Mar.
1877.	Glengairn	676	149 1 1 16									"	7 5 0	1103 2 4	111 16 0	26 4 4	16 3 0	1257 7 8	8 8 82	8 Apr.
1878.												"	7 9 6	1193 18 4	112 15 5	26 8 11	16 5 9	1279 8 5	8 10 24	28 "
12 Jan.	Abergeldie	682	150 7 0 15									"	7 9 6	2617 0 2	262 11 7	61 6 3	37 18 7	2878 16 7	8 10 2	28 "
12 "	Strathearn	1538	350 2 0 3									"	7 9 6	1647 1 4	152 13 5	35 15 2	22 0 1	1757 10 0	8 12 9	3 May.
26 "	Golden Fleeco	930	203 11 0 25									"	7 12 0	1647 1 4	152 13 5	35 15 2	22 0 1	1757 10 0	8 12 9	3 May.
		13170	2899 5 1 21	64692	317 11 1 8									24223 1 10	2443 8 8	586 19 9	347 1 0	27600 6 3		

No. 5 continued—RETURN of PERMANENT WAY MATERIALS imported during the year 1877—continued.

Date of Invoice.	Name of Ship.	Rails.		Fishplates.		Bolts and Nuts.		Spikes.		Screws.		Name of Contractor.	Rate per Ton.	Invoice Cost.	Freight.	English Charges.	Colonial Charges.	Total Cost.	Per Ton.	Date of Arrival.
		No.	Tonnage.	No.	Tonnage.	No.	Tonnage.	No.	Tonnage.	No.	Tonnage.									
1878.	Brought forward.	13179	T. c. q. lbs. 2899 5 1 21	64092	T. c. q. lbs. 317 11 1 8								£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	1878.
17 Jan.	Dharwar	910	200 15 2 2									Guest & Co.	7 9 6	1500 16 0	150 11 8	17 15 9	21 15 0	1090 18 5	8 8 5 1/2	11 May.
22 "	Chimborazo	1596	350 7 1 21									"	7 12 0	2662 16 7	0 14 10	62 0 0	37 19 2	3025 12 1	8 12 8 1/2	31 March.
18 "	Ravenswood	456	100 1 3 15									"	7 8 3	741 17 8	75 1 5	17 15 4	10 16 10	845 11 3	8 8 11 1/2	18 May.
26 "	Erato	1366	300 6 0 12									"	7 12 0	2282 6 5	225 4 7	53 9 10	32 9 10	2593 10 8	8 12 8 1/2	13 "
6 Feb.	Asceton	910	199 14 2 3									"	7 12 0	1517 18 5	149 15 10	36 0 4	21 12 9	1725 7 4	8 12 9 1/2	15 "
6 "	Min-y-don	798	174 19 1 4									"	7 12 0	1329 14 7	181 4 5	31 3 4	18 19 1	1511 1 5	8 12 8 1/2	27 "
5 "	Ladstock	456	100 5 0 5									"	7 10 6	754 7 11	75 3 9	17 12 7	10 17 3	858 1 6	8 11 2 1/2	3 June.
1877.												Société Cockerill	7 7 0	1426 10 6	142 5 11	33 10 5	24 5 2	1626 12 0	8 7 7 1/2	1 Jan.
— Oct.	Rajah	904	194 1 2 23									"	7 7 0	1103 8 6	112 14 0	25 13 4	16 5 3	1258 1 10	8 7 7 1/2	15 May.
1878.												Guest & Co.	7 10 6	1505 18 10	150 1 11	35 5 6	21 13 7	1712 19 10	8 11 2 1/2	22 July.
— Mar.	Harlow	684	150 2 2 2									"	7 3 0	5006 1 5	876 17 5	152 2 6	75 17 1	6110 18 5	8 14 6 1/2	7 "
25 "	Windemere	910	200 2 2 0									"	7 12 0	1139 19 6	112 9 11	26 0 2	16 4 11	1295 0 6	8 12 8 1/2	29 "
16 "	John Nichols'n	3185	700 3 0 0									"	7 10 6	1505 18 10	150 1 10	35 2 6	21 12 3	1712 15 5	8 11 2 1/2	1 Aug.
11 April.	Shenir	684	149 19 3 26									"	7 12 0	750 19 7	74 19 11	17 12 3	10 16 7	863 8 4	8 12 8 1/2	5 "
17 "	Candida	910	200 2 2 0									Société Cockerill	7 7 0	1100 14 3	112 6 5	25 12 10	16 4 6	1254 18 0	8 7 7 1/2	20 June.
8 "	Bedfordshire.	456	99 19 8 22									"	7 7 0	366 19 8	37 9 0	8 13 0	5 8 2	418 10 7	8 7 7 1/2	15 July.
27 Mar.	Kinvel	765	149 15 0 15									"	7 7 0	734 17 5	74 19 9	17 4 7	10 16 7	837 18 4	8 7 7 1/2	16 June.
27 "	Woolthra	235	49 13 2 10									"	7 7 0	3498 19 9	356 10 11	81 16 1	51 11 6	3988 18 3	8 7 7 1/2	27 April.
27 "	Salamis	468	99 19 2 16									"	7 7 0	367 12 4	37 10 3	8 15 3	5 8 4	419 6 2	8 7 8 1/2	31 July.
27 "	Garonne	2221	476 1 0 6									Guest & Co.	7 10 6	752 9 7	75 0 0	17 15 1	10 16 7	856 1 3	8 11 2 1/2	19 Aug.
2 April.	Remus	230	50 0 1 7									"	7 10 6	1504 13 7	149 19 3	35 1 3	21 13 3	1711 7 4	8 11 2 1/2	19 Aug.
30 Mar.	Assaye	456	99 19 3 22									"	7 7 0	2199 15 7	224 9 4	48 9 1	32 8 5	2508 2 5	8 7 7 1/2	29 July.
10 Mar.	"	908	199 19 0 17									"	7 7 0	445 2 9	45 8 5	10 8 2	6 11 3	607 10 7	8 7 7 1/2	29 "
8 April.	Sam. Plimsoll	1409	299 5 8 5									Guest & Co.	7 10 6	1505 13 7	149 16 5	34 18 5	21 12 10	1712 1 3	8 11 4 1/2	22 Aug.
8 "	Shenir	279	60 11 1 1									"	7 12 0	1522 18 11	150 5 10	35 12 1	21 14 2	1730 11 0	8 12 8 1/2	5 Sept.
10 "	Wallace Town	910	199 15 0 27									"	7 12 0	1932 19 10	187 15 11	44 10 0	27 2 6	2162 8 3	8 12 8 1/2	— June.
14 May	Colombo	910	200 7 3 0									Société Cockerill	7 7 0	3674 4 11	374 18 6	85 13 11	64 3 1	4189 0 5	8 7 7 1/2	shipped at Melbourne
18 "	Aconagua	1188	250 7 3 14									"	7 7 0	2931 15 11	290 3 3	68 10 3	43 4 3	3342 13 8	8 7 7 1/2	26 July.
23 April.	Cuzco	2305	499 17 3 23									Guest & Co.	7 12 0	1900 19 2	187 11 10	44 7 7	27 1 11	2100 0 6	8 12 8 1/2	15 Aug.
	[ra].											"	7 12 0	2280 19 1	225 1 11	53 5 0	32 10 3	2591 16 3	8 12 8 1/2	19 "
23 "	British Gene.	1855	308 17 2 20									"	7 12 0	760 6 5	76 0 8	18 10 4	10 16 9	864 14 2	8 12 9 1/2	7 Sept.
4 May	Patriarch	1186	250 2 2 2									Société Cockerill	7 7 0	39 9 1	4 0 6	1 2 4	0 11 7	45 3 6	8 8 5 1/2	7 "
24 "	Smyrna	1362	300 2 2 1									Guest & Co.	7 12 0	760 6 5	75 0 8	18 1 9	10 16 9	864 5 7	8 12 9 1/2	19 "
30 "	Cambrian	454	100 0 3 10									"	7 12 0	799 13 0	78 0 6	18 7 6	11 5 4	898 6 4	8 12 8 1/2	18 "
	Princess.											"	7 12 0	70 10 7	6 19 3	1 16 9	1 0 1	80 6 8	8 13 1	22 Oct.
3 June	Ann Duthie.	24	5 7 1 12									Société Cockerill	7 7 0	153 5 7	15 13 1	3 5 6	2 4 10	174 9 5	8 8 0	27 Nov.
14 "	Hawicshury	454	100 0 3 10									"	7 12 0	70 10 7	6 19 3	1 16 9	1 0 1	80 6 8	8 13 1	22 Oct.
26 "	La Hogue	472	104 0 3 0									"	7 12 0	70 10 7	6 19 3	1 16 9	1 0 1	80 6 8	8 13 1	22 Oct.
13 July	La Hogue	42	9 5 2 12									"	7 12 0	70 10 7	6 19 3	1 16 9	1 0 1	80 6 8	8 13 1	22 Oct.
28 Aug.	Leander	95	20 17 0 10									"	7 7 0	153 5 7	15 13 1	3 5 6	2 4 10	174 9 5	8 8 0	27 Nov.
		45470	9945 2 1 4	64692	317 11 1 8									76726 4 0	8075 14 3	1884 1 3	1113 0 1	87749 8 7		

No. 5 continued—RETURN of MISCELLANEOUS ARTICLES imported for the Great Southern and Western Lines—continued.

Date of Invoice.	Ship.	From whom purchased.	Description.	Tonnage.	Cost per ton.			Invoice Cost.	Freight.	English Charges.	Colonial Charges.	Total Cost.	Cost per ton.	Cost each.	Date of Arrival.
					T. c. q. lbs.	£ s. d.	£ s. d.								
1877.															1878.
17 Sept.	Star of China	Thos. Turton & Sons.	100 carriage B. springs			1 11 6	157 6 4	6 0 2	6 3 7	0 13 8	170 3 9		1 14 0	19 Jan.	
18 "	Windsor Castle	Beyer, Peacock, & Co.	3 prs. dup. leading wheels			80 10 0	241 10 0	5 13 1	8 18 2	2 10 3	258 11 6		86 3 10	17 "	
2 Oct.	"	Robt. Stephenson & Co.	3 " tender wheels			44 6 8	133 0 0	8 0 0	5 8 6	2 10 0	148 18 6		49 12 10	"	
"	"	"	3 " engine do			113 0 0	339 0 0	8 10 5	12 17 8	2 15 11	363 4 0		121 1 4	"	
13 Sept.	Peterborough	Midland Waggon Co.	504 Carr's axle boxes			0 17 11	451 10 0	21 0 4	17 1 4	2 8 1	491 19 9		0 19 6 1/2	16 "	
26 "	"	Ibbotson Bros. & Co.	ferrule steel	2 1 0 16	23 10 0		48 6 10	1 18 3	2 3 9	0 4 4	52 13 2	25 11 11		15 "	
2 Oct.	Sarah Nicholson.	Staffordshire W. & A. Co.	200 pairs wheels and axles			16 3 0	3230 0 0	163 2 6	120 11 11	18 15 0	3532 9 5			20 "	
17 "	Windsor Castle	John Labron	545 1/2 yds. carriage cloth			0 7 2	195 13 6	1 0 0	5 5 5	0 0 7	201 19 6		0 7 4 1/2	17 "	
26 "	Lochee	Taylor Bros. & Co.	bar iron (1)	1 18 2 8	23 8 0		45 2 8	1 9 0	2 0 11	0 4 10	48 17 5	25 6 10		24 Feb.	
12 "	"	Kirkstale Forge Co.	Yorkshire iron	7 13 1 12	21 9 0		164 9 6	5 14 11	6 11 5	0 19 2	177 15 0	23 3 8		"	
30 "	"	Bowling Iron Co.	12 corner plates			2 15 10	33 10 2	0 19 0	1 12 11	0 3 2	36 5 3		3 0 5	"	
2 "	Alex. Duthie	Fried Krupp	252 C.S. tyres			3 7 1	844 17 5	37 13 6	31 10 3	4 14 2	918 15 4		3 12 11	17 "	
10 "	Lamernoor	Westinghouse Brake Co.	80 couplings and hose			2 10 0	200 0 0	1 0 0	7 15 3	0 0 6	208 15 9		2 12 2	"	
30 "	Lochee	P. Shaft and A.-tree Co.	50 prs. carriage wheels and axles			17 10 0	875 0 0	38 12 9	32 10 5	4 16 7	951 0 1		19 0 5	24 "	
30 "	"	Staffordshire W. & A. Co.	100 prs. W. wheels and axles			16 4 3	1621 5 0	72 10 0	60 12 5	9 1 3	1763 8 8		17 12 8	"	
13 Nov.	Haddington	P. Shaft and A.-tree Co.	50 " C. do			17 10 0	875 0 0	38 12 9	32 10 8	4 16 7	951 0 0		19 0 5	25 April.	
12 "	"	Staffordshire W. & A. Co.	100 " W. do			16 4 3	1621 5 0	72 10 0	61 0 4	9 1 3	1763 16 7		17 12 9	25 "	
30 Oct.	Midlothian	"	200 " do			16 3 0	3230 0 0	145 0 0	120 4 10	36 5 0	3531 9 10		17 13 1	4 Mar.	
31 "	"	Midland Ry. Carriage and Waggon Co.	400 Carr's axle boxes			0 17 11	358 6 8	16 13 6	13 17 6	2 7 8	391 5 4		0 19 7	"	
15 "	"	Chas. Cammell & Co.	1600 volute springs			0 5 0	400 0 0	8 10 0	14 19 7	1 4 3	424 13 10		0 5 3	"	
23 "	Evelyn	John Davis & Son	2 steam gauges			2 16 0	5 12 0	0 10 0	0 18 1		7 0 1		3 10 0	27 Feb.	
8 Nov.	"	J. Cowdy	7 ticket nippers			0 3 7	1 5 3		0 0 7		1 5 10		0 3 8	"	
6 "	Haddington	Midland Ry. Carriage and Waggon Co.	396 Carr's axleboxes			0 17 11	354 15 0	16 10 1	13 10 6	1 12 11	386 8 6		0 19 7	25 April.	
30 Oct.	"	P. Shaft and A.-tree Co.	32 prs. carriage wheels and axles, 3 ft. 6 in.			18 7 6	588 0 0	26 17 6	22 0 4	3 7 2	640 5 0		20 0 2	"	
15 Nov.	Carnegie	Thos. Turton & Sons.	724 waggon bearing springs			0 14 5	522 0 2	18 12 11	19 17 2	2 11 10	563 2 1		0 15 7	2 "	
6 "	Haddington	Jas. McIlwraith & Co.	416 1/2 yds. woollen felt			0 3 10 1/2	80 13 11	1 13 3	3 15 5	0 1 0	86 3 7		0 4 1 1/2	25 "	
"	"	"	144 " American cloth			0 2 3 1/2	16 10 0	0 14 5	0 7 9	0 0 2	17 12 4		0 2 5 1/2	"	
"	"	"	8 gross American buttons			0 0 9	0 6 0	0 0 3	0 0 2	0 0 1	0 6 6		0 0 10	"	
2 "	"	Fairbanks & Co.	3 weigh-bridges			99 0 0	297 0 0	Charges paid by consignor			297 0 0		99 0 0	"	
16 "	Carnegie	Staffordshire W. & A. Co.	100 prs. carriage wheels and axles			18 8 6	1842 10 0	82 10 0	68 6 0	9 7 6	2002 13 6		20 0 6	2 "	
20 "	"	Thos. Turton & Sons.	12,000 ferrules			£16 P. M.	180 0 0	1 7 5	7 0 9	0 3 11	188 12 1		£15 14 4 P. M.	"	
30 "	"	Britannia Buffer Co.	362 buffer springs			0 15 7	282 1 2	1 14 1	10 15 10	0 4 7	294 15 8		0 16 4	"	
20 "	"	John Brown & Co.	724 volute do			0 2 4	84 0 6	3 12 1	3 10 1	0 10 3	91 12 11		0 2 6	"	
8 Dec.	Cedric the Saxon	Thos. Turton & Sons.	900 waggon do			0 12 9	573 15 0	22 6 3	21 16 3	3 12 4	621 9 10		0 13 10	1 "	
30 Nov.	The Tweed	Staffordshire W. & A. Co.	50 prs. wheels and axles			16 4 3	810 12 6	36 5 0	30 12 5	4 10 8	882 0 7		17 12 10	31 Mar.	
6 Dec.	Christiana Thompson	Vickers, Sons, & Co.	9 crank axles			133 19 5	1205 15 0	8 14 10	44 18 0	1 1 10	1260 9 8		140 1 1	4 April.	
6 "	Glengairn	Beyer, Peacock, & Co.	2 " "			98 0 0	196 0 0	1 8 1	7 12 3	0 3 6	205 3 10		102 11 11	8 "	
27 Nov.	Juno	Midland Ry. Carriage and Waggon Co.	400 Carr's axle boxes			0 17 11	358 6 8	16 9 0	13 17 5	2 7 8	391 0 9		0 19 7	2 May.	
"	"	"	208 Beattie's do			1 2 0	228 16 0	7 10 0	8 17 0	1 1 6	246 4 6		1 3 8	"	
			Carried forward				22,693 2 3	901 5 4	841 13 2	134 9 2	24,570 9 11				

APPENDIX TO REPORT ON RAILWAYS—1878.

No. 5 continued—RETURN of MISCELLANEOUS ARTICLES imported for the Great Southern and Western Lines—continued.

Date of Invoice.	Ship.	From whom purchased.	Description.	Tonnage.	Cost per Ton.	Cost each.	Invoice Cost.	Freight.	English Charges.	Colonial Charges.	Total Cost.	Cost per Ton.	Cost each.	Date of arrival.
1877.			Brought forward.....	T. c. q. lbs.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	1878.
5 Dec...	Juno	Westinghouse's Brake Co.	20 hose and couplings			2 10 0	22693 2 3	901 5 4	841 13 2	134 9 2	24570 9 11		2 13 0	2 May.
30 Nov...	Northam	Patent Shaft & Axletree Co.	50 prs. c. wheels and axles			17 10 0	875 0 0	38 12 9	32 10 8	4 16 7	951 0 0		19 0 5	March.
30 "	Dharwar	"	50 do.			17 10 0	875 0 0	38 12 9	33 0 4	4 16 7	951 9 8		19 0 7	11 May.
17 Dec...	Golden Fleece	Fried Krupp	50 c. s. tyres			7 6 11	367 4 9	16 7 7	14 1 1	2 0 11	399 14 4		7 19 11	3 "
17 "	Strathearn	Elliott's Metal Co.	1500 brass boiler tubes			1 8 2½	2116 16 4	31 1 9	78 13 7	2 17 2	2229 8 10		1 9 9	28 April.
1878.														
4 Jan...	"	Midland Railway Carriage & Waggon Co.	292 Beattie's axle-boxes			1 2 0	321 4 0	10 11 7	12 8 2	0 18 4	345 2 1		1 3 8	"
28 Dec...	"	"	324 Carr's do.			0 17 11	290 5 0	13 10 7	11 4 0	1 7 1	316 6 8		0 19 6½	"
24 "	Loch Etive	Jas. M'Ilwraith & Co.	100 waggon covers			3 12 6	362 10 0	Paid by consignor.	9 1 3	0 9 5	372 0 8		3 14 5	3 "
1878.														
1 Jan...	Golden Fleece	Smith, Peacock, & Tannett.	1 ry. wheel turning lathe			440 0 0	440 0 0	20 5 0	15 10 9	1 17 6	477 13 3		477 13 3	3 May.
1 "	"	"	1 screw cutting do.			330 0 0	330 0 0	14 3 9	11 18 11	1 13 3	357 15 11		357 15 11	"
1 "	"	"	1 planing machine			420 0 0	420 0 0	18 1 0	15 16 6	1 15 0	455 12 6		455 12 6	"
5 "	"	J. B. Edmondson	12 ticket dating presses			2 5 0	27 0 0	0 10 0	1 12 0	0 0 2	29 2 2		2 8 6	"
5 "	Strathearn	Fried Krupp	16 c. s. tyres			4 18 4	78 13 8	3 10 0	3 5 3	0 8 9	85 17 8		5 7 4	28 April.
1877.														
20 Dec...	"	Jus. M'Ilwraith & Co.	406½ yds. woollen felt			0 3 10½	78 15 2	1 19 1	3 8 3	0 1 1	84 3 7		0 4 2	"
1878.														
21 Jan...	Erato	Staffordshire Wheel & Axle Co.	50 prs. c. wheels and axles			18 8 6	921 5 0	41 5 0	34 5 10	5 3 2	1001 19 0		20 0 9	13 May.
1877.														
29 Dec...	Ascalon	Chas. Cammell & Co.	704 waggon buffers			1 6 3	924 0 0	46 17 2	34 11 5	6 13 10	1012 2 5		1 8 9	5 "
1878.														
28 Jan...	Min-y-don	Chas. Churchill & Co.	1 set drills			39 11 1	39 11 1	0 10 0	1 18 2	0 0 2	41 19 5		41 19 5	17 "
13 Feb...	Earl Dalhousie	Chas. Cammell & Co.	100 Eng. volute springs			0 15 6½	77 13 8	1 14 4	3 9 9	0 4 11	83 2 8		0 16 7½	22 July.
20 "	"	Samuel Osborne & Co.	Swedish spring steel	7	0 3 19	16 0 0	112 14 9	6 3 4	4 18 3	0 17 7	124 13 11	17 13 11		"
17 Jan...	"	Thos. Turton & Sons...	40 c. bearing springs			1 15 0	68 13 4	2 19 0	2 17 6	0 6 7	74 16 5		1 17 5	"
17 "	"	"	550 w. do.			0 12 9	341 10 10	19 6 5	13 18 6	2 5 5	377 1 2		0 13 8½	"
17 "	"	"	170 h. box do.			0 17 6	145 13 10	6 8 8	6 0 3	0 15 5	158 18 2		0 18 8	"
17 "	"	"	110 carriage buffing springs			2 4 0	236 13 6	11 3 0	9 15 9	1 6 7	258 18 10		2 7 1	"
15 Feb...	"	"	250 carriage bearing springs			1 5 5	317 19 4	5 7 2	13 4 4	1 15 2	338 6 0		1 7 1	"
9 "	Salamis	Hird, Dawson, & Hardy	Lowmoor bar iron	6	1 2 2	20 4 7	122 18 6	5 6 4	4 18 4	0 15 2	133 18 4	22 0 10		16 June.
22 Jan...	Ivanhoe	Hoopes & Townshend	Hexagon nuts	0	19 1 0	43 9 6	41 16 11	3 10 0	0 16 2	0 5 0	46 8 1	48 4 3		3 "
22 "	"	"	Boiler rivets	9	1 2 0	19 2 9	173 13 8	16 5 0	1 14 9	0 19 0	192 12 5	21 4 6		"
22 "	"	"	Bolts	1	0 1 0	33 7 4	33 15 8	2 15 0	0 14 8	0 4 0	37 9 4	37 0 0		"
22 "	"	"	Steel screws	7	2 0 0	2 11 3	18 3 10	1 8 9	0 9 7	0 2 5	20 4 7	2 17 0		"
10 "	Nineveh	Vickers, Sons, & Co.	350 tyres			5 4 9	1833 15 0	67 17 9	68 16 4	8 9 9	1978 18 10		5 13 1	20 "
14 Feb...	Salamis	Henry Baynton	96 dozen carriage door locks			10/9 doz.	51 12 0	0 10 0	2 6 4	0 0 3	54 8 7		11/4 doz.	16 "
4 Mar...	John Nicholson	Staffordshire W. & A. Co.	100 prs. c. wheels and axles			18 5 6	1827 10 0	103 6 6	82 2 1	10 6 3	2023 4 10		20 4 8	7 July.
4 "	"	"	300 w. do.			16 1 9	4826 5 0	272 7 10	216 16 9	27 3 9	5342 13 4		17 16 2	"
15 "	Windermere	Beyer, Peacock, & Co.	6 goods engines			2800 0 0	16800 0 0	Paid by consignor.			16800 0 0		2800 0 0	22 "
22 "	Assaye	"	6 pass. do.			2780 0 0	16680 0 0	"	"		16680 0 0		2780 0 0	19 Aug.
23 "	Candida	Sir J. Whitworth	1 drilling and boring machine			157 0 0	157 0 0	6 7 6	6 1 5	0 8 6	169 17 5		169 17 5	1 "
			Carried forward				75077 17 1	1730 9 11	1596 10 3	225 14 2	78630 11 5			

APPENDIX TO REPORT ON RAILWAYS—1878.

No. 5 continued—RETURN of MISCELLANEOUS ARTICLES imported for the Great Southern and Western Lines—continued.

Date of Invoice.	Ship.	From whom purchased.	Description.	Tonnage.	Cost per ton.	Cost each.	Invoice Cost.	Freight.	English Charges.	Colonial Charges.	Total Cost.	Cost per ton.	Cost each.	Date of Arrival.
				T. c. q. lbs.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
1878.		Brought forward												
22 Mar.	Jerusalem	Pontifex & Wood	59 copper plates			12 9 6	75977 17 1	1730 9 11	1596 10 3	225 14 2	78630 11 5			1878.
18 "	Earl Dalhousie	Low & Duff	1 slide lathe			70 4 0	736 3 5	9 2 0	26 19 0	1 2 9	773 7 2		13 2 2	22 July.
14 "	Candida	Beyer, Peacock, & Co.	1 dup. bogie frame			200 0 0	200 0 0	4 12 0	7 19 0	0 5 9	212 16 9		74 3 8	"
"	"	"	2 pair engine driving w. & axles			130 0 0	260 0 0	5 15 0	10 8 9	0 10 0	276 13 9		212 16 9	1 Aug.
"	"	"	2 " " trailing do			122 0 0	244 0 0	5 8 6	9 10 0	0 14 9	259 13 3		138 6 10	"
"	"	"	2 " " bogie do			50 0 0	100 0 0	2 6 4	3 19 6	0 2 6	106 8 4		129 16 7	"
"	"	"	6 " " tender do			50 0 0	300 0 0	6 18 6	11 15 6	0 11 2	319 5 2		53 4 2	"
"	"	"	2 sets eng. tender B, springs			54 0 0	108 0 0	2 12 9	4 2 0	0 3 11	114 18 8		53 4 2	"
"	"	"	1 set connecting rods and brasses.			42 0 0	42 0 0	0 16 9	1 7 6	0 9 8	44 13 11		57 9 4	"
"	"	"	1 set coupling rods and brasses.			25 0 0	25 0 0	0 11 6	0 18 6	0 2 1	26 12 1		44 13 11	"
"	"	"	1 set eccentric straps and rods.			45 0 0	45 0 0	0 17 6	1 10 0	0 10 3	47 17 9		26 12 1	"
"	"	"	1 pair cylinders			110 0 0	110 0 0	2 14 6	4 4 3	0 2 6	117 1 3		47 17 9	"
"	"	"	2 " engine leading-wheels & axles.			80 10 0	161 0 0	2 18 8	5 15 5	0 6 6	170 0 7		117 1 3	"
"	"	"	2 pair engine driving-wheels & axles.			200 0 0	400 0 0	7 5 6	14 6 10	0 16 3	422 8 7		85 0 3	"
"	"	"	2 pair engine trailing-wheels & axles.			80 10 0	161 0 0	2 18 8	5 15 5	0 6 6	170 0 7		211 4 3	"
"	"	"	9 pair eng. tend.-w. & axles			50 0 0	450 0 0	8 3 9	16 2 9	0 18 3	475 4 9		85 0 3	"
"	"	"	3 sets bearing springs			45 0 0	135 0 0	2 9 2	4 16 10	0 5 6	142 11 6		170 0 7	"
"	"	"	2 Krupp S. C. axles			125 0 0	250 0 0	4 11 0	8 19 5	0 10 2	264 0 7		47 10 6	"
"	"	"	1 set connecting rods and brasses.			42 0 0	42 0 0	0 15 4	1 10 1	0 1 7	44 7 0		132 0 4	"
"	"	"	1 set coupling rods and brasses.			48 0 0	48 0 0	0 17 8	1 14 5	0 1 11	50 14 0		44 7 0	"
"	"	"	1 set eccentric straps and rods.			45 0 0	45 0 0	0 16 6	1 12 2	0 1 10	47 10 6		50 14 0	"
"	"	"	1 pair cylinders			105 0 0	105 0 0	1 18 3	3 15 4	0 4 3	110 17 10		47 10 6	"
18 "	Earl Dalhousie	Westinghouse Brake Co	50 automatic parts			8 0 0	400 0 0	2 2 0	15 0 4	0 3 3	417 5 7		110 17 10	"
16 "	Wallacetown	Fried Krupp	100 c. s. tyres			7 9 6	747 12 10	33 6 10	*9 9 10	4 3 4	794 12 10		8 6 11	22 July.
29 "	"	Staff, Wheel & Axle Co.	30 pairs wheels and axles			16 4 3	486 7 6	21 15 0	18 7 7	2 14 5	529 4 6		7 18 11	22 Aug.
22 "	Jerusalem	Fried Krupp	130 c. s. tyres			6 3 10	804 16 4	35 17 10	*9 14 6	4 9 9	854 18 5		17 12 10	"
20 April.	Jonathan Chace	Wm. Sellars & Co.	1 turntable			272 14 11	272 14 11	32 4 9	10 14 0	1 11 5	317 5 1		6 11 7	22 July.
18 "	Cambrian Princess	Barrand & Lund	24 silver watches			7 5 0	174 0 0	2 3 10	2 9 0	0 0 8	178 13 6		317 5 1	25 Sept.
"	"	"	24 clocks			5 19 6	143 8 0	1 16 2	2 0 3	0 0 7	147 5 0		7 8 11	"
20 May.	Thos. Stephens	Broughton Copper Co.	92 copper tubes			0 9 6	43 15 3	0 10 0	1 17 3	0 1 2	46 3 8		6 2 8	7 "
12 June.	Centurion	Tuck & Co.	Patent packing	2 10 0	6	132 17 3	332 10 4	5 7 7	12 8 7	0 7 8	350 14 2	140 2 8	0 10 0	3 "
14 "	Thos. A. Goddard	Jackson & Sharp Co.	Set duplicates for American cars.			332 14 5	332 14 5	45 19 10	12 8 1	0 19 10	392 2 2			26 "
29 May.	Cimba	N. B. Rubber Co.	Patent packing	0 9 2	23	138 8 7	67 3 6	1 5 5	2 15 2	0 1 7	71 5 8	146 17 10		14 Oct.
31 July.	Carmarthen Castle	Beyer, Peacock & Co.	6 goods engines			2800 0 0	16800 0 0	Paid by consignors			16800 0 0		2800 0 0	30 Sept.
24 June.	Maude	Sir J. Whitworth & Co.	2 drilling and boring machines.			157 0 0	314 0 0	12 14 6	11 18 3	1 3 10	339 16 7		169 18 4	7 Nov.
			Carried forward				100034 7 7	2001 1 0	1855 14 2	250 3 6	104141 6 3			11 "

* Not inspected.

No. 5 continued—RETURN of MISCELLANEOUS ARTICLES imported for the Great Southern and Western Lines—continued

Date of Invoice.	Ship.	From whom purchased.	Description.	Tonnage.	Cost per Ton.		Cost each.	Invoice Cost.	Freight.	English Charges.	Colonial Charges.	Total Cost.	Cost per Ton.	Cost each.	Date of Arrival.
					T. c. q. lbs.	£ s. d.									
1878.		Brought forward						100034 7 7	2001 1 0	1855 14 2	250 3 6	104141 6 3		0 10 6	1878.
18 June.	Carmarthen Castle	Geo. Spencer & Co.	200 cylinder springs			0 10 0		100 0 0	0 14 0	4 0 0	0 1 8	104 15 8		0 10 6	7 Nov.
5 "	Garonno	Taylor Bros. & Co.	Bar and angle iron	22 1 1 22	20 16 11			460 2 2	14 9 9	17 10 1	2 15 2	494 17 2	22 8 5		23 Sept.
27 "	Carmarthen Castle	Chas. Churchill & Co.	5 sets twist drills					203 13 0	0 10 0	7 18 5	0 0 10	212 2 3		42 8 5	7 Nov.
26 July.	Ennerdale	Fairbairn, Kennedy, & Naylor	6 lathes					898 0 0	26 18 9	{ 0 13 9 } { 33 2 8 }	4 0 10	{ 0 13 9 } { 962 2 3 }		962 16 0	15 "
8 "	Lord Kinnaird	Beyer, Peacock, & Co.	2 crank axles			90 0 0		180 0 0	1 4 7	6 16 3	0 3 6	188 4 4		94 2 2	17 "
11 "	"	Smith, Beacock, and Tannett.	2 punching and shearing machines.			140 0 0		280 0 0	12 1 7	10 11 5	1 4 2	303 17 2		151 18 7	17 "
16 Aug.	Leander	Tangye Bros.	6 special pumps			42 12 11		255 17 8	2 19 8	9 12 2	0 6 11	268 16 5		44 16 1	27 "
7 "	"	N. British Rubber Co.	600 springs			0 0 11 1/2		29 0 0	0 10 0	1 7 3	0 0 3	30 17 6		0 1 0	27 "
7 "	"	Pontifex & Wood	15 copper plates			18 7 11		275 19 5	3 7 0	{ 0 6 6 } { 11 3 9 }	0 8 7	{ 290 18 9 }		19 8 4	27 "
16 "	Memnon	Burnham, Perry, Williams, & Co.	Set dup. parts American engine.			481 0 10		481 0 10	64 11 6	18 14 7	1 16 6	566 3 5			27 Dec.
24 Sep.	Cuzco	Thos. Turton & Sons.	Spring steel	4 15 0 5	22 0 0			104 11 0	4 19 9	4 1 11	0 11 11	114 4 7	24 0 8		28 Nov.
17 "	Trafalgar	Smith, Beacock, and Tannett.	2 shapung machines			220 0 0		440 0 0	14 15 10	16 13 11	0 8 9	471 18 6		235 19 3	30 Dec.
21 "	"	Thompson, Sterne, & Co.	50 i.r. bearing springs			1 2 6		56 5 0	0 10 0	2 10 1	0 0 6	59 5 7		1 3 8 1/2	30 Dec.
16 Aug.	Hereford	G. Bailey, Toms, & Co.	Lowmoor angle iron	1 11 1 21	27 6 0			42 18 3	1 7 6	1 17 3	0 3 9	46 6 9	29 9 6		7 "
								103841 14 11	2150 0 11	2002 14 2	262 6 10	108256 16 10			
Indent of 150 Steel Crossings and Switches for Great Southern and Western Extensions, May, 1877.															
16 Nov.	Carnegie	Vickers, Sons, & Co.	75 c. s. crossings			15 9 6		1160 12 6	33 5 6	26 5 6	4 16 1	1224 19 7		16 6 8	2 April.
6 Dec.	Cedric the Saxon	"	75 "			15 9 6		1160 12 6	33 5 6	25 12 7	4 16 1	1224 6 8		16 6 6	1 "
16 Nov.	Northbrook	Ransomes & Rapier	75 sets switches			15 19 0		1196 5 0	89 16 0	27 2 7	11 2 4	1324 5 11		17 13 2	9 March.
10 Dec.	Golden Fleece	"	75 "			15 19 0		1196 5 0	91 15 5	27 16 5	11 7 2	1327 4 0		17 13 11	3 May.
								4713 15 0	248 2 5	106 17 1	32 1 8	5100 16 2			
Indent for Material, Cylinders, &c., for Bridge over Macquarie, at Wellington, dated May, 1877.															
11 April	Windemere	Stockton Iron Co.	55 cylinder segments	97 14 1 7	6 2 6			598 10 9	97 14 3	23 4 11	12 4 4	731 14 3	7 9 9		22 July.
27 "	Letterewe	"	119 "	202 1 3 16	6 2 6			1237 16 7	202 1 11	47 17 5	26 6 2	1514 2 1	7 9 9		5 Sept.
9 May.	Remington	"	Bolts and nuts	9 3 0 23	6 0 0			54 19 3	8 0 3	2 6 11	1 1 5	66 7 10	7 4 11		16 "
4 June.	Maude	"	76 cylinder segments	101 8 3 0	6 2 6			621 6 1	101 8 9	24 0 1	15 4 3	761 19 2	7 10 2		11 Nov.
4 "	"	"	76 "	118 15 0 0	6 2 6			727 6 11	118 15 0	28 9 5	17 16 3	892 7 7	7 10 3		11 "
31 July.	Ennerdale	Andrew Handyside & Co.	Superstructure	156 18 1 5	14 6 1			2244 16 10	197 2 6	86 16 1	19 12 3	2548 7 8	16 4 10		15 "
20 "	Lord Kinnaird	Stockton Iron Co.	31 segments	43 16 2 22	6 0 0			263 0 2	43 16 9	10 7 4	5 9 7	322 13 10	7 7 3		17 "
29 Aug.	Hereford	"	1 "	1 8 0 6	6 0 0			8 8 4	1 10 10	0 12 7	0 3 6	10 15 3	7 13 5		7 Dec.
9 Oct.	Trafalgar	Andrew Handyside & Co.	Superstructure	219 14 0 18	13 17 10			3052 8 1	357 0 6	117 18 5	27 9 3	3554 16 3	16 3 7		30 "
								£ 8808 13 0	1127 10 9	341 13 2	125 7 0	10403 3 11			

APPENDIX TO REPORT ON RAILWAYS—1878.

No. 5 continued—RETURN OF MISCELLANEOUS ARTICLES imported for the Great Northern Lines—continued.

Date of Invoice.	Ship.	From whom purchased.	Description.	Tonnage.	Cost		Invoice cost.	Freight.	English Charges.		Colonial Charges.	Total cost.		Cost per ton.	Cost each.	Date of Arrival.
					per ton.	each.			£ s. d.	£ s. d.		£ s. d.	£ s. d.			
1877.				T. c. q. lbs.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	1878.
10 Sep...	Rajah	Beyer, Peacock, & Co.	6 copper plates			34 8 4	206 10 0	1 14 10	7 18 4			216 3 2		36 0 6	1 Jan.	
25 July...	Rialto	Tangye Bros.	1 boiler prover			15 2 3	15 2 3	0 10 0	1 1 2			16 13 5		16 13 5	18 Mar.	
— Sep...	Peterborough	Pontifex & Wood	Copper plates and bolts	7 10 0 19		80 13 3	60 19 3	6 11 5	23 16 5			635 7 1	84 14 4		16 Jan.	
28 " "	Prince Louis	Hyde, Archer, & Co.	200 yards brown lace			0 1 8 1/2	16 18 10	0 3 6	0 17 0			17 19 7		0 1 9 1/2	4 June.	
" "	"	"	1,600 yards seaming and pasting lace.			0 0 2 1/2	3 8 9	0 3 9	0 18 0			3 8 9		0 0 3	"	
" "	"	"	150 gross daisy tufts			0 1 9 1/2	13 8 0	0 2 9	0 13 5			14 4 8		0 1 10 1/2	"	
17 Oct...	Evelyn	John Labron	154 yards carriage cloth			0 7 3 1/2	56 4 0		2 9 4			58 13 4		0 7 7 1/2	27 Feb.	
27 " "	"	Geo. Salter & Co.	6 Gross springs			0 7 3	2 3 0		0 1 1			2 4 7		0 7 5	"	
12 Dec...	Carnegie	Hird, Dawson, & Hardy	6 plates (Lowmoor)	1 8 1 12		32 1 0	45 5 5	0 17 10	2 1 1			48 4 4	34 2 8 1/2		2 April.	
11 " "	"	Taylor Bros. & Co.	12 "	1 3 3 23		23 6 9	28 0 1	1 1 3	1 8 7			30 9 11	25 8 4		"	
2 Nov...	Haddington	Fairbanks & Co.	3 weigh-bridges			99 0 0	297 0 0	17 15 7	4 4 1			318 19 8		106 6 6	25 "	
14 Dec...	Juno	Tangye Bros.	72 valve seats and buffers.			0 2 10 1/2	10 9 2	0 10 0	0 15 11			11 15 1		0 3 3 1/2	2 May.	
5 Jan...	Glamis	Fried Krupp	146 c.s. tyres			6 15 7	989 17 0	44 2 10	42 19 5			1076 19 3		7 7 6	4 July.	
22 Feb...	"	Patent Ferrule Co.	4,000 ferrules			0 0 9	151 7 0	0 16 9	7 1 10			159 5 7		0 0 10	"	
23 " "	Shenir	Elliott's Metal Co.	1,200 brass tubes			1 6 8	1602 15 3	18 14 1	60 1 6			1681 10 10		1 8 0	29 "	
30 Mar...	Syria	Patent Ferrule Co.	8,000 ferrules			0 0 8	280 16 6	1 11 0	10 19 3			293 6 9		0 0 9	"	
29 May...	Caroline	Thos. Brassey & Co.	1 loco boiler			790 0 0	790 0 0	36 14 2	37 18 3			864 12 5		864 12 5	1 Nov.	
25 June...	Carmarthen Castle.	Tangye Bros. & Holman	4 15-ton traversing jacks			12 5 0	49 0 0	0 10 0	2 0 0			51 10 0		12 17 6	7 "	
" "	"	"	6 6-ton hydraulic jacks			5 0 0	30 0 0	0 6 0	1 4 0			31 10 0		5 5 0	"	
13 Aug...	Hereford	Hud, Dawson, & Hardy	iron plates, rivets, &c.	10 15 0 0	29 1 5		312 10 3	9 13 5	11 19 5			334 3 1	31 1 8		7 Dec.	
				20 17 1 26	29 1 5		5520 19 2	141 19 2	220 8 1			5883 6 5				
Indents for 54 C.S. Crossings and 14 sets Switches, for renewals, Great Northern Line, 29th September, 1878.																
1878.																1878.
18 Mar...	Glanivor	Vickers Sons & Co.	54 c.s. crossings			13 19 4 1/2	754 5 0	40 7 11	21 16 0			816 8 11		15 2 4 1/2	— Sept.	
26 " "	"	J. Armstrong & Co.	14 sets switches			12 4 2 1/2	170 19 0	21 2 7	4 18 11			197 0 6		14 1 5 1/2	"	
							925 4 0	61 10 6	26 14 11			1013 9 5				

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APPENDIX TO REPORT ON RAILWAYS—1878.

No. 6.

RETURN of Rolling Stock on hand on the Railways of New South Wales, 31st December, 1878.

APPENDIX TO REPORT ON RAILWAYS—1878.

Names of Railways.	Locomotives.				Passenger Stock.													Goods Stock.											Grand Total of Passenger and Goods Stock		
	Tank Engines.	Passenger Engines.	Goods Engines.	Total.	Sleeper Carriages.	1st Class Carriages.	Composite Carriages.	Composite Smoking do.	Composite Brake Vans.	2nd Class Carriages.	Mail Vans.	Prison Vans.	Hearses.	Horse Boxes.	Carriage Trucks.	Brake Vans.	Total Passenger.	Brake Vans.	A—Low-sided Waggon.	B—High-sided Waggon.	C—Covered Vans.	D—Medium-sided.	E—Timber Waggon.	Powder Vans.	Composite Cattle and Goods Truck.	Sheep Vans.	Cattle Vans.	Meat Vans.		Ballast Waggon.	Total Goods
1878.																															
Southern and Western	14	56	48	118	1	32	35	6	20	68	5	1	2	51	26	15	262	42	72	105	98	1,834	162	6	1	114	131	10	42	2,617	2,997
Northern	4	11	21	36	...	16	8	...	...	48	4	...	...	19	12	9	116	25	40	40	38	446	44	3	...	64	52	1	43	796	948
Total on 31st December, 1878.....	18	67	69	154	1	48	43	6	20	116	9	1	2	70	38	24	378	67	112	145	136	2,280	206	9	1	178	183	11	85	3,413	3,945
1877.																															
Southern and Western	14	50	38	102	1	28	25	6	20	68	5	1	2	51	26	15	248	34	72	105	98	1,476	†182	6	...	38	61	10	37	2,119	2,469
Northern.....	4	11	21	36	...	13	2	...	...	49	3	...	...	19	12	6	104	18	40	40	39	424	24	2	...	34	22	1	43	687	827
Total on 31st December, 1877.....	18	61	59	138	1	41	27	6	20	117	8	1	2	70	38	21	352	52	112	145	137	1,900	206	8	...	72	83	11	80	2,806	3,296
Increase .....	...	6	10	16	...	7	16	...	...	...	1	...	...	...	...	3	26	15	...	...	...	380	...	1	1	106	100	...	5	607	649
Decrease .....	...	...	...	...	...	...	...	...	...	*1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

Two Goods Engines were destroyed at Emu Plains in 1878. Twenty-two D Waggon were transferred to G.N.R. in January, 1878; five were transposed to Ballast Waggon in April, 1878; and one new D Waggon was handed over to Lithgow Valley Colliery Co., to replace a Waggon destroyed at accident on 10/9/78. Five Ballast Waggon transposed from D to E Waggon were transferred to G.N.R., January, 1878.
 * One 2nd Class Carriage converted into a Mail Van. † One C Van converted into a Powder Van. ‡ 20 E Waggon transferred to G.N.R.

No. 7.

PUBLIC DEBT FOR RAILWAYS.

STATEMENT showing the Amounts appropriated for Railway Services to 31st December, 1878; the Amounts expended to same date; and the Balances retained or written off in the books of the Treasury.

Appropriations.	Particulars.	Expended.	Balances	
			Retained.	Written off.
£ s. d.		£ s. d.	£ s. d.	£ s. d.
	16 VICTORIA, No. 39.			
217,500 0 0	Loan to the Sydney Railway Company.....	217,500 0 0	.....	.....
	18 VICTORIA, No. 40.			
400,000 0 0	Construction of Railways.....	400,000 0 0	.....	.....
224,733 18 8	Purchase of the properties of the Sydney Railway and of the Hunter River Railway Companies.....	224,733 18 8	.....	.....
624,733 18 8		624,733 18 8	.....	.....
	19 VICTORIA, Nos. 38 & 40.			
62,500 0 0	Railway, Sydney to Liverpool; and Railway, Newcastle to Maitland.....	62,499 10 0	0 10 0	.....
50,000 0 0	Surveys, experiments, and preparations for the extension of Railways.....	49,997 19 7	2 0 5	.....
112,500 0 0		112,497 9 7	2 10 5	.....
	20 VICTORIA, No. 1.			
200,000 0 0	Railway works.....	200,000 0 0	.....	.....
	20 VICTORIA, No. 34.			
300,000 0 0	Railway works.....	299,927 9 4	72 10 8	.....
	22 VICTORIA, No. 22.			
712,000 0 0	Extension of existing Railways.....	711,999 18 0	.....	0 2 0
8,000 0 0	Railway Trial Surveys.....	8,000 0 0	.....	.....
720,000 0 0		719,999 18 0	.....	0 2 0
	23 VICTORIA, No. 10.			
1,300 0 0	Valuation of Land.....	1,296 0 0	.....	4 0 0
9,021 0 0	Works in progress—Authorized Extensions.....	8,045 2 8	.....	375 17 4
23,949 0 0	Trial Surveys.....	23,941 1 8	.....	7 18 4
54,100 0 0	New Works.....	54,100 0 0	.....	.....
88,370 0 0		87,982 4 4	.....	387 15 8
	24 VICTORIA, No. 24.			
1,300 0 0	Valuation of Land.....	1,300 0 0	.....	.....
7,020 0 0	Works in progress—Authorized Extensions.....	6,718 9 5	.....	301 10 7
8,320 0 0		8,018 9 5	.....	301 10 7
	25 VICTORIA, No. 19.			
675 0 0	Valuation of Land.....	671 1 8	.....	3 18 4
9,184 0 0	Works in progress—Authorized Extensions.....	8,168 13 2	.....	1,015 6 10
20,000 0 0	Northern Line to Terminus to Morpeth.....	20,000 0 0	.....	.....
5,000 0 0	Carriage-shed and Machine-shop, and fixing Engine Turn-table, &c., Northern Line.....	4,578 19 3	421 0 9	.....
40,000 0 0	Bridge over Hunter River, at Singleton.....	40,000 0 0	.....	.....
70,000 0 0	Bridge over the Nepean, at Penrith.....	70,000 0 0	.....	.....
688,000 0 0	Great Southern Line to Goulburn.....	687,999 8 0	0 12 0	.....
16,200 0 0	Land for Great Southern Railway to Goulburn.....	16,200 0 0	.....	.....
20,000 0 0	Engines for Southern Extensions.....	20,000 0 0	.....	.....
7,000 0 0	Trial Surveys.....	7,000 0 0	.....	.....
30,000 0 0	Great Western Line to the Nepean.....	30,000 0 0	.....	.....
250,000 0 0	Great Western Line from Penrith towards Bathurst.....	250,000 0 0	.....	.....
250,000 0 0	Great Northern Line towards Armidale.....	250,000 0 0	.....	.....
60,000 0 0	Horse Railway Line from Blacktown to Windsor and Richmond.....	60,000 0 0	.....	.....
10,000 0 9	Additions and Alterations to Workshops and Stations.....	9,998 7 6	1 12 6	.....
1,476,059 0 0		1,474,616 9 7	423 5 3	1,019 5 2
3,747,482 18 8	Carried forward	3,745,275 18 11	498 6 4	1,708 13 5

Appropriations	Particulars.	Expended.	Balances	
			Retained.	Written off.
£ s. d.		£ s. d.	£ s. d.	£ s. d.
3,747,482 18 8	Brought forward.....	3,745,275 18 11	498 6 4	1,708 13 5
26 VICTORIA, No. 14.				
700 0 0	Valuation of Land.....	696 0 0		4 0 0
11,182 0 0	Works in progress—Authorized Extensions.....	10,523 3 5		658 16 7
1,000 0 0	Bridge over the Railway, near Newcastle.....	1,000 0 0		
16,000 0 0	Additional Line from Newcastle to Wallsend Junction.....	14,684 8 6	1,315 11 6	
350 0 0	Additional Telegraph Wire for Railway purposes from Parramatta to Penrith.....	336 5 6		13 14 6
675 0 0	Additional Telegraph Wire for Railway purposes from Campbelltown to Picton.....	514 16 8	160 3 4	
29,907 0 0		27,754 14 1	1,475 14 10	676 11 1
27 VICTORIA, No. 14.				
215,414 3 1	Extension to Goulburn.....	215,414 3 1		
3,932 2 8	Workshops, Southern Line.....	3,932 2 8		
2,480 14 3	Workshops, Northern Line.....	2,431 7 6	49 6 9	
13,000 0 0	Rolling Stock, Northern Line.....	13,000 0 0		
23,000 0 0	Locomotive Engines, Western Line.....	23,000 0 0		
20,000 0 0	Carriages, Break-vans, Western Line.....	20,000 0 0		
35,000 0 0	Locomotive Engines, Northern Line.....			
1,000 0 0	Traverses for Coal Sidings, Newcastle.....			
4,000 0 0	Ballast-waggons for Northern, Southern, and Western Lines.....	37,659 10 9	2,340 9 3	
50,000 0 0	Extension into Goulburn.....	50,000 0 0		
150,000 0 0	Extension into Bathurst.....	150,000 0 0		
15,000 0 0	Richmond and Windsor Lines.....	15,000 0 0		
7,500 0 0	Purchase of Land for Morpeth Railway.....	7,495 13 4	4 6 8	
5,000 0 0	Siding into Cemetery at Haslem's Creek.....	4,821 5 6	178 14 6	
900 0 0	Wharf, Carriage Dock, and Siding, Newcastle Station and West Maitland.....	900 0 0		
970 0 0	New Passenger Station, Platform, and Station at Hexham.....	970 0 0		
3,500 0 0	Coal Sidings at Newcastle.....	566 13 9	2,933 6 3	
400 0 0	Passenger Station and Platform at Rooty Hill, Western Line.....	400 0 0		
900 0 0	Three Gate-houses on Western Line.....	831 10 5	68 9 7	
110 0 0	Stables at Newcastle.....	110 0 0		
552,107 0 0		546,532 7 0	5,574 13 0	
29 VICTORIA, No. 9.				
650 0 0	Station at Riverstone.....	650 0 0		
650 0 0	Station at Mulgrave.....	650 0 0		
9,000 0 0	Additional Ballast and Goods Trucks.....	9,000 0 0		
10,000 0 0	Windsor and Richmond Line.....	10,000 0 0		
850 0 0	Land at Newtown for Siding.....	820 17 8	29 2 4	
10,000 0 0	Additional Rolling Stock.....	10,000 0 0		
20,000 0 0	Additional Goods accommodation, Sydney Station.....	19,999 18 0		0 2 0
12,000 0 0	Railway-sheds.....	12,000 0 0		
5,000 0 0	Additional accommodation Stations.....	5,000 0 0		
6,000 0 0	Claims for Land on the Penrith, Picton, and Singleton Extensions.....	1,965 19 0	4,034 1 0	
650 0 0	Station at Douglas Park.....	640 14 3	9 5 9	
20,000 0 0	Extension of Great Northern Line to Terminus at Morpeth.....	19,995 2 11	4 17 1	
94,800 0 0		90,722 11 10	4,077 6 2	0 2 0
29 VICTORIA, No. 23.				
200,000 0 0	Extension of the Great Western Line.....	200,000 0 0		
400,000 0 0	Extension of the Great Northern Line.....	397,354 12 1	2,645 7 11	
20,000 0 0	Relaying the Line from Sydney to Parramatta Junction.....	20,000 0 0		
4,000 0 0	Enlarging Railway Bridges at East Maitland.....	2,508 17 2	1,491 2 10	
5,000 0 0	Additional Accommodation to Stations.....	5,000 0 0		
10,000 0 0	Additional Goods Waggons.....	10,000 0 0		
33,000 0 0	One-third the cost of the Bridge over the Nepean, defrayed from Railway Loan.....	33,000 0 0		
15,500 0 0	One-third the cost of Bridge at Singleton, defrayed from Railway Loan.....	12,160 3 3	3,339 16 9	
687,500 0 0		680,023 12 6	7,476 7 6	
30 VICTORIA, No. 23.				
3,000 0 0	Engine-shed, Windsor and Richmond Line.....	1,054 9 6	1,945 10 5	
5,000 0 0	Trial Surveys for the Extension of the Great Southern and Western Railways.....	5,000 0 0		
25,000 0 0	Compensation for Land taken on the Ultimo Estate.....	25,000 0 0		
33,000 0 0		31,054 9 6	1,945 10 6	
5,144,796 18 8	Carried forward.....	5,121,363 13 10	21,047 18 4	2,385 6 6

APPENDIX TO REPORT ON RAILWAYS—1878.

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Appropriations.	Particulars.	Expended.	Balances	
			Retained.	Written off.
£ s. d.		£ s. d.	£ s. d.	£ s. d.
5,144,796 18 8	Brought forward.....	5,121,363 13 10	21,047 18 4	2,385 6 6
	31 VICTORIA, No. 11.			
1,000,000 0 0	Railway Works—Extension to Bathurst and Goulburn.....	999,893 12 5	106 7 7	.....
	31 VICTORIA, No. 27.			
3,412 0 0	Half the Cost of the Telegraph Line from Picton to Goulburn, along the line of Railway—chargeable to Railways.....	3,411 2 0	0 18 0	.....
3,719 0 0	Half the cost of Telegraph Line from Penrith to Bathurst, along the line of Railway, chargeable to Railways.....	3,511 0 10	207 19 2	.....
7,131 0 0		6,922 2 10	208 17 2	.....
	32 VICTORIA, No. 13.			
60,000 0 0	Towards cost of additional Rolling Stock for Railway purposes.....	60,000 0 0	.....	.....
10,000 0 0	Compensation for Land taken at Honeysuckle Point.....	9,852 7 2	147 12 10	.....
70,000 0 0		69,852 7 2	147 12 10	.....
	34 VICTORIA, No. 2.			
13,000 0 0	New Machine-shop, running shed, erecting shop and stores at Newcastle, including roads connected therewith.....	12,209 5 1	790 14 11	.....
2,000 0 0	Additional Machinery.....	1,674 4 2	325 15 10	.....
30,500 0 0	New Station, Workshops for carriage and waggons department, carriage-shed, roofing, steam hammer, furnaces and machinery, Redfern, including roads connected therewith.....	30,420 19 11	79 0 1	.....
5,000 0 0	Excavating Station-yard, Redfern.....	4,367 18 7	632 1 5	.....
3,500 0 0	Additional Machinery.....	3,500 0 0	.....	.....
6,000 0 0	New Passenger Station and Platforms, Newcastle, including road approaches.....	5,580 4 9	419 15 3	.....
60,000 0 0	Construction of Rolling Stock.....	59,998 3 6	1 16 6	.....
35,000 0 0	Completion of the relaying of the Line from Sydney to Parramatta.....	30,402 14 5	4,597 5 7	.....
17,000 0 0	Completion of new Goods-shed, Sydney, and Roads and Sidings in connection with same.....	14,518 9 10	2,481 10 2	.....
5,000 0 0	Extension to Morpeth.....	4,994 10 0	5 10 0	.....
2,000 0 0	Land for Windsor and Richmond Line.....	1,340 18 11	659 1 1	.....
179,000 0 0		169,007 9 2	9,992 10 10	.....
	35 VICTORIA, No. 5.			
124 0 0	Construction of Railway-sheds.....	122 9 5	1 10 7	.....
230,000 0 0	Completion of Lines already sanctioned.....	229,941 15 8	58 4 4	.....
70,000 0 0	Construction of Rolling Stock manufactured in the Colony.....	65,580 13 9	4,419 6 3	.....
300,124 0 0		295,644 18 10	4,479 1 2	.....
	36 VICTORIA, No. 2.			
60,000 0 0	Rolling Stock manufactured in the Colony.....	58,871 2 4	1,128 17 8	.....
2,000 0 0	Station Buildings—West Maitland.....	1,876 10 2	123 9 10	.....
257 0 0	Station-master's House at Newtown.....	257 0 0	.....	.....
75,000 0 0	Purchase of Railway Stores, &c., &c.....	75,000 0 0	.....	.....
137,257 0 0		136,004 12 6	1,252 7 6	.....
	36 VICTORIA, No. 17.			
60,000 0 0	Rolling Stock manufactured in the Colony.....	59,971 0 9	28 19 3	.....
10,000 0 0	Trial Surveys.....	9,999 18 11	0 1 1	.....
1,131,000 0 0	Towards the construction of a Line from Goulburn to Wagga Wagga.....	1,130,935 13 5	64 6 7	.....
60,000 0 0	Construction of a Line—Kelso to Bathurst.....	60,000 0 0	.....	.....
279,000 0 0	Construction of a Line—Bathurst to Orange.....	279,000 0 0	.....	.....
361,500 0 0	Construction of a Line—Murrumbidgee to Tamworth.....	355,209 17 4	6,290 2 8	.....
1,901,500 0 0		1,895,116 10 5	6,383 9 7	.....
8,739,808 18 8	Carried forward.....	8,693,805 7 2	43,618 5 0	2,385 6 6

Appropriations	Particulars.	Expended.	Balances	
			Retained.	Written off.
£ s. d.		£ s. d.	£ s. d.	£ s. d.
8,739,808 18 8	Brought forward	8,693,805 7 2	43,618 5 0	2,385 6 6
	38 VICTORIA, No. 2.			
20,000 0 0	Trial Surveys	19,988 3 4	11 16 8	.....
100,000 0 0	Rolling Stock	99,992 12 10	7 7 2	.....
25,000 0 0	Towards purchasing Land, laying Sidings, and erecting Sheds, Darling Harbour Wharf	24,964 13 9	35 6 3	.....
10,000 0 0	Engine-sheds	6,792 19 0	3,207 1 0	.....
8,000 0 0	Enlarging Machine-shop, Sydney	5,469 12 10	2,530 7 2	.....
2,000 0 0	Additional Machinery, Sydney	2,000 0 0	.....	.....
6,000 0 0	Completion of new Station, Redfern	5,931 13 7	68 6 5	.....
45,000 0 0	To complete Western Line to Kelso, &c.	44,980 18 9	19 1 3	.....
1,000 0 0	Unadjusted Land Claims	110 10 8	889 9 4	.....
50,000 0 0	To connect Great Northern Railway with the New Wharfage Accommodation at Bullock Island.....	40,513 0 4	9,486 19 8	.....
50,000 0 0	Purchase of twelve Passenger Locomotive Engines for extensions beyond Murrurundi, Goulburn, and Bathurst.....	50,000 0 0	.....	.....
317,000 0 0		300,744 5 1	16,255 14 11	.....
	39 VICTORIA, No. 18.			
20,000 0 0	Trial Surveys	20,000 0 0	.....	.....
50,000 0 0	Rolling Stock	49,599 17 2	400 2 10	.....
5,000 0 0	Additional Machinery	5,000 0 0	.....	.....
75,000 0 0		74,599 17 2	400 2 10	.....
	40 VICTORIA, No. 12.			
350,000 0 0	Orange to Wellington	218,997 15 9	131,002 4 3	.....
260,000 0 0	Wellington to Dubbo	60,820 5 5	199,179 14 7	.....
384,000 0 0	Juncce to Narandera	61,581 0 7	322,418 19 5	.....
600,000 0 0	Tamworth to Armidale.....	68,209 18 4	531,790 1 8	.....
220,000 0 0	Were's Creek to Gunnedah	122,528 18 2	97,471 1 10	.....
25,000 0 0	Trial Surveys	25,000 0 0	.....	.....
150,000 0 0	Additional Rolling Stock	150,000 0 0	.....	.....
10,000 0 0	For strengthening the Bridge and improving the gradients on the Windsor and Richmond Line.....	10,000 0 0	.....	.....
1,999,000 0 0		717,137 18 3	1,281,862 1 9	.....
	41 VICTORIA, No. 4.			
30,000 0 0	To complete line from Goulburn to Wagga Wagga ...	29,996 12 0	3 8 0	.....
20,352 0 0	To complete the Extension into Bathurst	5,537 1 9	14,814 18 3	.....
77,000 0 0	To complete line from Bathurst to Orange	59,544 9 10	26,455 10 2	.....
80,000 0 0	To complete line from Murrurundi to Tamworth	27,220 14 2	52,779 5 10	.....
207,352 0 0		113,298 17 9	94,053 2 3	.....
	41 VICTORIA, No. 7.			
680,000 0 0	For the extension of the Great Southern Railway from the end of No. 3 Contract near Wagga Wagga to Albury, including the Viaduct over the Murrumbidgee River	113,913 6 5	566,086 13 7	.....
20,000 0 0	Trial Surveys	1,279 16 9	18,720 3 3	.....
20,000 0 0	To double the line from Walsend Junction to Hexham	14,168 5 7	5,831 14 5	.....
240,000 0 0	Rolling Stock, including Engines	149,720 1 3	90,279 18 9	.....
960,000 0 0		279,081 10 0	680,918 10 0	.....
12,298,160 18 8	TOTAL.....	£10,178,667 15 5	2,117,107 16 9	2,385 6 6

The Treasury, New South Wales,
12th March, 1879.

JAMES PEARSON,
Accountant.

No. 8.

STATEMENT showing the Amount authorized to be raised by LOAN for RAILWAY PURPOSES; the Amount of DEBENTURES sold, and the INTEREST to 31st December, 1878, on LOANS already negotiated.

Act.	Amount authorized to be raised.		Debentures sold— Amount.		Short-issued.		Over-issued and to raise amounts short-raised.		Interest.			Remarks.
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	Rate.	Annual Interest on Authorized Loans.	Interest to 31st December, 1878, on Loans already negotiated.	
16 Victoria No. 39	217,500	0 0	217,500	0 0					5 per cent.	10,875	0 0	264,141 4 9*
18 " No. 40	624,733	18 8	666,800	0 0			42,066 1 4		"	33,340	0 0	773,762 6 5†
19 " Nos. 38 & 40	112,500	0 0	112,500	0 0					"	5,625	0 0	115,312 10 0
20 " No. 1	200,000	0 0	203,000	0 0			3,000 0 0		"	10,150	0 0	218,225 0 0
20 " No. 34	300,000	0 0	299,000	0 0	1,000	0 0			"	14,950	0 0	305,625 0 0
22 " No. 22	720,000	0 0	720,000	0 0					"	36,000	0 0	720,000 0 0
23 " No. 10	88,370	0 0	88,300	0 0	70	0 0			"	4,415	0 0	81,677 10 0
24 " No. 24	8,320	0 0	8,300	0 0	20	0 0			"	415	0 0	7,262 10 0
25 " No. 19	1,476,059	0 0	1,476,000	0 0	59	0 0			"	73,800	0 0	1,254,600 0 0
26 " No. 14	29,907	0 0	29,900	0 0	7	0 0			"	1,495	8 0	20,930 0 0
27 " No. 14	552,107	0 0	552,100	0 0	7	0 0			"	27,605	0 0	386,470 0 0
29 " No. 9	94,800	0 0	94,800	0 0					"	4,740	0 0	54,510 0 0
29 " No. 23	687,500	0 0	687,500	0 0					"	34,375	0 0	429,687 10 0
30 " No. 23	33,000	0 0	33,000	0 0					"	1,650	0 0	19,800 0 0
31 " No. 11	1,000,000	0 0	1,000,000	0 0					"	50,000	0 0	543,800 0 0
31 " No. 27	7,131	0 0	7,100	0 0	31	0 0			"	355	0 0	3,727 10 0
32 " No. 13	70,000	0 0	70,000	0 0					"	3,500	0 0	35,000 0 0
34 " No. 2	179,000	0 0	179,000	0 0					"	8,950	0 0	73,837 10 0
Proportion of Issue under various Loan Acts to make good the amount short-raised under the same			228,700	0 0			228,700	0 0	"	11,435	0 0	97,197 10 0
35 Victoria No. 5	300,124	0 0	300,100	0 0	24	0 0			"	15,005	0 0	112,537 10 0
36 " No. 2	137,257	0 0	137,200	0 0	57	0 0			"	6,860	0 0	44,590 0 0
36 " No. 17	1,901,500	0 0	1,901,500	0 0					4 per cent.	76,060	0 0	268,180 0 0
38 " No. 2	317,000	0 0							"	12,680	0 0	12,680 0 0
39 " No. 18	75,000	0 0	75,000	0 0					"	3,000	0 0	9,000 0 0
40 " No. 12	1,999,000	0 0							"	79,960	0 0	79,960 0 0
41 " No. 4	207,352	0 0							"	8,294	0 0	8,294 0 0
41 " No. 7	960,000	0 0							"	38,400	0 0	38,400 0 0
Total.....£	12,298,160	18 8	9,087,300	0 0	1,275	0 0	273,766	1 4		573,934	0 0	5,979,207 11 2

* 2½d. and 3¼d. per diem were the rates of Interest of original Loan, but renewals were at the rate of 5 per cent. per annum.
 † Some of these Debentures have been renewed as they fell due.

‡ The interest on the original Loan is inserted in this column, not withstanding the following Debentures have been finally paid off, viz:—

31 December, 1872	£20,000
31 " 1873	21,000
31 " 1874	22,000
21 " 1875	23,200
31 " 1876	24,300
31 " 1877	28,500
31 " 1878	10,500
Amounting to	£140,500

§ Advances have been made from the Consolidated Revenue Fund to meet payments for Services authorized under these Acts pending sale of the Debentures.

The total amount of the Debentures issued to 31st December, 1878, was	£9,087,300	0 0
Add the Debentures authorized but not then issued, amounting to	3,483,352	0 0
Making a total of		
Deduct Debentures issued in excess of amount authorized	£273,766	1 4
Less amount authorized in excess of issue	1,275	0 0
272,491 1 4		
Total, as above shown...	£12,298,160	18 8

APPENDIX TO REPORT ON RAILWAYS—1878.

The Treasury, New South Wales,
12 March, 1879.

JAMES PEARSON,
Accountant.

No. 9.

RETURN showing the CAPITAL EXPENDITURE on the Government Railways of New South Wales to the 31st December, 1877, and subsequent Expenditure to the 31st December, 1878.

Lines and Sections.	Total Expenditure to 31 December, 1877.	Amount expended in 1878.	Total Expended to 31 December, 1878.
	£ s. d.	£ s. d.	£ s. d.
Trunk Line.			
Darling Harbour Branch	104,108 6 7	4,756 9 11	108,864 16 6
Sydney to Parramatta Junction.....	768,462 7 3	30,169 0 8	798,631 7 11
Tramway	4,878 7 1	.....	4,878 7 1
Total, Trunk Line.....£	877,449 0 11	34,925 10 7	912,374 11 6
Great Southern Line.			
Parramatta to Liverpool.....	127,516 7 7	2,850 15 0	130,367 2 7
Liverpool to Campbelltown	132,993 1 8	23 1 2	133,016 2 10
Campbelltown to Menangle	81,088 16 0	383 4 7	81,472 0 7
Menangle to Picton	332,419 13 7	274 14 2	332,694 7 9
Picton to Goulburn.....	1,030,972 14 3	5,876 9 6	1,036,849 3 9
Goulburn to Yass	439,742 4 5	5,217 5 1	444,959 9 6
Yass to Cootamundra	474,724 13 9	13,281 5 1	488,005 18 10
Cootamundra to Wagga Wagga.....	176,939 10 1	151,677 14 10	328,617 4 11
Junee to Narrandera	2,974 15 2	3 8 2	2,978 3 4
Wagga Wagga to Albury	6,570 6 1	81,430 15 11	88,001 2 0
Total, Southern Line	£ 2,805,942 2 7	261,018 13 6	3,066,960 16 1
Great Western Line.			
Parramatta to Penrith	316,455 7 8	3,945 6 1	320,400 13 9
Blacktown to Richmond.....	92,254 19 7	13,956 4 10	106,211 4 5
Penrith to Bathurst	1,886,244 12 4	11,955 11 5	1,898,200 3 9
Bathurst to Orange.....	340,993 18 9	9,146 17 7	350,140 16 4
Orange to Wellington.....	34,604 16 4	167,605 3 7	202,209 19 11
Wellington to Dubbo	1,537 16 0	12,479 17 6	14,017 13 6
Total, Western Line.....£	2,672,091 10 8	219,089 1 0	2,891,180 11 8
Great Northern Line.			
Newcastle to West Maitland	476,017 10 1	40,117 18 5	516,135 8 6
Morpeth Branch	55,797 10 0	685 3 11	56,482 13 11
West Maitland to Singleton	338,676 1 4	2,810 14 9	341,486 16 1
Singleton to Murrurundi.....	725,213 9 9	2,496 18 5	727,710 8 2
Murrurundi to Tamworth	289,638 13 0	107,602 17 10	397,241 10 10
Werris Creek to Gunnedah	5,361 0 3	104,578 6 3	109,939 6 6
Tamworth to Armidale	3,285 4 2	3,476 14 4	6,761 18 6
Ditto, Trial Surveys			
Total, Northern Line	£ 1,893,989 8 7	261,768 13 11	2,155,758 2 6
Total Cost of Construction	£ 8,249,472 2 9	776,801 19 0	9,026,274 1 9
Rolling Stock.			
South and West	727,401 8 11	142,755 7 6	870,156 16 5
North	246,372 19 7	23,937 13 2	270,310 12 9
Richmond Branch	5,226 1 1	.....	5,226 1 1
Tramway	1,712 12 3	.....	1,712 12 3
Total, Rolling Stock.....£	980,713 1 10	166,693 0 8	1,147,406 2 6
Machinery.			
South and West	22,220 6 0	4,783 5 11	27,003 11 11
North	7,683 8 4	185 19 11	7,869 8 3
Total, Machinery	£ 29,903 14 4	4,969 5 10	34,873 0 2
Trial Surveys	£ 54,411 0 11	14,886 19 1	69,298 0 0
GROSS EXPENDITURE	£ 9,314,499 19 10	963,351 4 7	10,277,851 4 5

No. 10.

STATEMENT showing the COST OF CONSTRUCTION and COST PER MILE on different Sections of the Railway Lines to the 31st December, 1878.

Lines opened for Traffic.	Length in Miles.	Total Cost.	Cost per Mile.
Darling Harbour Branch	1	£ 108,865	£ 108,865
Sydney to Parramatta Junction	13	792,680	60,975
Haslem's Creek Branch	½	5,951	11,902
Parramatta Junction to Wagga Wagga	29½	2,975,982	10,209
Parramatta Junction to Orange	179	2,568,742	14,351
Blacktown to Richmond	16	106,211	6,638
Newcastle to Tamworth	182	1,941,293	10,666
Bullock Island Branch	1½	41,281	27,521
Morpeth Branch	4	56,483	14,121
Average cost construction of lines open	688½	8,597,488	12,487
£			
Pitt-street Tramway		4,878	
Rolling Stock		1,147,406	
Machinery		34,873	
.....		1,187,157	.....
Average cost per mile, including all charges	688½	9,784,645	14,212

NOTE.—Between Sydney and Parramatta Junction, including the Darling Harbour Branch, there are, in addition to the lengths shown, 13½ miles of sidings, the cost of which, together with the cost of the Locomotive, Permanent Way, and Traffic Shops and Sheds, &c., at Sydney, is included in the amounts shown.

On the Bullock Island Branch there are nearly 3½ miles of sidings, the cost of which is included.

No. 11.

TABLE showing the number of MILES OPENED per annum, and the annual and average daily MILEAGE of TRAINS, from the commencement in 1855 to 31st December, 1878.

Year.	Opened per annum.	Total opened.	Total Train Mileage.	Average Daily Mileage.
1855	14	14	14,107	147
1856	9	23	68,371	187
1857	17	40	107,822	295
1858	15	55	141,495	388
1859	Nil	55	147,618	404
1860	15	70	179,249	491
1861	3	73	214,881	589
1862	24	97	274,565	752
1863	27	124	315,177	863
1864	19	143	415,422	1,138
1865	Nil	143	483,446	1,324
1866	Nil	143	490,475	1,344
1867	61	204	600,751	1,646
1868	43	247	768,529	2,106
1869	71	318	893,552	2,448
1870	21	339	901,139	2,469
1871	19	358	931,333	2,552
1872	40	398	1,036,255	2,839
1873	5	403	1,109,879	3,041
1874	Nil	403	1,249,233	3,423
1875	34	437	1,472,204	4,033
1876	72	509	1,688,964	4,627
1877	89	598	2,106,802	5,772
1878	90½	688½	2,655,176	7,274

An average length of 28½ miles opened per annum.

No. 12.

RETURN of the Traffic in Passengers and Goods, the number of Trains run, and the number of Miles travelled by Trains, 1878.

Year and Name of Railway.	Miles open for traffic.	Coaching Traffic.							Goods Traffic.							Number of Trains.			Number of miles travelled by Trains.				
		Passengers.				Carriages.	Horses conveyed in Passenger Trains.	Dogs.	Horses conveyed in goods Trains.	Cattle.	Sheep.	Pigs.	Minerals.	Wool.	General Merchandise.	Passenger.	Goods.	Total.	Passenger.	Goods.	Total Train Miles.	Ballasting, Shunting, &c.	Total.
		First Class.	Second Class.	Total, 1st and 2nd.	Season Tickets.																		
1878.		No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	Tons.	Bales.	Tons.	No.	No.	No.	No.	No.	No.	No.	No.
South and West.	501	810,422	2,410,931	3,221,353	8,062	2,470	5,013	4,853	2,875	50,984	516,966	6,540	173,567	104,789	295,592	28,129	16,927	45,056	972,093	1,123,727	2,095,820	412,397	2,508,217
North	187½	88,271	396,109	484,380	528	915	1,782	1,754	894	5,333	131,917	3,099	1,013,102	43,111	85,201	9,838	11,754	21,592	208,826	350,530	559,356	342,952	902,308
Total	688½	898,693	2,807,040	3,705,733	8,590	3,385	6,795	6,607	3,769	56,317	648,883	9,639	1,186,669	147,900	380,793	37,967	28,681	66,648	1,180,919	1,474,257	2,655,176	755,349	3,410,525
1877.																							
South and West.	450	633,044	1,885,308	2,518,352	6,418	2,272	4,807	4,232	1,702	19,779	276,659	6,597	122,233	87,382	280,397	24,711	13,015	37,726	806,012	787,180	1,593,192	316,128	1,909,320
North	148	70,281	368,511	438,792	331	993	1,868	1,763	451	3,845	265,585	6,039	902,178	46,215	80,535	8,996	10,517	19,513	190,077	323,533	513,610	247,396	761,006
Total	598	703,325	2,253,819	2,957,144	6,749	3,265	6,675	5,995	2,153	23,624	542,244	12,636	1,024,411	133,597	360,932	33,707	23,532	57,239	996,089	1,110,713	2,106,802	563,524	2,670,326
Increase	90½	195,368	553,221	748,589	1,841	120	120	612	1,616	32,693	106,639	...	162,258	14,303	19,862	4,260	5,149	9,409	184,830	363,544	548,374	191,825	740,199
Decrease .....	...	.....	.....	.....	...	...	...	...	...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

No. 13.

RETURN of the EARNINGS from Traffic in Passengers and Goods during the year 1878.

Year and Name of Railway.	Miles open for Traffic, 31 Dec.	Gross Earnings from Coaching Traffic.							Gross Earnings from Goods Traffic.						Gross Earnings from all sources.
		Passengers.			Excess-Luggage, Parcels, Cloak Room, Horses, Carriages, and Dogs.	Mails.	Miscellaneous.	Total from Coaching.	Live Stock.	Minerals.	Wool.	General Merchandise.	Miscellaneous.	Total from Goods.	
		1st and 2nd Class Passengers.	Holders of Season Tickets.	Total from Passengers.											
1878.		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
South and West	501	200,179 18 5	10,320 5 5	210,500 8 10	21,672 16 4	5,595 12 10	2,619 19 11	240,388 12 11	45,151 2 4	39,504 12 1	36,221 17 3	297,471 1 0	1,262 15 0	419,661 7 8	600,050 0 7
North	187½	54,576 15 2	809 13 5	55,386 8 7	8,014 7 10	1,839 18 2	629 0 8	65,919 15 3	6,941 2 11	50,524 13 0	15,854 8 11	93,898 1 1	9,800 19 10	177,019 5 9	242,939 1 0
Total, 1878	688½	254,756 13 7	11,129 18 10	265,886 12 5	29,687 4 2	7,435 11 0	3,249 0 7	306,308 8 2	52,092 5 3	90,039 5 1	52,076 6 2	391,369 2 1	11,053 14 10	596,680 13 5	902,989 1 7
1877.															
South and West	450	175,472 17 4	8,165 11 2	183,638 8 6	20,601 5 7	4,900 4 2	2,117 3 7	211,257 1 10	16,205 18 9	34,048 3 5	29,827 1 5	309,501 13 7	1,270 14 7	390,853 16 9	602,110 13 7
North	148	49,111 18 6	489 6 8	49,601 5 2	8,130 0 5	1,534 12 11	1,064 14 2	60,330 12 8	10,008 19 11	46,268 9 6	16,508 11 10	79,457 6 0	1,145 6 8	153,478 13 11	213,800 6 7
Total, 1877	598	224,584 15 10	8,654 17 10	233,239 13 8	28,731 6 0	6,434 17 1	3,181 17 9	271,587 14 6	26,304 18 8	80,316 12 11	46,335 13 3	388,959 4 7	2,416 1 3	544,332 10 8	815,920 5 2
Increase, 1878	90½	30,171 17 9	2,475 1 0	32,646 18 9	955 18 2	1,050 13 11	67 2 10	34,720 13 8	25,787 6 7	9,772 12 2	5,740 12 11	2,409 17 6	8,637 13 7	52,348 2 9	87,068 16 5
Decrease, 1877 .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

No. 14.

RETURN OF WORKING EXPENSES AND ROLLING STOCK during the year 1878.

Year and Name of Railway.	Miles open, 31 December.	Locomotive Power.	Carriage and Waggon Repairs.	Maintenance and Renewal of Way.	Traffic Charges, Coaching, and Merchandise.	Compensation—Personal Injury.	Compensation—Damage to and Loss of Goods.	Miscellaneous Working Expenditure and General Establishment.	Total Working Expenses.	Total Earnings.	Net Earnings.	Proportion per cent. of Expenditure to Total Earnings.	Rolling Stock on 31st Dec., 1878.				
													Locomotives.	Passenger Stock.	Goods Stock.	Total Vehicles.	
1878.		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.						
South and West ...	50½	138,766 8 8	21,349 17 1	98,129 14 3	114,814 7 2	6,304 5 10	1,934 5 9	20,348 14 6	401,647 13 3	660,050 0 7	258,402 7 4	60·85	118	262	2,617	2,997	
North	187½	48,996 19 10	10,130 12 6	25,669 8 3	46,474 9 4	.....	327 14 6	3,741 10 0	135,340 14 5	242,939 1 0	107,598 6 7	55·71	36	116	796	948
Total, 1878	688½	187,763 8 6	31,480 9 7	123,799 2 6	161,288 16 6	6,304 5 10	2,262 0 3	24,090 4 6	536,988 7 8	902,989 1 7	366,000 13 11	59·47	154	378	3,413	3,945	
1877.																	
South and West ...	450	109,726 15 10	17,567 10 0	76,158 10 0	88,472 9 11	479 12 1	227 8 6	16,371 14 1	309,004 0 5	602,110 18 7	293,106 18 2	51·32	102	248	2,119	2,469	
North	148	37,118 0 11	7,205 7 11	23,017 4 3	37,710 4 11	100 0 0	195 19 3	4,633 18 9	109,980 16 0	213,809 6 7	103,828 10 7	51·44	36	104	687	827	
Total, 1877	598	146,844 16 9	24,772 17 11	99,175 14 3	126,182 14 10	579 12 1	423 7 9	21,005 12 10	418,984 16 5	815,920 5 2	396,935 8 9	51·35	138	352	2,806	3,296	
Increase, 1878...	90½	40,918 11 9	6,707 11 8	24,623 8 3	35,106 1 8	5,724 13 9	1,838 12 6	3,084 11 8	118,003 11 3	87,068 16 5	.....	8·12	16	26	607	649
Decrease, 1878...	...	.....	.....	.....	.....	.....	.....	.....	.....	.....	30,934 14 10	.....	...	...	...	...

No. 15.

WORKING EXPENSES.

SCHEDULES of Expenditure in Revenue Account, for the twelve months ending 31st December, 1878.

Schedules.	South, West, and Richmond.	Great Northern Line.	Total.
A.—GENERALLY.			
1. Cost of supervision	£ s. d. 3,377 18 2	£ s. d. 702 15 11	£ s. d. 4,080 14 1
2. Holidays	2,373 16 8	745 0 3	3,118 16 11
3. Half-pay	453 12 3	29 7 0	482 19 3
LOCOMOTIVE POWER.			
a. Cost of supervision	2,491 0 3	345 17 5	2,836 17 8
1. Wages of engine-men and firemen	36,292 17 4	11,393 7 3	47,686 4 7
2. Wages of engine-cleaners and out-door labourers	11,493 14 7	3,017 17 5	14,511 12 0
3. Cost of fuel for engines and wages of fuelman	26,670 10 9	8,609 12 1	35,280 2 10
4. Water and repairs of engines for pumping	4,752 4 2	1,314 9 6	6,066 13 8
5. Oil, tallow, waste, and sundry stores	13,484 14 9	2,759 18 11	16,244 13 8
6. Clothing			
REPAIRING ENGINES.			
1. Cost of supervision	1,051 3 10	807 6 10	1,858 10 8
2. Wages for repairs and renewals of engines	22,194 18 2	8,833 16 3	31,028 14 5
3. Materials for do. do.	7,894 16 4	8,799 5 8	16,694 2 0
4. Repairs of machinery and workshops	1,503 14 1	680 14 7	2,184 8 8
5. Tools and implements	2,007 5 9	764 3 6	2,771 9 3
6. General charges	355 9 7	34 3 5	389 13 0
7. Fuel and lighting	1,321 15 5	36 11 3	1,358 6 8
8. Casualties	942 13 11	122 11 4	1,065 5 3
9. Additions and improvements to locomotive engines	104 2 8	0 1 3	104 3 11
	£ 138,766 8 8	48,996 19 10	187,763 8 6
B.—GENERALLY.			
1. Cost of supervision	347 3 4	260 0 0	607 3 4
2. Holidays	310 17 2	229 9 5	540 6 7
3. Half-pay	24 6 2		24 6 2
4. Repairs of machinery and workshops	95 13 8	24 10 9	120 4 5
5. Tools and implements	328 11 10	0 5 10	328 17 8
6. General charges	116 9 0		116 9 0
7. Fuel and lighting	155 11 3		155 11 3
9. Additions and improvements to carriages and waggons	29 9 11		29 9 11
CARRIAGE REPAIRS.			
1. Wages for repairs and renewals of carriages	6,275 15 7	3,040 16 2	9,316 11 9
2. Materials for do. do.	3,069 5 1	2,696 9 8	5,765 14 9
3. Casualties	185 7 0	35 19 1	221 6 1
WAGGON REPAIRS.			
1. Wages for repairs of Waggons	6,037 2 7	2,385 1 4	8,422 3 11
2. Materials for do.	3,132 8 1	1,276 11 3	4,408 19 4
3. Casualties	1,241 16 5	181 9 0	1,423 5 5
	£ 21,349 17 1	10,130 12 6	31,480 9 7
	£ 160,116 5 9	59,127 12 4	219,243 18 1
C.—GENERALLY.			
1. Cost of supervision	3,420 0 1	777 9 0	4,197 9 1
2. Holidays	2,067 5 1	637 14 3	2,704 19 4
3. Half-pay	71 5 9	8 4 6	79 10 3
MAINTENANCE OF WAY.			
1. Cost of supervision	1,777 1 5	1,023 1 0	2,800 2 5
2. Repairs of permanent way	54,562 9 9	14,710 11 7	69,273 1 4
3. Tools and implements	2,699 14 11	1,226 15 8	3,926 10 7
4. Ballasting	3,848 2 1	872 13 4	4,720 15 5
5. Slips	1,628 18 5	672 5 0	2,301 3 5
6. Repairs of tunnels, viaducts, bridges, &c.	5,656 7 2	1,045 17 11	6,702 5 1
7. Repairs of sidings, turntables, &c.	869 4 5	38 18 9	908 3 2
8. Repairs of gates, fences, &c.	1,050 6 3	1,368 18 1	2,419 4 4
9. Re-laying line	8,613 13 1	443 0 4	9,056 13 5
10. Repairs of stations, platforms, and buildings	5,519 17 5	2,190 3 11	7,710 1 4
11. Repairs of signals, cranes, weighing-machines, &c.	1,164 6 9	436 18 6	1,601 5 3
12. Repairs of approach roads	559 18 3	64 10 0	624 8 3
13. Casualties	3,691 0 9	57 19 9	3,749 0 6
14. General charges	900 7 5	5 12 0	905 19 5
15. Repairs of machinery and workshops	20 0 3	5 11 3	25 11 6
16. Fuel and lighting	9 15 0	83 3 5	92 18 5
	£ 98,129 14 3	25,669 8 3	123,799 2 6
SUMMARY—ENGINEER'S BRANCH.			
Locomotive power and repairing engines	138,766 8 8	48,996 19 10	187,763 8 6
Carriage and waggon repairs	21,349 17 1	10,130 12 6	31,480 9 7
Maintenance of way	98,129 14 3	25,669 8 3	123,799 2 6
	£ 258,246 0 0	84,797 0 7	343,043 0 7

No. 15—continued.

Schedules.	South, West, and Richmond.	Great Northern Line.	Total.
D.—COACHING CHARGES.			
	£ s. d.	£ s. d.	£ s. d.
1. Wages, clerks, inspectors, guards, &c.....	41,471 17 1	13,118 8 0	54,590 5 1
2. Compensation	6,304 5 10	.....	6,304 5 10
3. Travelling expenses .....	.....	.....	.....
4. Delivering parcels	1,753 18 3	5 14 0	1,759 12 3
5. Horse and coach hire.....	.....	.....	.....
6. Advertising	10 18 3	.....	10 18 3
7. Stationery and printing.....	17 18 9	0 11 0	18 9 9
8. Fuel and stores	4,077 14 5	3,845 10 0	7,923 4 5
9. Clothing	1,784 11 0	474 19 9	2,259 10 9
10. General charges	316 19 10	16 14 0	303 13 10
11. Repairing station furniture, fittings, and implements	566 19 10	306 1 11	873 1 9
12. Making and repairing lamps	390 11 11	33 16 4	424 8 3
13. Mortuary	354 7 7	.....	354 7 7
	£ 57,080 2 9	17,801 15 0	74,881 17 9
E.—GOODS CHARGES.			
1. Wages of clerks, inspectors, &c.	46,046 1 5	19,620 9 10	65,666 11 3
2. Compensation	1,934 5 9	327 14 6	2,262 0 3
3. Horse hire	2,428 16 1	272 8 8	2,701 4 9
4. Travelling expenses.....	29 15 9	.....	29 15 9
5. Stationery and printing	15 13 9	.....	15 13 9
6. Fuel and stores	3,303 11 9	73 8 7	3,377 0 4
7. Sheet repairs	6,853 8 7	2,277 19 10	9,131 8 5
8. Greasing waggons	5,094 17 1	.....	5,094 17 1
9. Clothing .....	.....	.....	.....
10. General charges	266 5 10	39 3 5	305 9 3
11. Steam cranes, north .....	.....	6,389 4 0	6,389 4 0
	£ 65,972 16 0	29,000 8 10	94,973 4 10
F.—GENERAL CHARGES.			
1. Proportion of general establishment	4,134 3 4	629 7 4	4,763 10 8
2. Auditing	2,834 10 4	1,202 7 8	4,036 18 0
3. Advertising .....	.....	.....	.....
4. Stationery and printing.....	343 17 0	30 1 6	373 18 6
5. Travelling expenses	401 11 6	72 18 0	474 9 6
6. Office expenses and contingencies.....	3,081 10 11	436 13 6	3,518 4 5
7. Repairs of store fittings.....	11 3 5	0 15 1	11 18 6
8. Store wages.....	3,773 7 11	1,278 5 8	5,051 13 7
9. Telegraphs	5,687 5 5	91 1 3	5,778 6 8
10. Trainage on private lines .....	.....	.....	.....
11. Compensation for fires caused by trains	81 4 8	.....	81 4 8
	£ 20,348 14 6	3,741 10 0	24,090 4 6
Total	£ 143,401 13 3	50,543 13 10	193,945 7 1
SUMMARY.			
Locomotive Branch	160,116 5 9	59,127 12 4	219,243 18 1
Permanent Way Branch	98,129 14 3	25,669 8 3	123,799 2 6
Traffic Branch	143,401 13 3	50,543 13 10	193,945 7 1
Grand Total	£ 401,647 13 3	135,340 14 5	536,988 7 8

No. 16.

ABSTRACT of the Amount of WORKING EXPENSES on the different Lines during 1877 and 1878, showing the Increase and Decrease in 1878.

Heads of Expenditure.	1877.			1878.			Increase.			Decrease.		
	South and West.	North.	Total.	South and West.	North.	Total.	South and West.	North.	Total.	South and West.	North.	Total.
Locomotive power and repairing engines	£ 109,727	£ 37,118	£ 146,845	£ 138,766	£ 48,997	£ 187,763	£ 29,039	£ 11,879	£ 40,918	...	...	...
Carriage and waggon repairs	17,567	7,206	24,773	21,350	10,131	31,481	3,783	2,925	6,708	...	...	...
Maintenance and renewal of way	76,159	23,017	99,176	98,130	25,669	123,799	21,971	2,652	24,623	...	...	...
Traffic charges	88,473	37,710	126,183	114,814	46,475	161,289	26,341	8,765	35,106	...	...	...
Compensation, personal..	480	100	580	6,304	.....	6,304	5,824	.....	5,824	.....	100	100
Compensation, goods	227	196	423	1,934	328	2,262	1,707	132	1,839	.....	.....	.....
Miscellaneous	16,371	4,634	21,005	20,349	3,741	24,090	3,978	.....	3,978	.....	893	893
Total.....	309,004	109,981	418,985	401,647	135,341	536,988	92,643	26,353	118,996	...	993	993

No. 18.

RETURN showing descriptions and quantities of GOODS, LIVE STOCK, &c., carried on Great Southern, Western, and Northern Railways, for the year 1878.

Description of Goods.	1877.				1878.			
	Great Southern and Western.		Great Northern.		Great Southern and Western.		Great Northern.	
	Tons.	Freight.	Tons.	Freight.	Tons.	Freight.	Tons.	Freight.
A CLASS.		£ s. d.		£ s. d.		£ s. d.		£ s. d.
Antimony ore			19	16 0 3			2	2 18 8
Artificial manure.....	211	75 3 3	16	5 19 2	B Class from September, 1877.			
Bark	2,294	746 13 10	118	63 9 0	2,191	528 9 3	80	34 5 10
Battens (over 40 miles)					19	14 0 8		
Bones	503	410 13 6	123	61 4 3	392	310 19 10	148	97 15 4
Bran and pollard.....	1,896	1,415 18 7	604	176 1 3	2,809	1,445 4 10	780	177 2 2
Bricks	1,271	307 1 6	1,802	429 16 1	4,120	950 2 10	1,646	236 9 7
Chaff.....						593	268 9 7	
Clay	22	11 0 4	1	0 7 1	213	50 14 5	6	1 7 8
Coke (loose).....	10	2 10 2						
Coke, owner's trucks								
Colonial wine (up)	23	17 9 9	352	131 14 11	B Class from September, 1877.			
Flour	10,520	7,802 15 3	4,447	1,627 17 6	9,733	4,197 4 4	6,490	2,372 6 3
Fruit	6,838	2,526 0 10	280	181 0 2	5,725	1,784 19 11	358	215 15 10
Garden produce	1,165	589 2 7	447	251 8 4	1,418	644 6 8	663	252 16 5
Grain	23,157	18,896 3 6	8,496	4,900 14 10	18,405	9,467 15 6	5,521	2,272 10 3
Green fodder	17	4 12 6	860	150 17 1	22	8 13 6	837	118 0 11
Hay (by weight)	4,000	2,871 2 9	9,495	4,577 13 11	6,860	4,260 12 6	8,185	2,610 11 10
Iron, pig, pipes, & R.C.						212 16 11	150	44 0 4
Iron P. & S. (up)	245	174 5 5	159	53 0 1	446	As scrap iron, 1878.		
Millet seed								0 0 8
Ores	3,549	1,931 2 3	9,484	263 0 11	1,901	965 14 1	10,067	271 18 6
Palings (over 40 miles)	238	161 5 9	44	24 0 7	313	179 17 7	11	7 8 6
Paper Material	457	84 2 2	4	0 12 3	644	108 2 9		
Posts (over 40 miles).....	2,835	1,833 14 7	779	243 15 11	1,613	885 10 3	33	16 5 4
Potatoes	4,454	2,938 19 5	3,980	1,395 3 9	7,475	4,142 4 2	3,339	1,100 14 0
Preserved meat (up)								
Sand	Sec	B Class.	694	90 6 4		B Class, 1878.		
Saw dust	11	3 4 8	1	0 8 1	12	3 0 10	1	0 8 10
Scrap iron					411	186 11 3		
Stocks (over 40 miles)	443	362 15 1	144	95 5 4	450	310 19 5	88	62 15 4
Terra Cotta					1	0 13 0		
Timber, log (over 40 miles)	618	281 1 8			3,942	2,765 9 3	411	236 16 1
Timber, undressed (over 40 miles)	998	570 5 4	289	198 16 1	5,295	3,823 17 10	1,043	643 3 1
Tobacco (Colonial leaf)	8	9 0 11	55	20 3 4		B Class, 1878.		
Goods re-booked.....		0 3 3				1 9 4		
Total	65,783	44,026 8 10	42,693	14,958 16 6	75,003	37,518 0 6	39,859	10,775 11 5
B CLASS.								
Artificial manure	66	32 4 1	4	0 19 6	347	116 15 9	42	7 4 2
Battens					55	13 3 9		
Bones, horns (loose)					85	45 7 7	37	11 15 0
Bottles	102	169 2 2	65	63 18 10		C Class, 1878.		
Bran.....	361	292 5 3	81	25 10 9		A Class, 1878.		
Cases	76	70 13 3	90	51 16 8		C Class, 1878.		
Chicory root					2	0 12 10		
Clay	161	68 10 4				A Class, 1878.		
Coke, owner's trucks			354	50 3 7			1,779	250 9 6
Coke (loose).....					5	1 7 4		
Colonial wine (up)	14	6 12 2	158	58 9 7	68	64 7 2	367	141 11 5
Glue, pieces (wet)					1	0 10 0		
Guano					40	13 11 0	4	0 18 9
Hides, green	1,813	1,283 15 10			1,879	959 5 5	432	300 10 7
Iron, B. & P. (up)	64	55 3 6			252	192 6 7		
Iron, P. & S. (up)	35	30 18 6	52	10 7 8		A Class, 1878.		
Lime.....	3,872	3,391 1 6	713	378 6 3	7,013	4,872 8 3	690	273 17 10
Manure (loose)								
Marble (undressed)								
Palings (under 40)	612	146 5 11			478	96 8 3	7	2 5 6
Paper	337	91 8 3			C Class, 1878.			
Posts (under 40 miles)	2,732	716 6 1			2,597	536 3 8	207	28 11 5
Potteryware	989	1,104 16 11	217	200 3 2	1,407	1,834 19 0	307	239 15 2
Preserved meat (up)			2	0 12 4			1	0 7 2
Sand	751	214 4 6	280	36 0 0	1,228	277 7 4	888	113 11 4
Shingles	334	174 12 2	155	58 10 7	419	210 16 6	92	47 8 4
Stocks (under 40 miles)	866	268 7 2	57	31 9 5	1,100	266 4 3	30	16 8 11
Stone, undressed	1,527	719 12 7	25,693	879 3 2		Miscellaneous Class, 1878.		
Timber, in log (under 40 miles)	75	14 6 5	194	35 15 3	1,348	248 16 8	225	63 6 7
Timber, undressed (under 40 miles)	558	122 16 10	279	53 18 0	2,966	614 3 11	997	200 5 0
Tobacco, Colonial leaf	11	10 12 0	1	0 14 4	96	104 9 8	21	6 11 10
Goods re-booked		0 1 8				0 3 7		
Total	15,356	8,983 17 1	28,395	1,935 19 1	21,386	10,469 8 6	6,126	1,704 18 6

APPENDIX TO REPORT ON RAILWAYS—1878.

No. 18—continued.

Description of Goods.	1877.				1878.			
	Great Southern and Western.		Great Northern.		Great Southern and Western.		Great Northern.	
	Tons.	Freight.	Tons.	Freight.	Tons.	Freight.	Tons.	Freight.
C CLASS.		£ s. d.		£ s. d.		£ s. d.		£ s. d.
Artificial manure	See A	and B Classes.	See A	and B Classes.	.....	.....	.....	.....
Bottles	98	170 10 4	35	40 6 4	195	346 0 1	80	83 15 10
Cases	25	43 11 10	30	18 19 6	275	260 1 3	81	48 11 11
Chaff	1,576	1,052 7 3	952	841 4 6	755	331 1 4	452	286 10 1
Charcoal and Coke, in bags	53	65 16 1	2	0 19 5	D	Class, 1878.	D	Class, 1878.
Coke—Government trucks	.....	.....	144	36 19 8	.....	.....	87	22 4 0
Do.—owner's trucks	.....	.....	1,072	158 11 5	.....	.....	D	Class, 1878.
Flower pots	.....	.....	.....	.....	6	10 18 2	1	1 13 3
Glue-pieces	73	37 5 0	.....	.....	47	27 12 10	.....	.....
Greaves	1	0 12 7	.....	.....	.....	.....	.....	.....
Iron, bar and plate (up)	65	50 7 11	.....	.....	B	Class 1878.	.....	.....
Lead, ingots (up)	13	21 4 4	.....	.....	.....	.....	.....	.....
Oil-cake	9	8 16 8	.....	.....	D	Class, 1878.	D	Class, 1878.
Paper	125	33 5 7	.....	.....	476	133 4 4	.....	.....
Potteryware	321	441 8 10	63	19 13 2	B	Class, 1878.	B	Class, 1878.
Regulus	261	395 15 4	.....	.....	D	Class, 1878.	D	Class, 1878.
Salt, rock	466	648 8 4	259	286 0 8	do.	do.	do.	do.
Sheepskins, bundles	1,232	1,483 6 2	401	551 18 10	972	1,129 16 3	360	521 17 11
Slates	38	40 15 5	11	8 17 1	245	229 0 1	89	62 15 11
Sleepers	8,527	9,795 7 6	2,803	1,759 4 0	D	Class, 1878.	D	Class, 1878.
Timber, in log (under 40 miles)	1,976	1,403 1 1	554	213 1 6	B	Class, 1878.	B	Class, 1878.
Do. undressed (do.)	4,465	4,042 7 0	1,604	1,045 2 6	.....	.....	.....	.....
Tin ore	.....	.....	1,819	2,266 14 9	.....	.....	1,416	1,510 12 10
Whiting	89	141 7 10	56	54 10 8	D	Class, 1878.	D	Class, 1878.
Goods re-booked	.....	0 2 2	.....	.....	.....	.....	.....	.....
Total	19,413	19,880 17 3	9,805	7,302 4 0	2,971	2,467 14 4	2,566	2,838 1 9
D CLASS.								
Charcoal and coke, in bags	14	16 1 9	1	0 9 11	68	67 1 7	54	22 13 1
*Copper ingots	.....	.....	.....	.....	453	738 4 4	538	117 1 5
Hides, dry	77	121 13 1	146	133 0 3	153	236 16 3	227	231 4 0
Iron, pig and sheet	.....	.....	.....	.....	57	42 17 6	46	19 14 7
Jams	3	6 5 11	.....	.....	22	27 9 10	.....	.....
Oil-cake	9	6 6 7	.....	.....	10	8 1 6	.....	0 10 4
Regulus	84	112 6 3	.....	.....	99	178 14 8	102	17 19 1
Salt, rock	682	733 16 4	363	290 11 10	1,400	1,648 11 11	474	456 16 2
Sheepskins, loose	.....	.....	.....	.....	154	57 8 10	.....	.....
Sleepers	1,876	2,473 6 11	1,292	843 13 7	3,714	5,031 1 0	6,098	6,311 13 0
Soda, caustic	81	72 14 9	7	8 10 9	179	171 10 5	15	22 7 5
Soda, crystals	38	74 14 10	24	31 16 10	318	462 0 9	92	126 14 5
Stone (cut)	51	43 0 5	6	9 6 11	201	264 12 5	32	25 4 0
Terra Cutta	2	1 10 8	.....	.....	A	Class, 1878.	.....	.....
Timber, dressed	1,306	1,423 1 10	404	324 12 9	5,461	5,632 0 3	1,407	1,011 7 3
Whiting	35	68 5 3	28	30 7 10	130	252 13 7	91	101 15 0
Woolpacks (over 300 miles)	.....	.....	.....	.....	14	45 1 5	.....	.....
Total	4,258	5,153 4 7	2,271	1,672 19 8	12,433	14,864 6 3	9,176	8,464 19 9
1st CLASS.								
Cement	1,225	2,769 5 2	502	491 8 8	1,234	2,836 15 6	380	495 13 8
*Copper ingots	1,277	2,618 9 2	1,376	309 18 3	856	1,944 18 5	795	178 17 6
Glucose	4	1 7 3	.....	.....	52	78 3 10	.....	.....
Iron, cor., cases (over 300 miles)	.....	.....	.....	.....	61	210 5 10	.....	.....
Iron, pig and scrap (down)	49	47 1 10	36	10 19 1	41	22 1 9	44	16 3 0
Iron screws	.....	.....	.....	.....	.....	1 5 8	.....	.....
Iron wire, bdls. (over 300 miles)	.....	.....	.....	.....	63	213 9 7	.....	.....
Iron wire nails (do.)	.....	.....	.....	.....	4	15 19 8	.....	.....
Kerosene oil (up)	.....	.....	11	4 15 3	.....	.....	4	1 11 9
Leather (up)	966	1,044 3 5	3	2 6 10	849	860 17 10	2	2 8 0
Malt	159	426 17 6	17	33 17 8	542	1,312 10 9	46	41 8 5
Measurement goods	269	685 8 6	4	1 4 0	414	1,073 13 2	2	4 6 8
Muriate of lime	6	3 6 0	.....	.....	.....	.....	.....	.....
Offal	.....	0 2 4	.....	.....	.....	.....	.....	.....
Quicksilver	.....	1 1 9	.....	0 4 4	8	18 4 9	.....	.....
†Railway material	.....	.....	.....	.....	1,092	3,424 11 7	3,270	6,629 8 6
Resin	22	44 3 5	6	12 12 5	103	230 1 7	21	45 17 6
Salt, dairy	2,777	6,259 6 4	1,545	2,430 13 11	2,879	6,789 8 6	1,494	2,804 6 10
Seed, lucerne	16	26 4 0	29	27 9 2	16	26 11 8	14	23 7 4
Slates	136	215 5 1	87	80 12 7	C	Class, 1878.	D	Class, 1878.
Soda, caustic	205	169 12 7	23	23 11 3	D	Class, 1878.	C	Class, 1878.
Soda, crystals	125	303 7 1	63	92 13 8	do.	do.	do.	do.
Stone (cut)	64	122 11 0	69	34 7 7	do.	do.	do.	do.
Sulphuric acid	6	20 9 2	.....	.....	13	41 5 10	.....	1 3 5
Tallow	75	123 12 6	75	69 18 1	435	795 1 2	343	287 7 9
Tar	101	266 18 10	84	124 15 10	115	294 6 8	77	153 13 3
Woolpacks	658	1,723 4 10	244	455 6 2	737	2,161 16 6	238	597 6 0
Goods re-booked	.....	0 0 0	.....	.....	.....	.....	.....	.....
Total	8,140	16,871 18 7	4,174	4,206 14 9	9,514	22,351 10 3	6,730	11,192 19 7

* To September, 1878, 1st Class; from September, 1878, D Class.

† To September, 1878, 2nd Class; from September, 1878, 1st Class.

No. 18—continued.

Description of Goods.	1877.				1878.			
	Great Southern and Western.		Great Northern.		Great Southern and Western.		Great Northern.	
	Tons.	Freight.	Tons.	Freight.	Tons.	Freight.	Tons.	Freight.
2ND CLASS.								
Aerated waters	53	£ 78 17 11	74	£ 62 2 9	140	£ 147 18 0	137	£ 74 10 2
Ale and beer, in bulk, over 300 m.					6	26 12 5		
Boats	32	50 19 2	20	37 12 4	41	70 7 4	12	15 19 4
Boilers	73	206 10 6	109	132 9 9	57	204 3 8	58	25 3 11
Guttering	Charged	with Ironmongery.						
Hides	202	416 13 9	539	599 13 0	D class, 1878.		D class, 1878.	
Iron—Bar	1,256	3,225 13 8	826	1,087 13 10	1,409	3,700 9 4	685	1,098 19 0
Do. Boiler-plate	26	65 6 10	29	19 0 10	61	176 6 3	15	20 1 6
Do. Castings	583	1,542 1 3	296	272 19 1	1,115	3,477 17 8	440	346 2 7
Do. Corrugated, in cases	1,664	4,937 6 9	861	1,640 7 10	2,064	5,893 12 0	775	1,719 9 11
Do. Girders	10	28 0 2	4	2 8 6	158	222 5 0		
Do. Screws					1	1 8 10		
Do. Tanks	178	309 6 7	371	515 17 3	68	135 8 10	259	333 12 4
Do. Wheels and axles	217	362 3 3	106	41 18 10	23	50 11 11	213	69 17 3
Do. Wire, in bundles	2,815	9,070 15 6	2,827	5,900 7 2	3,019	10,391 2 11	2,079	4,944 5 2
Do. Wire nails					100	287 13 6	4	8 4 0
Lead—Pig and sheet	114	281 6 4	56	77 5 2	168	395 16 7	35	65 19 5
Malt	282	730 14 5	8	19 6 11	1st class, 1878.		1st class, 1878.	
Paper	170	488 15 7	56	87 8 6	188	533 11 9	68	141 17 4
*Railway material	12,155	35,269 7 0	2,864	2,298 11 2	5,307	21,512 15 0	5,373	7,585 8 10
Resin	83	195 10 2	20	43 3 5	1st class, 1878.		1st class, 1878.	
Soap	188	482 17 10	113	165 10 0	719	1,709 10 7	474	673 12 10
Stone—Carved	100	209 2 0	40	53 17 1	86	122 19 4	34	40 17 0
Sugar	7,014	19,419 13 11	2,652	4,670 1 2	7,655	22,186 14 8	2,818	5,668 18 6
Tallow	246	423 4 9	320	343 3 1	1st class, 1878.		1st class, 1878.	
Timber—Dressed	3,016	5,572 0 11	1,194	1,130 18 6	D class, 1878.		D class, 1878.	
Zinc and tin plates	65	134 13 7	23	30 0 11	78	198 15 3	18	30 9 3
Goods re-booked		0 2 0						
Total	30,542	83,561 3 10	13,408	19,231 17 1	22,463	71,446 0 10	13,497	22,864 2 10
3RD CLASS.								
Ale and beer	3,982	10,999 0 8	2,350	4,739 14 2	4,036	11,087 2 6	2,717	6,158 7 0
Bags, by weight			98	223 19 2			85	277 0 3
Boots	392	1,474 0 1	148	401 19 8	450	1,764 6 0	178	501 16 0
Brushware	28	110 5 7	16	35 11 1	17	68 14 7	16	33 4 6
Butter, bacon, and eggs	1,038	3,125 14 1	70	147 0 2	1,131	3,070 15 11	128	237 12 5
Carpentry	490	1,667 12 11	129	243 6 7	548	1,897 19 3	143	272 3 11
Cheese	261	790 16 0	62	142 19 0	306	908 1 8	92	239 15 9
Colonial wine (down)	29	107 12 4	121	228 12 9	24	97 8 7	163	369 19 5
Confectionery	428	1,703 15 6	245	596 12 1	408	1,674 13 5	250	639 18 5
Cordials	171	496 13 7			95	329 12 0	73	169 8 7
Drapery	2,621	9,999 0 7	876	2,297 10 4	2,924	11,559 17 9	1,069	2,995 18 9
Drugs and chemicals	286	864 3 0	70	160 18 11	270	1,022 12 5	48	133 12 8
Flax			5	6 3 1				0 17 10
Furniture in cases	490	1,954 6 7	124	314 7 3	540	2,221 3 0	164	434 9 1
Glassware	818	3,083 8 6	291	730 9 1	779	3,020 9 5	291	794 10 9
Grease, antifriction			33	21 11 7			26	16 12 3
Groceries	5,438	20,879 2 7	1,837	4,459 14 8	5,822	22,956 2 1	2,086	5,811 17 1
Hair	28	75 1 10	13	31 10 11	28	64 18 11	11	25 4 7
Hides, loose								
Iron—Corrugated, loose	Included	with Ironmongery.	79	119 9 8	With Ironmongery.		With Ironmongery.	
Ironmongery	3,072	11,427 0 8	1,629	3,655 13 1	3,534	13,046 13 0	1,910	4,782 0 1
Kerosene	685	2,655 16 2			616	2,389 5 3	273	626 3 8
Leather (down)	106	303 10 3	56	138 15 11	131	395 0 8	50	123 14 5
Machinery	1,172	4,152 11 7	367	774 3 2	1,683	5,804 18 4	445	658 15 5
Malt tanks					29	78 17 3	35	79 2 0
Meat, fresh	139	141 0 0	11	9 1 9	256	132 16 5	9	7 18 4
Do. salt	91	113 3 5			87	97 4 0	4	4 6 8
Miscellaneous	1,997	5,727 2 3	1,580	4,549 7 6	2,389	7,145 12 11	555	1,296 19 2
Oils	442	1,451 13 1	517	1,116 0 8	510	1,802 14 8	202	486 18 0
Pigs and poultry	352	711 6 1	17	18 16 8	422	897 10 1	53	51 8 4
Plants	80	166 3 4	3	6 16 8	97	208 2 6	8	20 5 5
Preserved meat (down)			2	4 2 8			3	12 7 4
Rice	960	3,819 4 0	356	876 12 5	913	3,770 10 9	422	1,286 4 7
Rope	114	454 13 8	31	69 19 5	93	384 19 10	24	62 11 6
Saddlery	160	589 16 7	56	149 3 0	147	587 8 0	31	96 0 1
Skip waggons			49	17 13 11				
Soap	410	1,336 12 0	335	575 19 9	2nd class, 1878.		2nd class, 1878.	
Stationery	163	690 13 6	36	89 18 6	161	655 6 7	29	75 14 4
Tea	893	3,544 11 9	432	1,104 5 2	805	3,318 15 0	412	1,163 15 7
Tobaccoists' goods	307	1,318 10 4	172	466 3 5	300	1,333 17 11	142	420 15 2
Upholstery			48	92 4 6			10	19 6 3
Waggon plant			284	87 8 9				
Wines and spirits	2,962	11,965 3 4	1,449	3,717 5 11	3,155	13,186 14 7	1,541	4,449 12 8
Wool, by weight			40	73 13 0				
Woodpucks								
Goods re-booked		0 5 5						
Total	30,605	107,899 11 3	14,037	32,494 16 0	32,706	116,980 5 3	13,698	34,836 8 3

* To September, 1878, 2nd Class; from September, 1878, 1st Class.

APPENDIX TO REPORT ON RAILWAYS—1878.

No. 18—continued.

Description of Goods.	1877.				1878.			
	Great Southern and Western.		Great Northern.		Great Southern and Western.		Great Northern.	
	Tons.	Freight.	Tons.	Freight.	Tons.	Freight.	Tons.	Freight.
4TH CLASS.								
		£ s. d.		£ s. d.		£ s. d.		£ s. d.
Acids	69	337 18 3	22	92 9 7	61	320 2 6	20	81 5 0
Ammunition	13	66 10 2	6	13 5 3	11	63 16 7	5	10 3 7
Bicycles								0 3 3
Fireworks	8	39 18 11	2	7 3 11	7	35 18 2	1	5 14 1
Furniture, loose	452	1,345 16 1	198	319 15 8	517	1,543 8 10	173	313 2 11
Hats	1	4 18 3	1	3 18 6	3	18 1 4		0 10 0
Millinery		0 4 6			1	3 6 10		
Musical instruments	139	598 6 4	46	127 17 3	147	627 16 3	60	186 4 2
Naphtha						0 11 10		
Paintings	10	45 17 6	2	6 4 0	12	56 14 4	3	5 9 1
Perambulators	5	28 1 5	2	8 6 6	6	32 11 4	3	7 15 5
Picture frames		0 19 2				0 9 3		
Pier glasses	8	44 0 7	3	8 9 9	8	38 9 9	2	8 14 1
Plate glass	13	86 15 0	2	4 4 3	12	65 16 1	4	6 15 9
Quicksilver	1	6 8 3			1st	Class, 1878.	1st	Class, 1878.
Sewing machines	43	200 18 8	18	63 11 11	38	184 16 8	12	50 0 2
Slate slabs for billiard tables	8	41 1 9	7	22 10 6	1	5 9 9	6	20 9 4
Not described	350	1,626 5 0			278	1,170 16 4	695	2,315 19 3
Total	1,120	4,473 19 10	309	677 17 1	1,102	4,168 5 10	984	3,012 6 1
MISCELLANEOUS CLASS.								
Bricks	1,055	232 15 7			A	Class, 1878.	A	Class, 1 78.
Coal	45,662	17,080 18 3	6,467	905 19 10	46,029	17,209 12 10	6,115	1,759 6 10
Do. Owners' trucks	3,510	1,216 3 9	842,532	41,042 5 7	8,816	3,156 5 1	947,442	44,724 3 5
Contractors' plant	233	624 14 11	184	284 11 8	126	337 7 1	194	318 15 4
Contractors' engines					20	24 0 0	52	36 0 0
Crude oil					157	128 1 0		
Empty returns	374	694 18 3	625	298 17 11	459	902 2 1	862	397 19 5
Firewood	89,168	14,172 10 7	237	27 1 5	98,237	13,952 9 9	123	15 15 2
Fish—Fresh or shell	56	119 14 7	31	26 0 8	185	410 0 7	69	78 7 2
Gunpowder	113	981 9 5	49	133 16 7	141	1,329 6 9	51	194 5 11
Haulage timber					760	95 0 0		
Do. water	1	1 8 0						
Hay, by truck	17,703	8,678 11 5			19,130	6,905 3 0		
Ironstone	4	0 6 6			540	173 1 4		
Limestone	3,997	1,988 4 6			1,437	557 14 1	183	13 14 6
Manure—Loose	72	25 16 4			17	1 11 11		
Meat—Mort & Co.	175	193 9 2			10	11 1 8		
Milk do.	1,208	996 16 0			836	828 10 0		
Mining props			1,499	166 7 1			1,713	161 10 6
Road metal	10,257	1,486 6 7			21,127	3,146 14 10	1,680	173 3 2
Shale	15,056	5,347 2 5			22,474	7,781 9 5		
Slatestone	115	70 19 3			33	3 16 8		
Stone—Undressed	1,052	185 8 4	10,663	390 5 4	3,220	1,190 19 1	38,927	1,361 19 2
Waggons on wheels	32	60 14 6	23	2 0 0			147	10 10 0
Wool by bale	15,624	29,562 0 1	9,470	16,434 18 10	18,754	35,955 5 11	8,592	15,787 15 6
Do. by weight	133	265 1 4			140	266 11 4	36	66 13 5
Goods re-booked		4 6 9				1 16 4		
Total	205,600	83,989 16 6	871,780	59,712 4 11	242,648	94,368 0 9	1,006,186	65,099 19 6
SUMMARY.								
A Class	65,783	44,026 8 10	42,693	14,958 16 6	75,003	37,518 0 6	39,859	10,775 11 5
B "	15,356	8,983 17 1	28,305	1,935 19 1	21,386	10,469 8 6	6,126	1,704 18 6
C "	19,413	19,880 17 3	9,805	7,302 4 0	2,971	2,467 14 4	2,566	2,838 1 9
D "	4,258	5,153 4 7	2,271	1,672 19 8	12,433	14,864 6 3	9,176	8,404 19 9
1st Class	8,140	16,871 18 7	4,174	4,206 14 9	9,514	22,351 10 3	6,730	11,192 19 7
2nd "	30,542	83,561 3 10	13,408	19,231 17 1	22,463	71,446 0 10	13,497	22,864 2 10
3rd "	30,605	107,899 11 3	14,037	32,494 16 0	32,706	116,980 5 3	13,698	34,836 8 3
4th "	1,120	4,473 19 10	309	677 17 1	1,102	4,168 5 10	984	3,012 6 1
Miscellaneous	205,600	83,989 16 6	871,780	59,712 4 11	242,648	94,368 0 9	1,006,186	65,099 19 6
Less difference over charges and special credits	380,817	374,840 17 9	986,872	142,193 9 1	420,226	374,633 12 6	1,098,822	160,789 7 8
		1,792 6 1		81 2 10		1,376 2 2		512 4 8
Live stock	12,150	373,048 11 8	7,281	142,112 6 3	420,226	373,257 10 4	1,098,822	160,277 3 0
Demurrage, storage, weighing, use of cranes, &c.		16,205 18 9		10,098 19 11	26,185	45,151 2 4	4,716	6,941 2 11
		620 7 7		534 19 10		1252 15 0		9,800 19 10
Total	392,967	389,874 18 0	994,153	152,746 6 0	446,411	419,661 7 8	1,103,538	177,019 5 9
*Departmental—								
Coal	32,470	10,511 17 7	3,591	1,308 12 6	58,228	19,928 9 0	4,938	1,900 8 6
General	5,100	4,253 17 9	1,760	849 17 10	9,599	6,203 18 0	3,171	14,77 5 6
Grand Total	430,537	404,640 13 4	999,504	154,904 16 4	514,238	445,793 14 8	1 1	180,396 19 9

* The freight on Departmental goods is not collected or transferred to revenue account.

No. 19.

GREAT SOUTHERN, WESTERN, AND RICHMOND RAILWAYS.

RETURN of Articles on which Freight was reduced in September and December, 1877, showing Increase or Decrease in Weight carried and Freight received.

	1877.			1878.			Weight Increase	Weight Decrease.	Amount Increase.	Amount Decrease.
	Tons.	£	s. d.	Tons.	£	s. d.				
Bark	2,294	746	13 10	2,191	528	9 3	.....	103	.....	218 4 7
Bones	503	410	13 6	477	356	7 5	.....	26	.....	54 6 1
Bran and Pollard	1,896	1,415	18 7	2,809	1,445	4 10	913	.....	29 6 3	.....
Bricks	1,326	539	17 1	4,119	950	2 10	2,793	.....	410 5 9	.....
Clay	183	79	10 8	213	50	14 5	30	.....	.....	28 16 3
Flour	10,520	7,802	15 3	9,733	4,197	4 4	.....	787	.....	3,605 10 11
Fruit	6,838	2,526	0 10	5,725	1,784	19 11	.....	1,113	.....	741 0 11
Garden Produce	1,165	589	2 7	1,418	644	6 8	253	.....	55 4 1	.....
Grain	23,057	18,896	3 6	18,406	9,467	15 6	.....	4,651	.....	9,428 8 0
Green Fodder	17	4	12 6	22	8	13 6	5	.....	4 1 0	.....
Hay	4,000	2,871	2 9	6,860	4,260	12 6	2,860	.....	1,389 9 9	.....
Iron, Pig, &c., and rough castings (up)	380	205	3 11	446	212	16 11	66	.....	7 13 0	.....
Ores	3,549	1,931	2 3	1,901	965	14 1	.....	1,648	.....	965 8 2
Palings A (over 40 miles)	238	161	5 9	313	179	17 7	75	.....	18 11 10	.....
Paper Material	457	84	2 2	644	108	2 9	187	.....	24 0 7	.....
Posts (over 40 miles)	2,835	1,833	14 7	1,613	885	10 3	.....	1,222	.....	948 4 4
Potatoes	4,454	2,938	19 5	7,475	4,142	4 2	3,021	.....	1,203 4 9	.....
Sawdust	11	3	4 8	12	3	0 10	1	.....	.....	0 3 10
Stocks (over 40 miles)	443	362	16 1	450	310	19 5	7	.....	.....	51 16 8
Timber, Log	2,594	1,689	2 9	3,942	2,765	9 3	1,348	.....	1,076 6 6	.....
„ undressed „	5,463	4,612	12 4	5,295	3,823	17 10	.....	168	.....	788 14 6
Hides, wet	1,813	1,283	15 10	1,879	959	5 5	66	.....	.....	324 10 5
Iron, Bar, Plate, &c (up)	114	93	13 5	252	192	6 7	138	.....	98 13 2	.....
Lime	3,872	3,391	1 6	7,013	4,872	8 3	3,141	.....	1,481 6 9	.....
Palings B (under 40 miles)	612	146	5 11	478	96	8 3	.....	134	.....	49 17 8
Posts	2,732	716	6 1	2,597	536	3 8	.....	135	.....	180 2 5
Potteryware	989	1,104	16 11	1,407	1,834	19 0	418	.....	730 2 1	.....
Stocks	866	268	7 2	1,100	266	4 3	234	.....	.....	2 2 11
Sand	751	214	4 6	1,228	277	7 4	477	.....	63 2 10	.....
Shingles	334	174	12 2	420	210	16 6	86	.....	36 4 4	.....
Timber, Log (under 40 miles)	75	14	6 5	1,348	248	16 8	1,273	.....	234 10 3	.....
„ undressed „	558	122	16 10	2,966	614	3 11	2,408	.....	491 7 1	.....
Chaff	1,576	1,052	7 3	1,349	599	10 11	.....	227	.....	452 16 4
Glue Pieces	73	37	5 0	47	27	12 10	.....	26	.....	9 12 2
Shoepskins	1,232	1,483	6 2	1,120	1,187	5 1	.....	106	.....	296 1 1
Slates	174	256	0 6	245	229	0 1	71	.....	.....	27 0 5
Soda Crystals	163	378	1 11	318	462	0 9	155	.....	83 18 10	.....
„ Caustic	286	242	7 4	179	171	10 5	.....	107	.....	70 16 11
Stone, cut	115	165	11 5	201	264	12 5	86	.....	99 1 0	.....
Hides, dry	279	538	6 10	153	236	16 3	.....	126	.....	301 10 7
Timber, dressed	4,322	6,995	2 9	5,461	5,632	0 3	1,139	.....	.....	1,363 2 6
Malt	441	1,157	11 11	542	1,312	10 9	101	.....	154 18 10	.....
Rosin	105	239	13 7	103	230	1 7	.....	2	.....	9 12 0
Quicksilver	1	7	10 0	8	18	4 9	7	.....	10 14 9	.....
Tallow	321	546	17 3	435	795	1 2	114	.....	248 3 11	.....
Soap	598	1,819	9 10	719	1,709	10 7	121	.....	.....	109 19 3
Road Metal	10,257	1,486	6 7	21,127	3,146	14 10	10,870	.....	1,660 8 3	.....
Manure, loose	72	25	16 4	17	1	11 11	.....	55	.....	24 4 5
Limestone	3,997	1,988	4 6	1,437	557	14 1	.....	2,560	.....	1,430 10 5
Ironstone	4	0	6 6	540	173	1 4	536	.....	172 14 10	.....
Firewood	89,169	14,172	10 7	98,237	13,952	9 9	9,068	.....	.....	220 0 10
Stone undressed	2,578	905	0 11	3,220	1,190	19 1	642	.....	285 18 2	.....
Trucks of Hay	17,703	3,678	11 5	19,130	6,905	3 0	1,427	.....	.....	1,773 8 5
	218,405	99,411	10 4	249,346	86,004	15 11	44,137	13,196	10,069 8 7	23,476 3 0

No. 19—continued.

GREAT NORTHERN RAILWAY.

RETURN of Articles on which Freight was reduced in September and December, 1877, showing Increase or Decrease in Weight carried and Freight received.

	1877.			1878.			Weight Increase	Weight Decrease.	Amount Increase.			Amount Decrease.		
	Tons.	£	s. d.	Tons.	£	s. d.			Tons.	Tons.	£	s. d.	£	s. d.
Antimony Ores	19	16	0 3	2	2	18 8	.....	17	.....	.....	.....	13	1 7
Bark	118	63	9 0	80	34	5 10	.....	38	.....	.....	.....	29	3 2
Bones	123	61	4 3	185	109	10 4	62	.....	48	6 1	.....	.....	.....
Bran and Pollard	604	176	1 3	780	177	2 2	176	.....	1	0 11	.....	.....	.....
Bricks	1,802	429	16 1	1,646	236	9 7	.....	156	.....	.....	.....	193	6 6
Clay	1	0	7 1	6	1	7 8	.....	5	.....	1	0 7	.....	.....
Flour	4,447	1,627	17 6	6,490	2,372	6 3	2,043	.....	744	8 9	.....	.....	.....
Fruit	280	181	0 2	358	215	15 10	78	.....	34	15 8	.....	.....	.....
Garden Produce	447	251	8 4	663	252	16 5	216	.....	1	8 1	.....	.....	.....
Grain	8,496	4,900	14 10	5,521	2,272	10 3	.....	2,975	.....	.....	.....	2,628	4 7
Green Fodder	860	150	17 1	837	118	0 11	.....	23	.....	.....	.....	32	16 2
Iron, Pig, &c., (up)	159	53	0 1	150	44	0 4	.....	9	.....	.....	.....	8	19 9
Hay	9,495	4,577	13 11	8,185	2,610	11 10	.....	1,310	.....	.....	.....	1,967	2 1
Ores	9,484	263	0 11	10,067	271	18 6	583	.....	8	17 7	.....	.....	.....
Millet Seed ... ..	.....	.....	.....	.....	0	0 8	.....	.....	0	0 8	.....	.....	.....
Palings (over 40 miles)	44	24	0 7	11	7	8 6	.....	33	.....	.....	.....	16	12 1
Paper Material	4	0	12 3	.....	.....	.....	.....	4	.....	.....	.....	0	12 3
Posts (over 40 miles)	779	243	15 11	33	16	5 4	.....	746	.....	.....	.....	227	10 7
Potatoes	3,980	1,395	3 9	3,339	1,100	14 0	.....	641	.....	.....	.....	294	9 9
Sawdust	1	0	8 1	1	0	8 10	.....	.....	0	0 9	.....	.....	.....
Stocks (over 40 miles)	144	95	5 4	88	62	15 4	.....	56	.....	.....	.....	32	10 0
Timber Log ... ..	.....	.....	.....	411	236	16 1	411	.....	236	16 1	.....	.....	.....
„ undressed... ..	289	198	16 1	1,043	643	3 1	754	.....	444	7 0	.....	.....	.....
Lime	713	378	6 3	690	273	17 10	.....	23	.....	.....	.....	104	8 5
Palings (under 40 miles) ... ..	.....	.....	.....	7	2	5 6	7	.....	2	5 6	.....	.....	.....
Posts ... ..	.....	.....	.....	207	28	11 5	207	.....	28	11 5	.....	.....	.....
Potteryware	280	219	16 4	307	239	15 2	27	.....	19	18 10	.....	.....	.....
Stocks (under 40 mls)	57	31	9 5	30	16	8 11	.....	27	.....	.....	.....	15	0 6
Sand	974	126	6 4	888	113	11 4	.....	86	.....	.....	.....	12	15 0
Shingles	155	58	10 7	92	47	8 4	.....	63	.....	.....	.....	11	2 3
Timber, Log	748	248	16 9	225	63	6 7	.....	523	.....	.....	.....	185	10 7
„ undressed	1,883	1,099	0 6	997	200	5 0	.....	886	.....	.....	.....	898	15 6
Chaff	952	841	4 6	452	286	10 1	.....	500	.....	.....	.....	554	14 5
Sheepskins, bundles	401	551	18 10	360	521	17 11	.....	41	.....	.....	.....	30	0 11
Slates	98	89	9 8	89	62	15 11	.....	9	.....	.....	.....	26	13 9
Soda Crystals	87	124	10 6	92	126	14 5	5	.....	2	3 11	.....	.....	.....
„ Caustic	30	32	11 0	15	22	7 5	.....	15	.....	.....	.....	10	3 7
Stone, cut	75	43	14 6	32	25	4 0	.....	43	.....	.....	.....	18	10 6
Hides	685	732	13 3	659	531	14 7	.....	26	.....	.....	.....	200	18 8
Timber D	1,598	1,455	11 3	1,407	1,011	7 3	.....	191	.....	.....	.....	444	4 0
Malt	25	53	4 7	46	41	8 5	21	.....	.....	.....	.....	11	16 2
Resin	26	55	15 10	21	45	17 6	.....	5	.....	.....	.....	9	18 4
Quicksilver ... ..	.....	0	4 4	.....	.....	.....	.....	.....	.....	.....	.....	0	4 4
Tallow	395	413	1 2	343	287	7 9	.....	52	.....	.....	.....	125	13 5
Soap	448	741	9 9	474	673	12 10	26	.....	.....	.....	.....	67	16 11
Road Metal ... ..	.....	.....	.....	1,680	173	3 2	1,680	.....	173	3 2	.....	.....	.....
Limestone ... ..	.....	.....	.....	183	13	14 6	183	.....	13	14 6	.....	.....	.....
Firewood	237	27	1 5	123	15	15 2	.....	114	.....	.....	.....	11	6 3
Stone, undressed	36,356	1,269	8 6	38,927	1,361	19 2	2,571	.....	92	10 8	.....	.....	.....
Mining Props	1,499	166	7 1	1,713	161	10 6	214	.....	.....	.....	.....	4	16 7
	89,298	23,471	5 1	89,955	17,135	17 1	9,269	8,612	1,853	10 2	8,188	18 2		

Great Southern, Western, and Richmond Railways, increase of weight	Tons.	30,941
„ Northern	657	
Total Increase... ..	31,598	
Great Southern, Western, and Richmond Railways, decrease in freight ...	£13,406	14 5
Great Northern,	6,335	8 0
Total Decrease	£19,742	2 5

THE Tonnage of Goods carried during 1878 would, at rates charged prior to 17th September, 1877, have realized, for—

Southern and Western Lines	£115,966	13 3
Great Northern Line	24,628	5 4

Or, £37,454 5s. 7d. more.

No. 20.

REVENUE and EXPENDITURE of each Station, with other particulars, for the year ending 31st December, 1878.

Stations.	No. of hours Station-master is employed.	No. of hands employed, including Station-master.	Total Expenditure.	No. of Tickets issued.	Revenue from Tickets and Coaching Traffic.	Goods.		Coal.		Other minerals.		Hay.		Wool.		Earnings from Goods Traffic.	Total Earnings.
						Tonnage outwards.	Tonnage inwards.	Tonnage outwards.	Tonnage inwards.	Tonnage outwards.	Tonnage inwards.	Trucks outwards.	Trucks inwards.	Bales outwards.	Bales inwards.		
SUBURBAN RAILWAY INCLUDING SYDNEY.																	
			£ s. d.		£ c. d.											£ s. d.	£ s. d.
Central Office, Sydney	10	4	77 18 7	1,248	1,159 19 4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1,159 19 4
Darling Harbour.....	11	25	2,927 3 7	.....	.....	10,400	90,135	350	5,548	22	5,161	315	7,162	1,969	53,364	64,307 8 3	64,307 8 3
Sydney.....	12	220	25,559 0 1	497,130	80,734 15 6	85,007	20,644	1,601	6,142	2,723	40,883	.....	15	4,613	43,269	56,115 11 10	136,850 7 4
Everleigh.....	12	2	173 18 10	5,579	181 4 6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	181 4 6
M'Donald Town.....	12	1	119 4 5	16,490	232 1 11	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	232 1 11
Newtown.....	12	14	1,592 19 10	197,755	4,531 19 5	1,004	12,161	6	12,930	.....	1,373	.....	.....	125	5	6,717 9 9	11,249 9 2
Stanmore.....	11	2	55 0 3	2,633	64 5 2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	64 5 2
Petersham	13	7	717 6 11	93,286	4,025 8 2	145	2,379	.....	4,661	5	1,162	2	4	.....	.....	2,468 7 5	6,493 15 7
Ashfield	15	7	730 16 1	75,953	5,020 10 6	159	2,354	.....	2,050	16	615	7	230	.....	29	1,513 3 6	6,533 14 0
Croydon	12	3	283 4 11	20,384	1,587 3 2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1,587 3 2
Burwood.....	12	8	848 10 11	64,264	5,566 17 11	113	2,281	.....	1,316	80	244	.....	21	.....	.....	829 17 8	6,396 15 7
Redmyre	12	2	251 6 10	6,354	533 16 1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	533 16 1
Homebush	13	8	817 4 4	11,618	1,389 16 7	12	184	.....	115	.....	12	.....	2	1	.....	38,061 4 11	39,451 1 6
Rookwood	14	3	319 0 0	12,761	922 6 6	110	633	.....	18	3	282	.....	2	.....	.....	182 5 8	1,104 12 2
Parramatta Junction & Sidings	15	13	1,858 6 1	13,633	2,128 15 10	784	1,340	.....	585	195	1,208	9	3	625	349	1,077 5 6	3,206 1 4
	...	319	36,331 1 8	1019088	108,079 0 7	97,734	132,111	1,957	33,365	3,044	50,940	333	7,439	7,333	97,016	171,272 14 6	279,351 15 1
1877.....	...	244	27,178 9 9	789,621	90,296 7 7	89,455	119,891	3,580	26,945	1,589	32,190	135	7,029	5,512	81,869	138,125 14 9	228,422 2 4

APPENDIX TO REPORT ON RAILWAYS—1878.

Stations.	No. of hours Station-master is employed.	No. of hands employed, including Station-master.	Total Expenditure.	No. of Tickets issue.	Revenue from Tickets and Coaching Traffic.	Goods.		Coal.		Other minerals.		Hay.		Wool.		Earnings from Goods Traffic.	Total Earnings.
						Tonnage outwards.	Tonnage inwards.	Tonnage outwards.	Tonnage inwards.	Tonnage outwards.	Tonnage inwards.	Trucks outwards.	Trucks inwards.	Bales outwards.	Bales inwards.		
GREAT SOUTHERN RAILWAY.																	
Fairfield	10	3	£ s. d. 365 7 1	4,492	£ s. d. 554 14 1	7,214	676	.....	22	304	48	21	4	3	.....	£ s. d. 303 11 2	£ s. d. 858 5 3
Cabramatta	15	1	139 5 0	1,453	181 0 1	3,790	182	.....	.....	34	.....	19	1	.....	.....	33 3 8	214 3 9
Liverpool and Sidings	14	9	970 2 6	13,705	2,575 10 3	10,941	4,037	.....	4,984	3	320	495	15	5,297	7,088	4,000 4 1	6,575 14 4
Campbelltown and Sidings	13	9	1,000 2 7	13,473	4,696 14 11	5,897	3,226	.....	58	134	62	1,632	1	40	.....	1,880 19 7	6,577 14 6
Mcenangle	14	3	336 8 0	1,800	449 4 1	246	345	.....	11	.....	4	786	.....	27	.....	213 16 9	663 0 10
Douglas Park	13	1	150 15 5	952	336 12 4	214	144	.....	1	.....	.....	112	.....	15	.....	94 10 4	431 2 8
Picton	16	8	908 0 11	2,960	1,542 9 10	742	1,040	.....	2	6	42	561	1	12	.....	997 17 11	2,540 7 9
Mittagong and Platforms	15	8	874 0 3	3,393	2,128 7 6	1,542	1,439	.....	172	2,040	36	.....	.....	65	.....	1,803 9 2	3,931 16 8
Bowral	15	4	398 8 5	2,297	1,281 15 0	658	872	.....	8	.....	22	.....	.....	7	.....	882 12 10	2,164 7 10
Moss Vale and Sidings	16	7	688 18 11	3,988	3,136 7 8	9,872	3,003	19	30	672	136	.....	20	108	.....	2,509 7 8	5,645 15 4
Marulan and Sidings	14	5	548 7 2	1,911	1,145 1 8	1,365	927	.....	16	5,564	.....	9	.....	250	.....	886 9 10	1,981 11 6
Goulburn	9	25	2,485 16 3	10,766	13,714 19 4	6,512	10,951	2	362	809	1,210	11	.....	8,513	64	21,336 9 4	35,051 8 7
Breadalbane	12	4	282 2 2	1,945	568 14 8	246	153	.....	.....	.....	29	.....	.....	142	.....	154 6 9	723 1 5
Gunning and Sidings	12	5	546 17 0	3,328	1,935 5 9	535	1,281	.....	2	.....	54	.....	.....	2,733	.....	2,297 19 8	4,233 5 5
Yass and Sidings	15	7	656 18 10	3,918	3,154 3 4	476	1,740	.....	1	.....	116	.....	.....	1,673	.....	4,794 19 1	7,949 2 5
Bowning	16	8	916 11 3	1,908	2,421 13 7	782	3,449	1	.....	456	37	.....	.....	4,208	.....	13,218 5 7	15,639 19 2
Binalong	10	6	459 7 3	2,489	1,682 3 0	250	548	.....	.....	.....	3	.....	.....	1,510	.....	1,576 1 8	3,258 4 8
Murrumburrah and Sidings	13	13	1,114 6 2	4,833	5,659 19 2	1,104	4,339	.....	.....	2	53	.....	.....	7,789	6	14,333 11 5	19,993 10 7
Cootamundra	12	14	1,325 3 2	4,322	5,035 10 0	1,528	4,637	107	342	27	92	.....	.....	2,543	2	11,442 4 6	16,477 14 6
Bethungra, opened 15 April	15	11	836 6 1	2,216	2,649 18 7	256	7,526	53	279	.....	14	.....	.....	1,103	.....	13,426 8 10	16,076 7 5
Junee, opened 6 July	15	6	329 7 3	1,175	1,495 4 7	71	319	.....	13	1	.....	.....	.....	4,637	.....	820 14 1	2,315 18 8
North Wagga, opened 3 Sept.	11	14	502 8 4	1,903	3,987 9 2	228	3,178	.....	69	.....	7	.....	.....	4,191	.....	6,953 16 8	10,941 5 10
.....	...	171	15,835 0 0	89,227	60,332 18 7	54,469	54,012	182	6,372	10,052	2,285	3,646	42	44,866	7,160	103,911 0 6	164,243 19 1
1877 .....	...	184	12,286 1 8	76,664	49,805 16 5	51,460	59,536	118	3,384	8,151	2,043	4,084	10	30,804	4,989	110,478 1 5	160,288 17 10

No. 20—continued.

APPENDIX TO REPORT ON RAILWAYS—1878.

Stations.	No. of hours Station-master is employed.	No. of hands employed, including Station-master.	Total Expenditure.		No. of Tickets issued.	Revenue from Tickets and Coaching Traffic.		Goods.		Coal.		Other minerals.		Hay.		Wool.		Earnings from Goods Traffic.	Total Earnings.		
			£	s. d.		£	s. d.	Tonnage outwards.	Tonnage inwards.	Tonnage outwards.	Tonnage inwards.	Tonnage outwards.	Tonnage inwards.	Trucks outwards.	Trucks inwards.	Bales outwards.	Bales inwards.			£	s. d.
GREAT WESTERN RAILWAY.																					
Parramatta	11	12	1,612	10 2	80,344	10,683	7 5	4,924	8,967	65	1,709	271	145	39	77	49	209	3,116	2 3	13,799	9 8
Seven Hills	11	2	196	16 0	3,889	423	7 1	2,715	243	.....	10	6,938	2	88	.....	3	.....	151	3 7	574	10 8
Blacktown	13	9	1,121	18 6	5,412	941	10 8	4,240	258	.....	.....	.....	5	15	3	7	.....	305	2 7	1,246	13 3
Rooty Hill	14	3	302	5 3	3,270	564	11 6	12,844	505	.....	.....	1	369	32	3	5	.....	278	18 4	843	9 10
South Creek	12	5	561	9 3	5,199	1,092	5 8	16,180	2,457	.....	90	2	216	210	1	33	.....	1,090	14 8	2,183	0 4
Penrith and Siding	14	16	1,927	6 5	9,275	3,108	2 3	11,179	2,331	.....	153	680	50	745	.....	17	3	1,417	10 10	4,525	13 1
Emu Plains	13	2	241	13 1	1,770	443	1 1	271	263	.....	203	12,995	20	84	.....	.....	.....	231	15 4	674	16 5
Brookdale	12	1	6	11 4	162	32	8 2	2,279	131	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	32	8 2
Springwood	12	1	25	9 2	444	110	3 1	2,166	257	.....	.....	.....	.....	1	.....	.....	.....	15	13 7	125	16 8
Blue Mountains and Platforms	12	2	246	16 3	285	162	9 9	16	783	.....	27	20	95	.....	.....	.....	.....	39	15 2	202	4 11
Mount Victoria and Sidings	12	6	766	13 11	4,536	3,202	3 4	296	1,742	.....	187	20,179	100	.....	.....	14	.....	1,181	19 10	4,384	3 2
Bowenfels and Sidings	14	9	1,067	17 4	4,965	2,110	8 1	5,820	3,593	52,494	27	424	2,769	.....	.....	147	124	4,470	5 10	6,580	13 11
Wallerawang	11	15	1,847	12 5	4,452	4,406	2 4	1,354	7,075	.....	148	1,118	1	.....	.....	10,257	26	14,844	13 1	19,250	15 5
Rydal	14	7	623	18 11	1,533	596	19 0	1,004	316	.....	43	26	1	.....	.....	69	.....	500	0 10	1,096	19 10
Tarana and Platform	13	4	412	7 8	1,138	615	2 9	1,070	475	.....	5	11	9	.....	.....	375	.....	602	0 9	1,217	3 6
Macquarie Plains and Platform	12	6	529	12 0	1,840	595	0 11	2,027	426	.....	128	549	3	.....	.....	328	.....	706	8 1	1,301	9 0
Raglan	16	2	193	15 0	254	190	17 0	494	49	.....	.....	.....	.....	.....	.....	89	5	165	8 4	356	5 4
Kelso	10	5	574	14 5	954	925	2 8	953	1,006	.....	80	1	.....	.....	.....	352	.....	1,762	3 10	2,687	6 6
Bathurst and Platform	10	29	3,281	12 7	18,514	13,702	1 9	7,151	13,681	21	7,004	267	1,234	8	6	2,315	222	22,375	5 3	36,077	7 0
Geo. Plains and Platforms	14	4	385	12 4	4,765	622	5 1	579	602	.....	988	615	33	.....	.....	477	.....	780	13 8	1,402	18 9
Newbridge and Platform	15	4	374	11 7	3,106	852	3 0	1,739	625	.....	.....	380	18	5	.....	719	.....	909	4 6	1,761	7 6
Blayney and Siding	15	11	1,311	19 10	5,881	3,231	16 2	2,120	3,459	125	478	1,624	4	2	.....	3,729	23	11,029	18 8	14,261	14 10
Spring Grove and Siding	16	3	332	9 4	4,266	770	12 3	1,325	675	.....	153	21	24	29	.....	341	.....	632	11 2	1,403	3 5
Spring Hill	15	3	308	7 9	3,471	676	12 6	1,155	367	.....	59	14	29	37	.....	68	.....	538	4 3	1,214	16 9
Orange	14	31	3,597	1 10	14,174	15,051	8 9	2,029	26,540	1	3,462	20	605	.....	76	33,146	1	74,281	15 2	89,333	3 11
1877 .....	...	192	21,851	2 4	183,899	65,110	2 3	85,930	76,826	52,706	14,954	46,156	5,732	1,297	166	52,540	613	141,427	9 7	206,537	11 10
1877 .....	...	186	17,605	14 4	160,484	61,087	18 10	89,863	73,630	45,474	13,717	30,743	6,172	948	41	50,147	226	139,187	8 1	200,375	6 11
WINDSOR AND RICHMOND RAILWAY.																					
Riverstone and Sidings	12	1	142	2 3	2,353	381	15 10	15,070	224	.....	4	.....	24	134	3	19	.....	278	10 0	660	5 10
Mulgrave	13	2	171	18 4	1,457	324	6 10	9,956	233	.....	.....	1	1	653	.....	7	.....	96	17 10	421	4 8
Windsor	14	6	625	5 2	10,716	2,584	6 8	3,680	3,136	.....	100	10	144	892	1	16	.....	1,931	19 4	4,516	6 0
Richmond	14	3	405	10 0	6,616	2,182	14 7	1,233	1,530	.....	50	22	159	697	1	8	.....	1,008	1 0	3,190	15 7
1877 .....	...	12	1,344	15 9	21,142	5,473	3 11	29,939	5,123	.....	154	33	328	2,376	5	50	.....	3,315	8 2	8,788	12 1
1877 .....	...	10	1,164	13 10	20,474	5,315	12 9	26,340	4,670	.....	126	109	187	1,914	1	31	.....	3,294	9 11	8,610	2 8

Stations.	No. of hours Station-master is employed.	No. of hands employed, including Station-master.	Total Expenditure.		No. of Tickets issued.	Revenue from Tickets and Coaching Traffic.		Goods.		Coal.		Other minerals.		Hay.		Wool.		Earnings from Goods Traffic.	Total Earnings.													
			£	s. d.		£	s. d.	Tonnage outwards.	Tonnage inwards.	Tonnage outwards.	Tonnage inwards.	Tonnage outwards.	Tonnage inwards.	Trucks outwards.	Trucks inwards.	Bales outwards.	Bales inwards.			£	s. d.	£	s. d.									
GREAT NORTHERN RAILWAY.																																
Newcastle	12	65	9,754	18 0	51,510	13,402	7 11	27,716	10,227	242	937,489	13,717	38,986	.....	.....	.....	13,815	64,167	16 3	77,570	4 2								
Honeysuckle Point	12	13	1,393	15 6	17,173	1,955	12 2	2,351	1,941	16	931	49	36	.....	.....	.....	.....	807	15 8	2,763	7 10							
Hamilton	12	5	690	4 8	11,064	633	4 9	1,913	.....	.....	923,776	.....	.....	.....	.....	.....	.....	.....	.....	633	4 9	
Waratah	12	8	1,098	19 7	36,597	2,536	19 9	2,076	4,760	18,489	1,196	38,502	10,980	.....	.....	.....	.....	1,046	1 2	3,583	0 11							
Hexham	11	6	589	6 7	11,184	1,007	12 5	929	1,362	134	151	.....	108	.....	.....	.....	.....	196	8 10	1,204	1 3						
East Maitland	11	5	574	15 7	20,027	2,403	2 7	5,480	719	8	13	55	69	.....	.....	.....	.....	1,347	0 7	3,750	3 2							
High-street	11	2	297	0 0	16,059	2,788	18 6	.....	3	110	.....	.....	85	.....	.....	.....	.....	27	18 8	2,816	17 2				
West Maitland	11	16	2,128	13 2	16,037	4,156	2 1	11,886	6,148	.....	516	32	2,223	.....	.....	97	265	6,329	9 3	1,0485	11 4								
Wollombi Road	11	1	141	2 0	1,724	181	15 0	441	61	21	18	53	3	.....	.....	.....	.....	462	19 8	644	14 8							
Lochinvar	11	3	350	8 3	4,395	714	12 4	650	522	5	42	.....	9	.....	.....	1	.....	545	11 0	1,260	3 4							
Greta	11	2	284	2 1	5,739	1,154	10 10	636	806	10,828	42	89	15	.....	.....	2	.....	321	11 10	1,476	2 8								
Braxton	11	2	299	16 3	5,087	1,165	6 3	3,078	732	.....	45	18	.....	.....	.....	180	6	384	14 6	1,550	0 9							
Singleton	11	16	2,010	19 5	8,527	4,245	1 8	2,906	2,989	12	170	2	227	318	2	3,004	3 7	7,249	5 3										
Ravensworth	10	2	187	18 2	806	285	11 10	128	257	1	182	112	7 1	397	18 11										
Musclebrook	10	11	1,125	8 10	4,524	3,269	3 1	693	3,239	117	1	37	2,807	12	3,989	16 0	7,258	19 1										
Aberdeen	9	2	151	5 10	762	347	18 4	187	337	11	1	31	228	6 8	576	5 0										
Seone	9	4	556	3 7	3,129	2,102	6 7	369	1,317	22	1	17	1,475	1,884	8 2	3,986	14 9										
Murrurundi	10	18	1,946	5 7	6,522	3,471	10 6	5,938	3,855	19	84	9	1,296	12	3,446	16 6	6,918	7 0										
Willow Tree	13	14	1,734	14 8	6,768	4,989	12 4	942	8,484	1	23	1,195	19	7,034	1	21,053	16 5	26,043	8 9										
Quirindi	13	25	2,949	0 10	7,721	7,429	2 2	827	22,605	6	2,405	94	4	19,577	41,605	12 5	49,034	14 7										
Werris Creek, opened 14 Oct.	12	4	100	8 7	475	350	10 3	39	3,050	78	4	2,683	15 9	3,034	6 0										
Tumworth, opened 14 Oct.	10	20	711	3 3	1,770	2,766	6 2	421	3,864	49	147	10,069	12,995	19 4	15,762	5 6										
Morpeth	12	14	1,928	11 4	13,480	1,703	14 8	12,480	783	1	10,147	22	39	28,998	9,529	1 8	11,232	16 4										
Wallsend	10	2	282	14 0	21,436	1,651	5 5	586	4,507	9	1	229	3	1,190	5 0	2,841	10 5										
1877	.....	260	31,287	15 9	272,426	64,712	7 7	82,675	82,675	953,558	953,558	53,961	53,961	.....	.....	43,111	43,111	177,361	16 0	242,074	3 7								
	.....	228	22,871	12 4	262,994	58,003	2 2	79,038	79,038	848,999	848,999	49,365	49,365	.....	.....	45,975	45,975	158,084	0 5	211,777	2 7								
SUMMARY.																																
Suburban Line, including Sydney.	.....	319	36,331	1 8	1,019,088	108,079	0 7	97,734	132,111	1,957	33,365	3,044	50,940	333	7,439	7,333	97,016	171,272	14 6	279,351	15 1										
Southern Line	.....	171	15,835	0 0	89,227	60,332	18 7	54,469	54,012	182	6,372	10,052	2,285	3,646	42	44,866	7,160	103,911	0 6	164,243	19 1										
Western Line	.....	192	21,851	2 4	183,899	65,110	2 3	85,930	76,826	52,706	14,954	46,156	5,732	1,297	166	52,540	613	141,427	9 7	206,537	11 10										
Windsor and Richmond Line	.....	12	1,344	15 9	21,142	5,473	3 11	29,939	5,123	.....	154	33	328	2,376	5	.....	.....	3,315	8 2	8,788	12 1							
Great Northern Line	.....	694	75,361	19 9	131,335*	238,995	5 4	268,072	268,072	54,845	54,845	59,285	59,285	7,652	7,652	104,789	104,789	419,926	12 9	658,921	18 1										
	.....	260	31,287	15 9	272,426†	64,712	7 7	82,675	82,675	953,558	953,558	53,961	53,961	.....	.....	43,111	43,111	177,361	16 0	242,074	3 7								
1877	.....	954	106,649	15 6	158,578‡	303,707	12 11	350,747	350,747	1008403	1008403	113,246	113,246	7,652	7,652	147,900	147,900	597,288	8 9	900,906	1 8										
	.....	796	81,006	11 6	1310237	265,198	17 9	336,765	336,765	898,171	898,171	89,957	89,957	7,081	7,081	132,559	132,559	544,169	14 7	809,368	12 4										
																			1878—Mails, Advertising, Sale of Old Material	£9,466	8s. 9d.	Less Credits,	£7,473	8s. 10d.					1,992	19 11		
																			1877—	Do.	£9,269	17s. 4d.	Do.	£2,000	11s.							
																			1878—Gross Earnings											902,989	1 7	
																			1877—	Do.											815,920	5 2

1878—* Exclusive of Season Tickets—South and West, 8,062; North 528; Total 1,123,508 Passenger journeys
 1877—† Do. do. 6,418; do. 331; do. 6,749=867,618

No. 21.

ESTIMATE of the number of SHEEP in the Border Districts of New South Wales, the Clip of which was transported to the neighbouring Colonies in 1878.

District.	Total number of Sheep.	Proportion Clip for New South Wales.	Proportion to neighbouring Colonies.
Albury	160,524	60,524	100,000
Balranald	1,350,836	.....	1,350,836
Bourke	579,963	280,981	289,982
Brewarrina.....	293,491	193,491	100,000
Corowa	272,814	.....	272,814
Deniliquin	710,751	.....	710,751
Euston. (Sec Balranald).....	.....	.....	.....
Hay.....	2,889,927	200,000	2,689,927
Hillston	983,990	383,990	600,000
Howlong.....	63,596	.....	63,596
Jerilderie	375,526	75,526	300,000
Louth	250,705	.....	250,705
Menindie	754,449	.....	754,449
Moama	185,462	.....	185,462
Mulwala.....	197,257	.....	197,257
Narandera	444,696	200,000	244,696
Ten-mile Creek.....	346,735	146,735	200,000
Tocumwall.....	148,528	.....	148,528
Tumberumba.....	87,040	40,000	47,040
Urana.....	557,077	257,077	300,000
Wagga Wagga	880,930	600,000	280,930
Wentworth	607,127	.....	607,127
Wilcannia	511,498	.....	511,498
Total.....	12,642,922	2,798,324	9,844,598

No. 22.

RETURN of the quantity of Wool carried on the Railways of New South Wales, and the amount of Freight received therefrom in 1877 and 1878.

Month.	1877.									1878.								
	Bales.			Weight.			Freight.			Bales.			Weight.			Freight.		
	S. & W.	North.	Total.	S. & W.	North.	Total.	S. & W.	North.	Total.	S. & W.	North.	Total.	S. & W.	North.	Total.	S. & W.	North.	Total.
	No.	No.	No.	Tons.	Tons.	Tons.	£	£	£	£	£	£	Tons.	Tons.	Tons.	No.	No.	No.
January	12,610	5,481	18,091	2,284	1,085	3,369	4,163	1,794	5,957	11,878	4,531	16,409	2,039	847	2,886	3,883	1,628	5,511
February.....	4,943	4,318	9,261	897	878	1,775	1,445	1,439	2,884	4,015	1,904	5,919	677	372	1,049	1,129	697	1,826
March	2,265	2,132	4,397	397	455	852	471	799	1,270	3,027	1,112	4,139	474	206	680	835	404	1,239
April	1,192	853	2,045	210	158	368	256	287	543	1,977	993	2,970	329	189	518	533	363	896
May	767	602	1,369	137	117	254	133	219	352	1,217	848	2,065	647	145	792	272	305	577
June	581	886	1,467	101	145	246	104	307	411	643	395	1,038	109	66	175	106	126	232
July.....	368	171	539	65	24	89	86	56	142	734	81	815	119	13	132	176	26	202
August	752	511	1,263	122	105	227	200	183	383	917	270	1,187	155	50	205	217	97	314
September	2,652	3,167	5,819	497	658	1,155	846	1,163	2,009	1,364	1,840	3,204	235	376	611	467	664	1,131
October	9,971	8,805	18,776	1,842	1,956	3,798	3,412	3,359	6,771	18,435	9,347	27,782	3,424	1,977	5,401	6,823	3,403	10,226
November	26,874	11,024	37,898	4,839	2,309	7,148	9,894	3,996	13,890	28,655	10,293	38,948	5,115	2,127	7,242	10,403	3,813	14,216
December	24,407	8,265	32,672	4,366	1,620	5,986	8,817	2,907	11,724	31,927	11,497	43,424	5,571	2,260	7,831	11,378	4,328	15,706
Total	87,382	46,215	133,597	15,757	9,510	25,267	29,827	16,509	46,336	104,789	43,111	147,900	18,894	8,628	27,522	36,222	15,854	52,076
Increase in 1878.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	17,407	.....	14,303	3,137	.....	1,255	6,395	.....	5,740
Decrease in 1878.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	3,104	.....	.....	882	.....	.....	655	.....

No. 23.

STATEMENT of the Value of LIVE STOCK and WOOL and other Exports across the Border during the year 1878.

	Value of Live Stock.					Quantity and Value of Wool.			Other Exports.	Total Value.
	Horses.	Cattle.	Sheep.	Pigs.	Total.	Bales.	lbs.	Value.	Value.	
	£	£	£	£	£	No.		£	£	
Albury to Victoria	9,760	30,520	2,181	146	42,606	12,248	4,531,806	267,518	18,395	328,520
Corowa do.	1,686	17,539	24,181	19	43,425	11,104	4,108,594	231,040	4,348	278,813
Moama do.	12,838	82,587	195,750	240	291,415	29,601	10,952,653	491,536	61,673	844,624
Hay do.						26,993	9,987,464	368,291	5,832	374,123
Swan Hill do.	320	44,948	17,825		63,093	23,233	8,596,349	450,796	3,738	517,627
Euston do.	1,250				1,250	979	362,222	23,660	26,277	51,187
Wentworth to { Victoria						9,834	3,645,595	199,432	} 85,631	1,155,909
{ South Australia	5,610	164,362	26,700		196,672	33,466	12,382,679	674,174		
Tocumwall to Victoria	900	13,150	1,700	8	15,758	2,419	895,189	46,448	142	62,348
Howlong do	441	574		11	1,026	35	13,304	575	1,641	3,242
Maryland (Queensland Border)						244	90,518	6,728	44,232	50,960
Bogabilla do.						537	198,860	9,457	312	9,769
Total in 1878	32,805	353,680	268,337	424	655,245	150,693	55,765,233	2,769,655	252,221	3,677,122
Total in 1877	44,090	428,733	377,240	259	850,322	113,857	42,127,105	1,951,363	146,404	2,948,089
Increase in 1878				165		36,836	13,538,127	818,292	106,817	729,033
Decrease in 1878	11,285	75,053	108,903		195,077					

No. 24.

CENTRAL RAILWAY OFFICE.

RETURN of the Number of Tickets issued and Revenue received for the same from the date of opening (18th November, 1878), to the 31st December, 1878.

Date.	1st Class, Single.		2nd Class, Single.		1st Class, Return		2nd Class, Return		Total.	
	No.	Amount	No.	Amount	No.	Amount	No.	Amount	No.	Amount
1878.		£ s. d.		£ s. d.		£ s. d.		£ s. d.		£ s. d.
November 18th to 30th	88	55 15 0	44	35 7 6	52	56 8 3	37	12 0 0	221	159 10 9
December 1st to 31st	111	122 12 7	73	59 2 11	462	485 5 7	422	253 17 10	1,068	920 18 11
	199	178 7 7	117	94 10 5	514	541 13 10	459	265 17 10	1,289	1,080 9 8

RETURN of the number of Parcels booked and the Revenue derived therefrom.

Date.	Cloak Room Parcels.		Parcels Inwards.		Parcels Outwards.		Total.	
	No.	Tickets sold.	No.	Freight Amount.	No.	Freight.	No.	Amount.
1878.		£ s. d.		£ s. d.		£ s. d.		£ s. d.
November 18th to 30th	142	7 0 0	65	3 10 10	925	59 5 11	1,132	69 16 9
December 1st to 31st	567	5 4 0	183	8 10 8	3,017	192 1 3	3,767	205 15 11
	709	12 4 0	248	12 1 6	3,942	251 7 2	4,899	275 12 8

No. 25.

RETURN of the quantity of COAL exported from Newcastle to Intercolonial and Foreign Ports in 1877 and 1878, showing the increase and decrease in each.

Countries.	1877.	1878.	Increase.	Decrease.
	Tons.	Tons.	Tons.	Tons.
Victoria	274,943	288,666	13,723	.....
New Zealand	149,363	181,824	32,461	.....
South Australia	80,331	90,347	10,016	.....
Tasmania	18,706	18,510	.....	196
Western Australia	311	.....	.....	311
Fiji .....	.....	500	500	.....
Queensland	7,039	8,402	1,363	.....
Total, Intercolonial.....	530,693	588,249	58,063	507
Foreign—				
New Caledonia	1,047	3,366	2,319	.....
India	22,820	51,543	28,713	.....
United States.....	750	1,255	505	.....
San Francisco	83,557	80,711	.....	2,846
Hong Kong	69,595	71,924	2,329	.....
China	23,058	10,650	.....	12,408
Mauritius	2,901	1,607	.....	1,294
Japan	14,166	30,146	15,980	.....
Manila	12,831	16,091	3,260	.....
Valparaiso	2,865	586	.....	2,279
Honolulu	1,997	3,586	1,589	.....
Java	11,454	7,226	.....	4,228
Bankok	1,000	.....	.....	1,000
Guam	642	.....	.....	642
Petropaulovski	2,116	2,350	234	.....
Cebu .....	.....	270	270	.....
Tahiti .....	.....	2,425	2,425	.....
Total, Foreign.....	250,809	283,736	57,624	24,697
Grand Total.....	781,502	871,985	115,687	25,204

No. 26.

PORT OF NEWCASTLE.
Foreign and Intercolonial Trade.

	1877		1878.		Increase.	
	No. of Vessels.	Tonnage.	No. of Vessels.	Tonnage.	No. of Vessels.	Tonnage.
Inwards	1,065	469,348	1,153	542,745	88	73,397
Outwards	1,328	577,377	1,407	655,885	79	78,509

Number of Tons and Value of COAL Exported.
Foreign and Intercolonial.

1877.		1878.		Increase.	
Tons.	Value.	Tons.	Value.	Tons.	Value.
No.	£	No.	£	No.	£
781,502	540,560	871,985	602,557	90,483	61,997

Coastwise.

	1877.		1878.		Increase.		Decrease.	
	No. of Vessels	Tonnage.	No. of Vessels	Tonnage.	No. of Vessels	Tonnage.	No. of Vessels	Tonnage.
Inwards.....	1,674	318,352	1,763	348,004	89	29,652	.....	.....
Outwards	1,637	287,497	1,754	285,476	117	.....	.....	2,021

COAL shipped Coastwise.

1877.	1878.	Increase.
258,938 tons.	276,201 tons.	17,263 tons.

No. 27.
GREAT NORTHERN RAILWAY.
MONTHLY Return of COAL hauled for the year 1878.

1878.	Newcastle Colliery.		A. A. Colliery.		Waratah Colliery.		New Lambton Colliery.		Lambton Colliery.		Co-operative Colliery.		Wallsend Colliery.		Anvil Creek Colliery.		Greta Colliery.	
	T. c. q.	£ s. d.	T. c. q.	£ s. d.	T. c. q.	£ s. d.	T. c. q.	£ s. d.	T. c. q.	£ s. d.	T. c. q.	£ s. d.	T. c. q.	£ s. d.	T. c. q.	£ s. d.	T. c. q.	£ s. d.
January.....	5624 11 0	187 9 10	2063 15 1	85 19 11	875 2 1	36 9 3	5545 14 3	223 0 9	14617 16 2	809 1 8	13902 3 1	753 17 1	6448 18 0	306 12 8	394 6 3	39 3 6	1412 17 2	131 10 8
February.....	8038 13 0	267 19 2	982 2 0	40 18 6	795 11 2	83 3 1	6853 6 2	101 18 5	13445 8 2	560 4 8	11292 4 1	641 19 3	11776 13 1	550 10 11	716 16 0	67 15 9	3650 18 1	410 18 7
March.....	6040 9 3	202 0 4	2208 11 2	92 0 6	.....	.....	9203 4 2	337 0 8	15641 11 3	651 14 9	12950 1 3	734 9 5	10031 7 0	470 13 9	386 7 1	45 1 7	4969 8 3	546 13 7
April.....	8004 9 1	260 16 4	1457 19 0	60 15 0	.....	.....	11315 2 2	426 5 3	17822 15 0	743 2 8	13406 0 1	794 8 7	16067 1 2	757 2 0	686 0 0	80 1 0	6373 15 3	707 12 6
May.....	10024 0 2	334 2 10	4507 14 3	187 16 6	.....	.....	11239 7 1	426 2 10	20343 10 1	847 13 2	18219 13 1	1037 14 0	16199 13 0	759 7 5	740 12 0	86 8 2	6999 19 3	780 0 11
June.....	6289 1 0	209 12 10	4603 15 0	194 19 10	389 11 0	16 4 8	10637 11 0	386 17 9	18486 18 0	770 5 1	13797 3 2	814 12 3	17697 12 0	824 0 4	519 17 0	60 13 1	5315 17 1	588 5 0
July.....	7620 11 2	254 0 6	3593 0 0	140 14 3	1065 8 1	44 7 10	8837 5 2	338 6 3	18312 9 0	733 17 2	15962 17 0	907 14 6	11444 6 0	539 9 9	131 0 2	15 5 9	6852 2 2	765 10 10
August.....	9023 4 3	311 9 7	2070 16 3	87 17 0	378 7 3	15 15 5	6307 6 3	241 9 3	20180 17 1	840 17 6	15776 16 0	933 3 4	10268 15 3	431 18 10	84 15 3	9 17 10	2675 3 0	275 7 9
September.....	5875 9 2	195 17 0	2341 3 2	97 11 1	.....	.....	6321 2 0	222 19 2	16685 17 1	695 5 1	15694 10 2	882 9 6	7319 10 3	348 0 5	11 8 2	1 6 8	2401 11 3	263 3 7
October.....	4509 5 1	153 6 4	37 2 0	1 10 11	.....	.....	7131 10 0	253 10 3	21477 4 2	894 17 10	13779 0 3	1025 0 9	4041 0 2	192 11 4	.....	.....	1056 6 1	160 9 7
November.....	4291 3 3	143 0 11	1281 13 0	53 8 1	1530 4 3	63 15 3	7039 2 0	238 18 5	17501 9 2	729 4 8	13547 7 3	786 8 11	3272 13 3	161 19 0	.....	.....	1089 19 0	92 14 0
December.....	3228 8 2	107 12 4	2219 11 1	92 9 9	103 1 0	4 5 11	7644 7 2	205 9 11	17631 3 2	734 12 10	12555 15 2	723 6 5	6225 15 3	311 15 3	.....	.....	2305 5 2	206 14 8
Total.....	78664 7 3	2633 8 0	27367 4 0	1145 1 4	5137 6 2	214 1 5	97235 0 1	3556 18 11	212646 1 0	8360 17 1	175883 13 3	10090 4 5	120793 7 1	5704 1 8	3671 3 3	405 13 4	46763 5 1	4934 1 8
	Minni Colliery.		Woodford Colliery.		Australasia Colliery.		Ferndale Colliery.		Goose Colliery.		Mitchell's Pitt.		Stony Creek Colliery.		Rathluba Colliery.		Total.	
	T. c. q.	£ s. d.	T. c. q.	£ s. d.	T. c. q.	£ s. d.	T. c. q.	£ s. d.	T. c. q.	£ s. d.	T. c. q.	£ s. d.	T. c. q.	£ s. d.	T. c. q.	£ s. d.	T. c. q.	£ s. d.
January.....	9164 11 1	464 16 2	.....	.....	405 9 3	16 17 7	801 17 1	33 8 7	113 11 1	4 14 11	.....	.....	.....	.....	.....	.....	61370 5 3	2838 2 7
February.....	9807 19 0	480 8 0	.....	.....	.....	.....	1348 10 1	56 4 4	101 11 2	4 4 9	.....	.....	.....	.....	.....	.....	67009 14 0	3306 5 5
March.....	13460 13 3	673 1 1	.....	.....	363 15 0	15 3 2	1461 3 3	60 17 11	124 11 1	5 4 1	12 0 0	3 6 0	.....	.....	.....	.....	76913 6 0	3337 6 10
April.....	11764 2 2	587 19 10	.....	.....	.....	.....	1387 0 1	82 16 4	118 8 2	4 18 11	.....	.....	9 14 0	1 1 6	.....	.....	89012 8 2	4512 19 11
May.....	13955 7 1	697 15 6	.....	.....	.....	.....	3449 9 0	143 15 2	127 9 1	5 6 4	.....	.....	.....	.....	.....	.....	105806 16 1	5306 2 10
June.....	9802 19 2	480 3 2	.....	.....	.....	.....	4116 12 1	171 11 0	173 9 0	9 2 0	.....	.....	.....	.....	1 4 0	0 12 0	91630 10 2	4526 19 5
July.....	9583 17 2	479 4 1	.....	.....	.....	.....	5814 17 0	242 6 2	193 14 1	10 11 5	.....	.....	.....	.....	.....	.....	39961 9 0	4530 8 6
August.....	10927 16 1	546 7 10	293 9 0	36 9 11	1116 9 2	46 10 6	6855 17 2	245 3 5	140 12 3	7 7 4	.....	.....	6 0 0	0 15 0	.....	.....	85110 19 3	4130 10 6
September.....	11799 0 0	589 19 1	266 1 1	16 12 7	1220 0 0	50 16 9	4820 14 0	200 17 7	74 7 2	3 2 0	.....	.....	.....	.....	.....	.....	74890 16 2	3573 0 6
October.....	11925 9 3	508 16 4	355 18 0	22 4 11	915 12 2	38 6 11	6037 9 2	251 11 9	33 6 0	3 9 2	.....	.....	.....	.....	.....	.....	77088 19 0	3600 16 1
November.....	9076 17 0	454 15 6	419 11 3	25 12 6	2056 1 0	85 13 6	3378 8 1	149 2 6	94 0 0	3 18 4	.....	.....	5 10 1	0 13 10	.....	.....	64784 1 3	2989 5 5
December.....	11015 13 2	551 4 0	254 4 0	15 17 10	1572 5 0	65 10 4	4536 15 1	189 1 4	86 0 0	3 11 3	.....	.....	.....	.....	.....	.....	69378 6 1	3271 12 3
Total.....	131884 6 1	6604 10 7	1583 16 0	116 17 9	7649 3 3	318 18 9	43808 14 1	1326 16 1	1430 16 1	65 10 11	12 0 0	3 6 0	21 4 1	2 10 4	1 4 0	0 12 0	953557 13 1	40483 10 3

No. 28.

MONTHLY RETURN OF COAL forwarded from WESTERN COLLIERIES during 1878.

Month.	Vale of Clwydd.		Esk Bank.		Lithgow Valley Company.		Bowenfels Company.		Total.	
	T. c. q. lbs.	£ s. d.	T. c. q. lbs.	£ s. d.	T. c. q. lbs.	£ s. d.	T. c. q. lbs.	£ s. d.	T. c. q. lbs.	£ s. d.
January	1,345 17 0 0	498 5 5	870 8 2 0	362 19 6	557 19 2 0	202 5 7	669 3 2 0	264 6 2	3,443 8 2 0	1,327 16 8
February	401 7 0 0	146 16 1	1,020 18 2 0	403 7 6	1,377 15 2 0	520 6 7	475 16 1 0	169 16 5	3,275 17 1 0	1,240 6 7
March.....	730 12 0 0	258 7 3	1,477 1 1 0	606 1 8	1,393 6 2 0	504 9 1	494 7 2 0	168 10 9	4,095 7 1 0	1,537 8 9
April	952 7 2 0	331 10 1	1,190 1 1 0	495 17 0	995 5 2 0	363 17 7	657 17 0 0	225 16 4	3,795 11 1 0	1,417 1 0
May	1,074 1 1 0	376 3 6	1,533 13 1 0	584 0 8	1,304 15 0 0	469 17 1	959 9 1 0	324 2 11	4,871 18 3 0	1,754 4 2
June	1,512 0 0 0	562 10 1	2,260 19 0 0	889 3 10	1,670 1 1 0	616 16 0	1,123 4 3 0	404 12 1	6,566 5 0 0	2,473 2 0
July	1,147 3 1 0	427 0 1	2,048 4 2 0	792 16 2	1,260 13 2 0	440 7 0	1,070 9 3 0	389 16 5	5,526 11 0 0	2,049 19 8
August	1,319 8 2 0	498 19 11	2,251 15 2 0	871 17 1	1,323 18 2 0	482 16 2	821 5 1 0	288 2 7	5,716 7 3 0	2,141 15 9
September	997 9 3 0	374 0 8	1,445 0 0 0	589 0 9	1,083 9 2 0	404 13 9	584 4 2 0	195 4 9	4,110 3 3 0	1,562 19 11
October	918 13 0 0	343 17 9	1,498 14 0 0	579 10 7	1,071 1 1 0	383 12 3	579 15 3 0	202 18 11	4,068 4 0 0	1,509 19 6
November	1,108 11 0 0	418 16 8	1,389 17 0 0	509 18 7	641 11 0 0	227 5 5	584 1 3 0	205 13 10	3,724 0 3 0	1,361 14 6
December	742 5 2 0	276 5 6	1,182 11 2 0	441 10 7	780 8 0 0	280 2 1	588 9 1 0	215 16 0	3,293 14 1 0	1,213 14 2
Total.....	12,249 15 3 0	4,512 13 0	18,169 4 1 0	7,126 3 11	13,460 5 0 0	4,896 8 7	8,608 4 2 0	3,054 17 2	52,487 9 2 0	19,590 2 8

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APPENDIX TO REPORT ON RAILWAYS—1878.

No. 29.

MONTHLY RETURN of SHALE carried on the Great Southern and Western Lines during the year 1878.

Months.	Mittagong.			Moss Vale.			Hartley Vale.			Total.		
	Tons cwt. qrs.	£ s. d.		Tons cwt. qrs.	£ s. d.		Tons cwt. qrs.	£ s. d.		Tons cwt. qrs.	£ s. d.	
January...	184 18 0	62 0 0					1,421 11 2	508 16 7		1,606 9 2	570 16 7	
February...	90 0 0	30 0 0					1,307 17 0	455 11 0		1,397 17 0	485 11 0	
March...	172 17 0	58 0 0					1,882 4 0	658 0 0		2,055 1 0	716 0 0	
April...	171 4 0	58 2 6					1,101 1 2	390 18 2		1,272 5 2	449 0 8	
May...	281 2 0	94 0 0					997 18 0	341 12 3		1,279 0 0	435 12 3	
June...	84 0 0	28 0 0		104 1 2	38 12 6		1,787 11 0	620 0 0		1,975 12 2	686 12 6	
July...	237 7 2	80 0 0		165 0 0	63 1 6		1,713 14 0	596 16 0		2,116 1 2	739 17 6	
August...	280 8 0	93 10 0		84 3 0	32 2 6		2,130 5 0	722 0 0		2,494 16 0	847 12 6	
September...	113 0 0	40 0 0		74 0 0	28 5 6		1,830 0 0	622 17 6		2,017 0 0	691 3 0	
October...	6 0 0	2 0 0		94 4 0	34 16 0		2,148 1 0	736 0 0		2,248 5 0	772 16 0	
November...	114 0 0	38 0 0		107 0 0	39 2 11		2,034 12 2	704 0 0		2,255 12 2	781 2 11	
December...	66 0 0	22 0 0		40 17 0	15 4 6		1,649 13 0	568 0 0		1,756 10 0	605 4 6	
Total...	1,800 16 2	605 12 6		669 5 2	251 5 5		20,004 8 2	6,924 11 6		22,474 10 2	7,781 9 5	

No. 30.

RETURN of O.H.M.S. COAL forwarded from the Western Collieries during 1878.

Months.	Vale of Clwydd.			Esk Bank.			Lithgow.			Total.		
	Tons cwt. qrs.	£ s. d.		Tons cwt. qrs.	£ s. d.		Tons cwt. qrs.	£ s. d.		Tons cwt. qrs.	£ s. d.	
January...	1,635 5 1	498 6 6					840 5 2	263 14 8		2,475 10 3	762 1 2	
February...	1,172 19 0	400 18 10		1,079 6 0	340 15 4					2,252 5 0	741 14 2	
March...	2,734 14 0	888 2 9		37 11 1	31 15 5					2,772 5 1	919 18 2	
April...	2,988 4 3	1,017 14 11								2,988 4 3	1,017 14 11	
May...	2,801 5 1	951 12 9		112 14 0	57 3 10		106 18 2	54 16 7		3,020 17 3	1,063 13 2	
June...	3,048 7 0	987 2 7								3,048 7 0	987 2 7	
July...	3,233 19 1	1,088 6 10								3,048 7 0	987 2 7	
August...	3,677 1 0	1,161 7 8		54 1 3	6 15 3		10 10 0	1 1 0		3,233 19 1	1,088 6 10	
September...	3,111 1 3	999 11 5								3,741 12 3	1,169 3 11	
October...	3,081 19 3	1,030 3 1								3,111 1 3	999 11 5	
November...	3,520 0 2	1,286 4 11								3,081 19 3	1,030 3 1	
December...	2,776 4 2	937 19 10								3,520 0 2	1,286 4 11	
Total...	33,781 2 0	11,247 12 1		1,283 13 0	436 9 10		957 14 0	319 12 3		36,022 9 0	12,003 14 2	

No. 31.

ABSTRACT of the Tonnage and Amount received for carriage of COAL shipped at the Government Cranes, Newcastle, in 1877 and 1878.

Companies.	1877.		1878.		Increase, 1878.		Decrease, 1878.	
	Tons.	Freight.	Tons.	Freight.	Tons.	Freight.	Tons.	Freight.
Newcastle	51,843	1,743	78,665	2,633	26,822	890		
A. A. Co.	37,492	1,562	27,367	1,145			10,125	417
New Lambton	104,102	3,872	97,235	3,557			6,867	315
Lambton	162,233	6,760	212,646	8,861	50,413	2,101		
Waratah	10,033	419	5,137	214			4,896	205
Groose Colliery	1,377	66	1,431	66	54			
Mitchell's Pit			12	3	12	3		
Ingales	27	11					27	11
Bloomfield	2	1					2	1
Tulip's Creek	2	1					2	1
Stony Creek Colliery			21	2	21	2		
Co-operative	181,230	9,559	175,884	10,090		531	5,346	
Wallsend	144,494	7,035	120,794	5,704			23,700	1,331
Minni	102,151	5,116	131,884	6,065	29,733	1,489		
Woodford	188	28	1,589	117	1,401	89		
Anvil Creek	19,665	2,012	3,671	406			15,994	1,606
Grcta	33,028	3,716	45,763	4,934	12,735	1,218		
Australasia Colliery	1,058	44	7,649	319	6,591	275		
Ferndale	74	3	43,809	1,827	43,735	1,824		
Rathluba			1	1	1	1		
Total	848,999	41,948	953,558	46,484	171,518	8,423	66,959	3,887

No. 32.

ABSTRACT of the Tonnage and Amount received for the carriage of COAL and SHALE on the Great Southern and Western Railways in 1877 and 1878.

	1877.		1878.		Increase, 1878.		Decrease, 1878.	
	Tons.	Freight.	Tons.	Freight.	Tons.	Freight.	Tons.	Freight.
Lithgow Valley—	No.	£	No.	£	No.	£	No.	£
Lithgow	5,360	2,001	13,460	4,896	8,100	2,895	.....	.....
Eskbank	15,214	5,979	18,169	7,126	2,955	1,147	.....	.....
Bowenfels Company ...	7,437	2,705	8,608	3,055	1,171	350	.....	.....
Vale of Clwydd	17,251	6,296	12,250	4,513	.....	.....	5,001	1,783
Wallerawang—								
Buckley's	26	8	.....	.....	.....	.....	26	8
Hartley Vale—								
Shale Company	14,762	5,248	20,004	6,925	5,242	1,677	.....	.....
Mittagong	294	99	1,801	606	1,507	507	.....	.....
Moss Vale .....	.....	.....	669	251	669	251	.....	.....
Total	60,344	22,336	74,961	27,372	19,644	6,827	5,027	1,791

No. 33.

ABSTRACT of the total quantity of COAL and SHALE carried on the Great Southern, Western, and Northern Railways during 1877 and 1878, and the amount of Freight received therefrom.

	1877.		1878.		Increase, 1878.		Decrease, 1878.	
	Tons.	Freight.	Tons.	Freight.	Tons.	Freight.	Tons.	Freight.
COAL.								
Newcastle Lines.....	848,999	41,948	953,558	46,484	104,559	4,536	.....	.....
Great Western Railway—								
Lithgow Valley Mines...	45,262	16,981	52,487	19,590	7,225	2,609	.....	.....
Wallerawang (Buckley's)	26	8	.....	.....	.....	.....	26	8
SHALE.								
Great Western Railway—								
Hartley Vale.....	14,762	5,248	20,005	6,924	5,243	1,676	.....	.....
Great Southern Railway—								
Mittagong.....	294	99	1,801	606	1,507	507	.....	.....
Moss Vale.....	.....	.....	669	251	669	251	.....	.....
Total	909,343	64,284	1,028,520	73,855	119,203	9,579	26	8

No. 34.

RETURN of the number and percentage proportion of FIRST and SECOND CLASS PASSENGERS on the Southern and Western and the Northern Lines, and the amount received from that source during 1878.

	First Class.	Second Class.	Total.
Number—			
South and West	810,422	2,410,931	3,221,353
North	88,271	396,109	484,380
All Lines	898,693	2,807,040	3,705,733
Amount received—			
	£	£	£
South and West	85,736	124,764	210,500
North	18,196	37,191	55,387
All Lines	103,932	161,955	265,887
Percentage number—			
South and West	25'16	74'84	100'00
North	18'22	81'78	100'00
All Lines	24'25	75'75	100'00
Percentage amount received—			
South and West	40'73	59'27	100'00
North	32'85	67'15	100'00
All Lines	39'09	60'91	100'00

No. 35.

Return of the MILEAGE of SUBURBAN PASSENGERS during the years 1877 and 1878.

		1877.	1878.
No. of Passengers	No.	1,321,026	1,699,895
„ Season Ticket-holders' journeys	„	797,137	1,020,110
Total Passenger journeys	„	2,118,163	2,720,005
No. of miles travelled	Miles.	11,794,521	14,406,963
Average mileage per passenger	„	5'57	5'30
Amount received for passengers	£	37,200	45,166
Average receipts per mile per passenger.....	d.	0'75	0'75

RETURN of the Number of TICKETS issued and amount received for the same, from Suburban Stations to Suburban Stations, during the years 1877 and 1878.

1877.

Stations.	Down.										Up.										Total number of Passengers—Down and Up.	
	Number issued.				Total number issued—Down.	Amount.					Number issued.				Total number issued—Up.	Amount.						
	Single.		Return.			Single.		Return.			Single.		Return.			Single.		Return.				
	1	2	1	2		1	2	1	2	1	2	1	2	1		2	1	2	1	2		
£ s. d.										£ s. d.												
Sydney	24,251	92,823	35,951	188,594	341,619	950 5 10	1,996 18 10	2,736 18 5	7,613 2 10	13,297 5 11	341,619
Newtown	1,295	5,808	2,918	20,251	30,272	54 0 1	102 19 10	173 4 11	767 13 8	1,157 18 6	4,462	22,452	7,671	75,014	109,599	72 9 10	172 1 6	186 13 0	913 2 5	1,344 6 9	139,871	
Petersham	777	2,136	2,489	5,499	10,842	30 12 7	59 14 7	118 17 11	204 1 0	404 6 1	4,520	12,388	11,744	26,179	54,826	98 5 3	172 19 5	405 10 0	554 9 8	1,231 4 4	65,668	
Ashfield	544	1,674	1,593	3,468	7,279	17 15 0	27 18 7	71 4 11	106 5 8	223 5 1	3,956	12,126	13,054	29,489	58,625	129 1 10	269 13 7	670 2 6	1,025 2 2	2,094 0 1	65,604	
Croydon	225	766	366	477	1,334	4 11 4	6 12 0	9 4 4	9 3 10	29 11 6	877	2,029	2,379	4,450	9,735	30 14 2	43 19 9	151 9 7	177 13 7	403 17 1	11,569	
Burwood	453	874	980	1,810	4,126	14 14 4	20 10 10	66 4 10	79 17 3	181 16 3	3,603	9,742	13,119	27,509	53,973	147 19 2	256 2 5	874 4 2	1,204 15 0	2,483 0 9	58,999	
Homebush	49	426	58	654	1,187	2 0 6	9 10 1	9 10 1	37 18 4	99 11 6	979	2,180	1,955	3,750	8,764	31 1 2	64 1 11	130 0 7	183 17 10	409 1 6	9,951	
Rookwood	38	1,052	55	3,880	5,034	0 10 10	14 10 3	2 1 9	81 19 8	99 11 6	140	2,055	372	5,489	8,056	9 3 1	88 16 5	38 7 8	372 11 6	508 17 8	13,000	
Parramatta Junction	303	1,786	325	1,638	4,922	3 14 3	14 7 7	5 17 9	19 14 3	43 13 10	195	1,429	714	3,508	5,846	16 2 4	72 6 8	94 5 11	253 3 2	435 18 1	6,868	
Parramatta	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	7,023	19,272	8,546	32,307	67,153	63 4 3	1,074 16 9	1,172 9 2	2,607 6 11	5,492 17 1	67,153
Total	27,885	107,345	44,744	226,241	496,215	1,078 14 9	2,304 11 7	3,187 12 6	8,904 8 3	15,475 7 1	25,660	83,668	59,554	207,695	376,577	1,173 1 1	2,214 17 5	3,723 2 7	7,292 2 3	14,403 3 4	781,792	
Return Tickets—Return Journey	59,554	207,695	267,249	44,744	226,241	270,985	538,234
Total	27,885	107,345	104,298	433,936	673,464	104,298	433,936	647,562	1,321,026

1878.

Stations.	Down.										Up.										Total number of Passengers—Up and Down.	
	Number issued.				Total number issued—Down.	Amount.					Number issued.				Total number issued—Up.	Amount.						
	Single.		Return.			Single.		Return.			Single.		Return.			Single.		Return.				
	1	2	1	2		1	2	1	2	1	2	1	2	1		2	1	2	1	2		
£ s. d.										£ s. d.												
Sydney	29,267	115,553	46,802	229,574	421,196	1,091 18 0	2,218 1 10	3,487 10 1	8,879 9 11	15,676 19 10	421,196
Eveligh	121	1,559	142	3,551	5,373	2 8 0	41 6 6	8 19 4	173 19 5	166 13 3	5	156	1	44	206	0 1 6	1 2 6	0 0 5	0 11 0	1 15 5	5,579	
M'Donald Town	50	103	154	486	853	2 5 5	4 10 5	11 13 2	26 16 2	45 5 2	327	2,791	513	12,000	15,637	4 4 11	23 5 2	11 2 3	148 2 0	186 14 4	16,490	
Newtown	1,902	7,621	4,224	24,406	38,153	57 18 7	166 7 1	224 7 7	882 6 3	1,330 19 6	6,068	36,092	8,176	108,179	158,515	96 13 10	272 0 8	194 18 4	1,318 13 10	1,882 6 8	196,668	
Stammore	44	46	60	93	243	1 16 1	1 3 3	4 6 10	4 2 11	11 9 1	419	552	547	872	2,390	7 19 5	7 3 0	17 15 10	18 16 9	51 15 0	2,633	
Petersham	851	2,679	3,076	6,654	13,260	31 1 0	61 2 4	150 0 0	232 3 0	474 6 4	6,448	16,969	15,005	40,921	79,343	137 5 3	225 8 10	511 6 8	870 1 10	1,744 2 7	92,603	
Ashfield	647	2,079	1,526	3,568	7,820	19 10 10	31 15 5	75 8 5	108 3 0	234 17 8	4,855	13,200	15,760	33,454	67,209	151 14 7	284 16 4	798 11 6	1,152 5 0	2,387 7 5	75,087	
Croydon	352	1,438	641	1,003	3,424	7 6 3	11 14 3	23 9 0	26 11 7	69 1 1	1,313	3,207	4,172	8,071	16,763	44 0 10	68 9 7	269 14 10	322 11 3	704 16 6	20,187	
Burwood	588	943	1,234	2,077	4,822	19 18 2	22 14 11	78 10 11	84 9 3	205 12 10	4,687	10,401	12,870	30,378	58,336	198 11 10	276 4 7	858 3 5	1,291 16 1	2,624 15 11	63,158	
Homebush	61	48	568	44	527	6 1 8	7 5 11	14 19 11	21 7 6	49 9 0	898	705	1,826	2,077	5,506	33 5 2	19 16 1	135 9 4	100 15 3	289 5 10	6,347	
Redmyre	52	744	44	2,839	3,679	1 19 6	12 13 3	5 3 2	20 14 1	40 10 0	1,155	2,341	2,201	3,061	9,658	46 0 11	67 12 2	162 10 9	200 6 0	476 9 10	10,959	
Rookwood	36	1,052	55	3,880	5,034	1 19 11	14 6 8	1 19 1	84 11 0	102 4 8	197	2,700	381	5,490	8,777	11 17 6	117 6 4	35 12 0	362 2 0	526 17 10	12,456	
Parramatta Junction	306	1,765	324	2,272	4,675	3 12 9	13 5 2	5 17 1	27 8 2	50 3 2	287	1,668	567	3,750	6,272	23 19 6	91 14 7	71 18 10	300 7 9	488 0 8	10,947	
Parramatta	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8,242	20,233	9,741	35,184	73,400	737 18 3	1,098 9 0	1,323 0 9	2,867 19 8	6,227 7 8	73,400
Total	34,269	135,335	58,462	277,574	505,640	1,247 4 2	2,606 7 0	4,092 4 2	10,511 16 3	18,457 11 7	34,901	111,024	71,760	284,387	502,072	1,493 13 6	2,553 8 10	4,390 4 11	8,954 8 5	17,391 15 8	1,007,712	
Return Tickets—Return Journey	71,760	284,387	356,147	58,462	277,574	336,036	6,912,183
Total	34,269	135,335	130,222	561,961	861,787	130,222	561,961	838,108	1,699,895

APPENDIX TO REPORT ON RAILWAYS—1878.

No. 36—continued.

RETURN of the number of SEASON TICKETS issued and amounts received for same by each Suburban Station during 1877 and 1878.

Stations.	Monthly.		Quarterly.		Half-yearly.		Yearly.		Total.		Amounts.	
	1	2	1	2	1	2	1	2	1	2	1st Class.	2nd Class.
1877.												
Newtown	83	738	91	229	27	52	8	14	614	1,905	£ s. d.	£ s. d.
Petersham	168	434	127	370	34	68	6	4	825	2,000	250 1 9	427 14 7
Ashfield	168	519	110	164	57	30	19	5	1,068	1,251	414 19 7	602 2 10
Croydon	82	148	38	73	11	8	5	1	322	427	771 19 9	640 9 2
Burwood	220	560	122	196	45	15	28	4	1,192	1,286	247 2 4	206 0 7
Homebush	34	33	11	25	15	7	5	3	217	186	982 1 0	790 12 0
Rookwood	2	50	6	34	2	6	...	12	32	332	191 10 0	85 12 5
Parramatta Junction..	6	23	3	27	...	7	...	...	15	146	24 4 0	129 17 0
Parramatta	103	442	65	136	10	22	...	3	358	1,018	7 6 9	99 2 1
									178	603	480 17 11	970 5 2
	866	2,947	573	1,254	201	215	71	46	4,643	8,551	3,370 3 1	3,951 15 10
									1,711	4,462		
1878.												
Newtown	97	799	108	337	13	49	6	9	571	2,212	242 2 1	510 11 3
Petersham	213	611	203	509	46	74	6	6	1,170	2,654	596 1 1	792 16 2
Ashfield	195	555	168	234	74	36	24	11	1,431	1,605	1,017 10 2	761 17 3
Croydon	85	182	68	136	23	10	6	1	499	662	375 0 9	300 18 8
Burwood	265	613	160	261	51	19	26	6	1,363	1,582	1,109 10 7	902 19 2
Redmyre	36	40	18	10	5	2	...	...	120	82	128 1 9	65 8 0
Homebush	18	11	24	23	13	10	11	2	300	164	217 8 7	75 14 0
Rookwood	1	68	5	37	...	4	1	11	28	335	22 2 8	179 11 11
Parramatta Junction..	7	86	10	48	2	8	...	1	49	290	72 8 11	174 16 3
Parramatta	109	604	91	133	15	22	...	4	472	1,183	642 16 1	1,129 0 0
									215	763		
	1,026	3,569	855	1,728	242	234	80	51	6,003	10,769	4,423 2 8	4,893 12 8
									2,203	5,582		

The black figures show the total number of monthly passengers.

No. 37.

DETAILED STATEMENT of MILEAGE for the year ending 31st December, 1878.

Train Mileage.	Southern.	Western.	Richmond.	Northern.	Total.
Passenger	654,649	269,324	21,748	200,970	1,146,691
" Special	8,637	3,436	1,488	7,856	21,417
Funeral	12,783	28	.....	.....	12,811
Goods	485,878	544,785	7,163	241,080	1,278,906
" Special	61,661	13,991	10,249	9,383	95,284
Coal .....	.....	.....	.....	100,067	100,067
Total Train Mileage	1,223,608	831,564	40,648	559,356	2,655,176
OTHER MILEAGE					
Ballasting	31,007	28,020	5,860	68,509	133,396
Shunting	231,471	87,935	7,230	261,797	588,433
Empty	3,928	1,043	38	12,646	17,655
Coal	15,862	3	.....	.....	15,865
Total Other Mileage	282,268	117,001	13,128	342,952	755,349
Total	1,505,876	948,565	53,776	902,308	3,410,525

No. 38.

STATEMENT of MILEAGE, Passenger and Goods Trains, for the years 1877 and 1878.

Lines and Trains.	1877.	1878.
Great Southern, Western, and Richmond Railways—Passenger.....	806,012	972,093
Great Northern Railway—Passenger	190,077	208,826
Great Southern, Western, and Richmond Railways—Goods	787,180	1,123,727
Great Northern Railway—Goods.....	323,533	350,530
Total	2,106,802	2,655,176
OTHER MILEAGE.		
Great Southern, Western, and Richmond Railways—Ballasting, Shunting, Empty, and Fuel.	316,128	412,397
Great Northern Railway—Ballasting, Shunting, and Empty	247,396	342,952
Total	563,524	755,349
Grand Totals.....	2,670,326	3,410,525

No. 39.

ANNUAL and DAILY MILEAGE of TRAINS, including Sundays, 1877 and 1878.

	1877.		1878.	
	Annual.	Daily.	Annual.	Daily.
TRAIN MILES.				
Southern.....	909,045	2,491	1,223,608	3,353
Western	643,243	1,762	831,564	2,278
Richmond	40,904	112	40,648	111
Northern	513,610	1,407	559,356	1,532
Total Train Miles	2,106,802	5,772	2,655,176	7,274
CLASS OF ENGINE.				
Passenger	996,089	2,729	1,180,919	3,235
Goods.....	1,110,713	3,043	1,474,257	4,039
Total.....	2,106,802	5,772	2,655,176	7,274
OTHER MILEAGE.				
Southern.....	219,277	600	282,268	773
Western	83,314	228	117,001	321
Richmond	13,537	37	13,128	36
Northern	247,396	678	342,952	940
Total	563,524	1,543	755,349	2,070
CLASS OF WORK.				
Ballasting	38,594	106	133,396	366
Shunting	491,723	1,347	588,433	1,612
Empty	18,044	49	17,655	48
Fuel	15,163	41	15,865	44
Total.....	563,524	1,543	755,349	2,070
Total with shunting, &c.	2,670,326	7,315	3,410,525	9,344
Average daily work per engine .....	.....	42'44	.....	47'23
Do., including shunting, &c. ....	.....	53'78	.....	59'13
Number of Engines*	136		†158	

* Number running.

† Including four contractor's engines.

No. 40.

DETAIL of MILEAGE of each Engine, for the year ending 31st December, 1878.

No.	Class of Engine.	Total Mileage of each Engine.	No.	Class of Engine.	Total Mileage of each Engine.
GREAT SOUTHERN, WESTERN, AND RICHMOND LINES.					
1	Passenger and Goods.....	Nil.	65	Passenger and Goods.....	16,466
2	" ".....	31,157	66	Passenger.....	16,811
3	" ".....	Nil.	67	" ".....	21,667
4	" ".....	Nil.	68	" ".....	14,725
5	Passenger.....	21,581	69	" ".....	22,970
6	" ".....	Nil.	70	" ".....	40,137
7	" ".....	15,836	71	" ".....	20,497
8	" ".....	6,126	72	" ".....	23,285
9	" ".....	Nil.	73	" ".....	26,125
10	" ".....	24,870	74	" ".....	5,280
11	" ".....	354	75	" ".....	17,483
12	" ".....	10	76	Passenger and Goods.....	22,275
13	" ".....	11,408	77	" ".....	28,235
14	" ".....	16,675	78	" ".....	29,655
15	" ".....	24,472	79	Passenger.....	28,171
16	" ".....	8,782	80	" ".....	32,109
17	Goods.....	23,813	81	" ".....	24,651
18	" ".....	25,964	82	" ".....	33,984
19	" ".....	22,008	83	" ".....	35,933
20	" ".....	20,656	84	" ".....	36,359
21	" ".....	23,895	85	" ".....	39,756
22	" ".....	18,694	86	" ".....	37,874
23	Passenger.....	18,556	87	" ".....	35,527
24	" ".....	12,747	88	" ".....	9,536
25	" ".....	15,818	89	" ".....	36,219
26	" ".....	24,198	90	" ".....	33,362
27	" ".....	32,818	91	" ".....	9,655
28	" ".....	31,944	92	" ".....	23,490
29	" ".....	19,452	93	Goods.....	33,381
30	" ".....	17,347	94	" ".....	36,428
31	" ".....	10,664	95	" ".....	35,051
32	" ".....	14,852	96	" ".....	27,481
33	" ".....	21,183	97	" ".....	36,677
34	" ".....	30,801	98	" ".....	36,920
35	" ".....	31,050	99	" ".....	27,520
36	Passenger and Goods.....	12,426	100	" ".....	33,973
37	" ".....	22,105	101	" ".....	28,343
38	" ".....	17,678	102	" ".....	35,458
39	" ".....	18,434	103	" ".....	6,724
40	Goods.....	16,126	104	" ".....	31,710
41	" ".....	34,833	105	Passenger.....	31,173
42	" ".....	16,436	106	Goods.....	8,303
43	" ".....	18,021	107	" ".....	12,014
44	" ".....	17,880	108	" ".....	10,465
45	" ".....	19,399	109	" ".....	11,790
46	" ".....	23,020	110	" ".....	13,809
47	" ".....	37,062	111	" ".....	12,419
48	" ".....	28,417	112	" ".....	Nil.
49	" ".....	29,414	113	" ".....	249
50	" ".....	26,404	114	" ".....	353
51	" ".....	23,970	115	" ".....	525
52	" ".....	2,340	116	" ".....	1,133
53	" ".....	28,953	117	" ".....	681
54	" ".....	28,069	118	Passenger.....	9,304
55	" ".....	29,261	119	" ".....	7,039
56	" ".....	26,108	120	" ".....	3,259
57	" ".....	27,075	121	" ".....	3,162
58	" ".....	28,707	122	" ".....	8,955
59	" ".....	27,318	123	" ".....	5,016
60	Passenger and Goods.....	26,292			
61	" ".....	26,762		Mr. Watkin's Engine.....	2,497,200
62	" ".....	26,055		Contractor's Engine, No. 2.....	13
63	" ".....	26,920			11,004
64	" ".....	22,432			2,508,217
GREAT NORTHERN LINE.					
1	Passenger and Goods.....	23,809	22	Goods.....	28,730
2	" ".....	20,562	23	" ".....	23,522
3	" ".....	1,838	24	" ".....	25,232
4	" ".....	37,392	25	" ".....	20,573
5	Passenger.....	14,186	26	" ".....	24,962
6	Goods.....	9,293	27	Passenger.....	36,621
7	" ".....	16,974	28	" ".....	37,226
8	Passenger.....	33,726	29	" ".....	29,101
9	" ".....	13,403	30	" ".....	35,308
10	Goods.....	17,239	31	Goods.....	33,948
11	" ".....	27,879	32	" ".....	30,570
12	" ".....	18,601	33	" ".....	30,033
13	" ".....	25,057	34	" ".....	31,816
14	Passenger.....	18,173	35	" ".....	34,596
15	" ".....	26,496	36	" ".....	42,030
16	" ".....	18,216			
17	" ".....	24,083			
18	Goods.....	23,731		Mr. Watkin's new Engine.....	901,137
19	" ".....	25,633		Native Bear.....	919
20	" ".....	19,609			252
21	" ".....	20,969			902,308

No. 41.

TABULAR ANALYSIS, showing WORKING EXPENSES, GROSS EARNINGS, and NET EARNINGS, per Mile open, Train Mile, and Mile run, 1878.

Mileage.	Miles open— Average.	Train miles.	Miles run, including shunting, &c.
South and West.....	476	2,095,820	2,508,217
North	157	559,356	902,308
Total	633	2,655,176	3,410,525
Heads of Expenditure.	Amount.	Per mile open.	Per train mile.
	£	£	d.
Locomotive Power and Repp. of Engines—			
South and West	138,766	291'53	15'89
North	48,997	312'08	21'02
Total	187,763	296'62	16'97
Carriage and Waggon Repairs—			
South and West	21,350	44'85	2'45
North	10,131	64'52	4'35
Total	31,481	49'73	2'85
Maintenance and Renewal of Way—			
South and West	98,130	206'16	11'24
North	25,669	163'50	11'01
Total	123,799	195'58	11'19
Traffic Charges—			
South and West	114,814	241'21	13'14
North	46,475	296'02	19'94
Total	161,289	254'80	14'58
Compensation, Personal Injury—			
South and West	6,304	13'24	0'72
North .....	.....	.....	.....
Total	6,304	9'96	0'57
Compensation, Goods—			
South and West	1,934	4'06	0'22
North	328	2'09	0'14
Total	2,262	3'57	0'20
Miscellaneous—			
South and West	20,349	42'75	2'33
North	3,741	23'83	1'61
Total	24,090	38'06	2'18
Gross Expenditure—			
South and West	401,647	843'80	45'99
North	135,341	862'04	58'07
Total	536,988	848'32	48'54
Gross Earnings—			
South and West	660,050	1,386'66	75'58
North	242,939	1,547'38	104'24
Total	902,989	1,426'52	81'62
Net Earnings—			
South and West	258,403	542'86	29'59
North	107,598	685'34	46'17
Total	366,001	578'20	33'08

No. 42.

TABULAR SYNOPSIS of the TOTAL EARNINGS under the different Heads of Traffic, per Mile open, per Train Mile, and Total Miles run, including shunting, &c., for 1878.

Mileage.	Train Miles.		Total Miles run, including Shunting, &c.	
	Passenger.	Goods.	Passenger.	Goods.
South and West	972,093	1,123,727	1,082,641	1,425,576
North	208,826	350,530	300,307	602,001
All Lines	1,180,919	1,474,257	1,382,948	2,027,577
Heads of Traffic.	Miles open for Traffic—average.	Earnings.	Per mile open.	Per train mile.
COACHING.				
Passengers, 1st and 2nd Class—				
South and West	476	200,180	420'55	49'42
North	157	54,577	347'62	62'73
All Lines	633	254,757	402'46	51'78
Season Ticket Holders—				
South and West	476	10,320	21'68	2'55
North	157	810	5'16	0'93
All Lines	633	11,130	17'58	2'26
Horses, Carriages, and Dogs, Parcels, &c.—				
South and West	476	21,673	45'53	5'35
North	157	8,014	51'05	9'21
All Lines	633	29,687	46'90	6'03
Mails—				
South and West	476	5,595	11'76	1'38
North	157	1,890	12'04	2'17
All Lines	633	7,485	11'83	1'52
Miscellaneous—				
South and West	476	2,620	5'50	0'65
North	157	629	4'00	0'72
All Lines	633	3,249	5'13	0'66
Total Coaching—				
South and West	476	240,388	505'02	59'35
North	157	65,920	419'87	75'76
All Lines	633	306,308	483'90	62'25
GOODS.				
Live Stock—				
South and West	476	45,151	94'85	9'64
North	157	6,941	44'21	4'75
All Lines	633	52,092	82'29	8'48
Minerals—				
South and West	476	39,565	83'12	8'45
North	157	50,525	321'81	34'59
All Lines	633	90,090	142'32	14'67
Wool—				
South and West	476	36,222	76'10	7'74
North	157	15,854	100'98	10'86
All Lines	633	52,076	82'27	8'48
General Merchandise—				
South and West	476	297,471	624'94	63'53
North	157	93,898	598'08	64'29
All Lines	633	391,369	618'28	63'71
Miscellaneous—				
South and West	476	1,253	2'63	0'27
North	157	9,801	62'43	6'71
All Lines	633	11,054	17'46	1'80
Total Goods—				
South and West	476	419,662	881'64	89'63
North	157	177,019	1,127'51	121'20
All Lines	633	596,681	942'62	97'14
Gross Earnings—				
South and West	476	660,050	1,386'66	75'58
North	157	242,939	1,547'38	104'24
All Lines	633	902,989	1,426'52	81'62

No. 43.

RETURN of the MILEAGE and WEIGHT of PASSENGERS and TONS of GOODS carried during 1878, and the AVERAGE RECEIPTS per mile.

Description.		Southern, Western, and Richmond.	Northern.	Total.
COACHING TRAFFIC.				
Number of 1st and 2nd class passengers	No.	2,169,065	413,160	2,582,225
" " season ticket holders' journeys	"	1,052,288	71,220	1,123,508
Total passenger journeys	"	3,221,353	484,380	3,705,733
Total number of miles travelled	Miles.	38,065,202	8,434,966	46,500,168
Average mileage per passenger...	"	11'82	17'41	12'55
Gross amount received from passengers	£	210,500	55,387	265,887
Average receipt per mile per passenger	d.	1'33	1'58	1'37
Tonnage of passengers carried...	Tons.	215,716	32,437	248,153
" horses, carriages, and dogs	"	3,260	1,187	4,447
" mails, and parcels	"	2,868	2,201	5,069
		221,844	35,825	257,669
Total mileage of tons	Miles.	3,160,328	793,798	3,954,126
Average mileage per ton	"	14'25	22'16	15'35
Gross amount received for above traffic, and miscellaneous receipts	£	240,388	65,920	306,308
Average receipts per ton per mile	d.	18'26	19'93	18'59
GOODS TRAFFIC.				
Total tonnage of goods...	Tons.	488,053	1,106,931	1,594,984
" live stock	"	26,185	4,716	30,901
		514,238	1,111,647	1,625,885
Total mileage of tons, goods, and live stock	Miles.	42,612,866	16,010,420	58,623,286
Average mileage per ton	"	82'87	14'40	36'06
Gross amount received for above traffic and miscellaneous receipts	£	419,662	177,019	596,681
Average receipts per ton per mile	d.	2'36	2'65	2'44

WEIGHT OF LOCOMOTIVE ENGINES AND TENDERS, empty and loaded, on 31st December, 1878.

No. of Engine.	No of Engines of same weight.	Engines.								Tenders.							
		Empty.				In steam.				Empty.				Full.			
		Leading.	Driving.	Trailing.	Total.	Leading.	Driving.	Trailing.	Total.	Leading.	Driving.	Trailing.	Total.	Leading.	Driving.	Trailing.	Total.
SOUTHERN AND WESTERN--		tonswt. qrs.	tonswt. qrs.	tonswt. qrs.	tonswt. qrs.	tonswt. qrs.	tonswt. qrs.	tonswt. qrs.	tonswt. qrs.	tonswt. qrs.	tonswt. qrs.	tonswt. qrs.	tonswt. qrs.	tonswt. qrs.	tonswt. qrs.	tonswt. qrs.	tonswt. qrs.
2	1	9 12 0	8 3 0	4 18 0	22 13 0	9 15 2	11 4 0	5 1 3	26 1 1	3 14 3	4 3 2	2 18 3	10 17 0	7 7 2	4 17 0	8 3 2	20 8 0
5	1	7 5 0	5 19 2	3 6 2	16 11 0	7 13 0	6 0 0	4 0 0	17 13 0	3 15 1	.....	3 9 0	7 4 1	6 15 0	.....	6 3 2	12 18 2
6 and 7	2	8 18 1	6 10 2	3 19 1	19 8 0	9 0 0	9 4 0	3 6 1	21 10 1	3 5 2	2 19 2	3 5 0	9 10 0	5 7 2	6 0 0	6 5 0	17 12 2
8 and 12	2	8 14 3	7 12 2	7 17 1	24 4 2	8 14 0	9 14 0	11 11 3	29 19 3	.....	.....	.....	.....	.....	.....	.....	.....
9	1	7 12 1	6 9 2	4 0 0	18 1 3	7 19 2	9 2 2	4 6 3	21 8 3	4 2 0	.....	3 12 2	7 14 2	6 9 3	.....	6 5 1	12 15 0
10	1	7 2 0	9 6 3	12 0 0	28 8 3	7 19 0	10 18 0	14 17 0	33 14 0	4 9 3	1 11 3	6 3 2	12 5 0	7 18 0	5 0 0	9 12 0	22 10 0
11	1	7 12 1	6 9 2	4 0 0	18 1 3	8 1 1	8 19 0	4 4 0	21 4 1	4 0 3	.....	3 14 3	7 15 2	6 10 3	.....	6 5 2	12 16 1
13	1	8 0 1	10 8 0	4 8 1	22 16 2	10 12 0	7 17 0	7 17 2	26 6 2	4 4 1	.....	4 8 3	8 13 0	6 18 0	.....	7 12 3	14 10 3
14 to 16	3	7 3 2	10 19 2	5 3 1	23 6 1	7 19 0	12 0 0	6 6 0	26 5 0	4 8 0	1 12 0	4 13 0	10 13 0	7 9 0	4 13 0	7 9 0	19 8 0
17 to 22	6	7 3 0	11 7 2	8 1 0	26 11 2	8 8 2	12 6 0	9 10 2	30 5 0	4 9 0	2 9 2	4 11 3	11 10 1	6 12 0	6 3 0	7 12 2	20 7 2
23 to 28	6	8 4 0	11 2 2	9 12 3	28 19 1	9 8 2	11 4 1	11 0 0	31 12 3	4 5 0	2 14 0	4 6 0	11 5 0	7 0 0	5 2 0	7 4 0	19 6 0
29 to 31	3	4 17 1	4 15 3	5 5 2	14 18 2	6 1 0	6 6 0	7 5 0	19 12 0	.....	.....	.....	.....	.....	.....	.....	.....
32 to 35	4	8 1 3	10 19 2	10 4 2	29 5 3	9 10 0	12 0 1	11 6 0	32 16 1	4 5 0	2 14 0	4 6 0	11 5 0	7 19 0	5 16 0	8 1 0	21 16 0
36 to 39	4	10 15 0	8 8 3	5 13 2	24 17 1	12 5 0	9 1 0	6 14 0	28 0 0	4 5 2	3 9 2	4 12 0	12 7 0	8 1 2	7 5 0	8 13 2	24 0 0
40 to 43	4	7 7 2	11 12 0	8 10 0	27 9 2	8 9 0	12 12 0	10 2 0	31 3 0	3 4 0	4 6 2	3 10 2	11 1 0	5 4 0	7 11 2	7 5 2	20 1 0
44 to 47	4	9 0 3	8 11 0	9 3 2	26 15 1	9 14 0	10 17 0	10 6 3	30 17 3	3 16 3	4 5 1	4 3 1	12 5 1	7 8 0	7 1 2	7 12 2	22 2 0
48 to 59	12	11 0 0	10 6 2	10 16 1	32 2 3	12 5 0	11 11 3	12 1 2	35 18 1	4 4 0	4 3 3	4 13 2	13 1 1	8 12 2	7 14 0	8 5 0	24 11 2
60 to 65	6	11 6 0	11 4 3	11 6 0	33 16 3	12 2 1	12 5 1	12 18 1	37 5 3	4 9 1	3 19 1	4 8 2	12 17 0	9 0 2	8 8 3	8 9 2	25 18 3
66	1	5 2 1	4 7 0	5 10 0	14 19 1	6 8 0	5 19 2	6 18 0	19 5 2	.....	.....	.....	.....	.....	.....	.....	.....
67 to 74	8	6 3 2	8 4 2	7 8 2	21 16 2	7 5 3	9 6 0	11 8 1	28 0 0	.....	.....	.....	.....	.....	.....	.....	.....
75 to 78	4	8 7 0	12 18 0	4 9 1	25 14 1	10 15 0	13 15 0	5 3 0	29 13 0	4 5 0	2 17 0	4 5 0	11 7 0	8 6 0	5 12 0	8 8 0	22 6 0
79 to 92	14	11 9 3	12 0 0	11 8 3	34 18 2	12 7 3	13 0 0	12 4 0	37 11 3	4 9 2	3 4 2	4 0 2	11 14 2	7 14 0	6 11 0	7 8 3	21 13 3
93 to 104	12	9 1 2	10 18 0	10 14 2	30 14 0	9 19 2	12 0 0	11 16 2	33 16 0	4 7 0	3 2 1	4 2 3	11 12 0	7 16 0	7 2 0	7 13 0	22 11 0
105	1	11 1 2	8 11 0	10 7 2	30 0 0	12 8 0	10 12 3	10 16 1	33 17 0	3 16 0	2 4 0	4 9 2	10 9 2	5 17 0	6 14 0	7 17 0	20 8 0
106 to 117	12	9 1 2	10 18 0	10 14 2	30 14 0	9 19 2	12 0 0	11 16 2	33 16 0	4 7 0	3 2 1	4 2 3	11 12 0	7 16 0	7 2 0	7 13 0	22 11 0
118 to 123	6	11 9 3	12 0 0	11 8 3	34 18 2	12 7 3	13 0 0	12 4 0	37 11 3	4 9 2	3 4 2	4 0 2	11 14 2	7 14 0	6 11 0	7 8 3	21 13 3
NORTHERN--		120															
1 to 3	3	9 1 0	9 0 0	4 11 0	22 12 0	10 5 0	10 10 0	4 15 0	25 10 0	3 14 3	4 3 2	2 18 3	10 17 0	7 7 2	4 17 0	8 3 2	20 8 0
4	1	8 0 0	5 17 0	2 10 0	16 7 0	9 10 0	6 3 0	4 2 0	19 15 0	3 15 0	.....	3 9 0	7 4 0	6 15 0	.....	6 3 2	12 18 2
5 and 17	2	7 12 1	6 9 2	4 0 0	18 1 3	8 0 0	8 12 0	4 0 0	20 12 0	4 2 0	.....	3 12 2	7 14 2	6 9 3	.....	6 5 1	12 15 0
6 and 7	2	9 4 0	9 16 0	11 12 0	30 12 0	10 14 0	12 10 0	11 16 0	35 0 0	.....	.....	.....	.....	.....	.....	.....	.....
8	1	6 8 2	10 8 1	3 8 2	20 5 1	7 8 2	11 8 1	3 17 2	22 14 1	4 4 0	.....	3 14 2	7 18 2	6 9 3	.....	6 9 0	12 18 3
9	1	4 5 3	4 4 2	4 14 1	13 4 2	5 16 3	5 5 3	5 15 2	16 18 0	.....	.....	.....	.....	.....	.....	.....	.....
10	1	8 0 1	10 8 0	4 8 1	22 16 2	10 0 2	11 2 0	5 4 0	26 6 2	4 4 1	.....	4 8 3	8 13 0	6 18 0	.....	7 11 3	14 10 3
11, 12, 13, 18, 19, 21, & 22	7	6 13 0	12 7 2	7 11 0	26 11 2	8 18 2	10 2 0	11 4 2	30 5 0	4 9 0	2 9 2	4 11 3	11 10 1	6 12 0	6 3 0	7 12 2	20 7 2
14 to 16	3	8 7 0	10 6 0	9 0 0	27 13 0	9 0 0	10 15 0	10 0 0	29 15 0	4 12 0	3 4 0	3 12 0	11 8 0	7 3 0	5 14 0	7 7 0	20 4 0
20	1	10 0 0	10 0 0	10 0 0	30 0 0	10 10 0	12 6 0	12 4 0	35 0 0	.....	.....	.....	.....	.....	.....	.....	.....
23 to 26	4	9 14 0	9 1 0	9 13 0	28 8 0	10 5 0	10 7 2	10 8 2	31 1 0	4 12 0	3 4 0	3 12 0	11 8 0	7 3 0	5 14 0	7 7 0	20 4 0
27 to 30	4	11 9 3	12 0 0	11 8 3	34 18 0	12 7 3	13 0 0	12 4 0	37 11 3	4 9 2	3 4 2	4 0 2	11 14 2	7 14 0	6 11 0	7 8 3	21 13 3
31 to 36	6	9 1 2	10 18 0	10 14 2	30 14 0	9 19 2	12 0 0	11 16 2	33 16 0	4 7 0	3 2 1	4 2 3	11 12 0	7 16 0	7 2 0	7 13 0	22 11 0
		36															

APPENDIX TO REPORT ON RAILWAYS—1878.

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No. 44—continued.

WEIGHT of Locomotive Engines and Tenders and Tonnage carried on Great Southern and Western Lines during 1878.

No. of Engine.	Weight of Engine and Tender for whole journey.	Mileage of each Engine and Tender.	Total Tons carried.
	t. c. q.		
1	43 5 2	Nil.	Nil.
2	43 5 2	31,157	1,348,319
3	43 5 2	Nil.	Nil.
4	43 5 2	Nil.	Nil.
5	28 13 2	21,581	618,835
6	36 8 2	Nil.	Nil.
7	36 8 2	15,836	576,826
8	28 1 1	6,126	171,911
9	32 10 1	Nil.	Nil.
10	52 15 2	24,870	1,312,514
11	32 7 0	354	11,452
12	28 1 1	10	281
13	38 18 0	11,408	443,771
14	42 14 3	16,675	712,648
15	42 14 0	24,472	1,045,872
16	42 14 3	8,782	375,321
17	47 13 2	23,813	1,135,285
18	47 13 2	25,964	1,237,834
19	47 13 2	22,008	1,049,231
20	47 13 2	20,656	984,775
21	47 13 2	23,895	1,139,194
22	47 13 2	18,694	891,230
23	48 5 0	18,556	895,327
24	48 5 0	12,747	615,043
25	48 5 0	15,818	763,219
26	48 5 0	24,198	1,105,554
27	48 5 0	32,818	1,583,460
28	48 5 0	31,944	1,541,298
29	18 0 3	19,452	350,865
30	18 0 3	17,347	312,897
31	18 0 3	10,664	192,352
32	51 2 0	14,852	758,937
33	51 2 0	21,183	1,082,451
34	51 2 0	30,801	1,573,931
35	51 2 0	31,050	1,586,655
36	48 2 1	12,426	597,846
37	48 2 1	22,105	1,003,527
38	48 2 1	17,678	850,533
39	48 2 1	18,434	886,906
40	48 4 0	16,126	777,273
41	48 4 0	34,833	1,678,951
42	48 4 0	16,436	792,215
43	48 4 0	18,021	868,612
44	49 14 1	17,880	888,860
45	49 14 1	19,399	964,373
46	49 14 1	23,020	1,144,382
47	49 14 1	37,062	1,842,445
48	56 13 0	28,417	1,609,823
49	56 13 0	29,414	1,666,303
50	56 13 0	26,404	1,495,787
51	56 13 0	23,970	1,357,901
52	56 13 0	2,340	132,561
53	56 13 0	28,953	1,640,187
54	56 13 0	28,069	1,590,109
55	56 13 0	29,261	1,657,636
56	56 13 0	26,108	1,479,018
57	56 13 0	27,075	1,533,799
58	56 13 0	28,707	1,626,252
59	56 13 0	27,318	1,547,565
60	58 17 1	26,292	1,547,613
61	58 17 1	26,762	1,575,278
62	58 17 1	26,955	1,533,662
63	58 17 1	26,920	1,584,579
64	58 17 1	22,432	1,320,404
65	58 17 1	16,466	969,230
66	17 16 3	16,811	299,866
67	25 18 3	21,667	561,988
68	25 18 3	14,725	381,930
69	25 18 3	22,970	595,784
70	25 18 3	40,137	1,041,053
71	25 18 3	20,497	531,641
72	25 18 3	23,285	603,955
73	25 18 3	26,125	677,617
74	25 18 3	5,280	130,950
75	48 6 0	17,483	844,429
76	48 6 0	22,275	1,075,883
77	48 6 0	28,235	1,363,751
78	48 9 0	22,655	1,432,337
79	55 18 3	28,171	1,575,815
80	55 18 3	32,109	1,796,097
81	55 18 3	24,651	1,378,915
82	55 18 3	33,984	1,900,980
83	55 .8 3	35,933	2,010,002

No. 44—*continued.*WEIGHT of Locomotive Engines and Tenders and Tonnage—*continued.*

No. of Engine.	Weight of Engine and Tender for whole journey.	Mileage of each Engine and Tender.	Total Tons carried.
	t. c. q.		
84	55 18 3	36,359	2,033,832
85	55 18 3	39,756	2,223,851
86	55 18 3	37,874	2,118,577
87	55 18 3	35,527	1,987,292
88	55 18 3	9,536	533,420
89	55 18 3	36,219	2,026,000
90	55 18 3	33,362	1,866,187
91	55 18 3	9,655	540,077
92	55 18 3	23,490	1,313,972
93	52 14 0	33,381	1,759,179
94	52 14 0	36,428	1,919,756
95	52 14 0	35,051	1,847,188
96	52 14 0	27,481	1,448,249
97	52 14 0	36,677	1,932,878
98	52 14 0	36,920	1,945,684
99	52 14 0	27,520	1,450,304
100	52 14 0	33,973	1,790,377
101	52 14 0	28,343	1,493,676
102	52 14 0	35,458	1,868,637
103	52 14 0	6,724	354,355
104	52 14 0	31,710	1,671,117
105	50 18 3	31,173	1,587,875
106	52 14 0	8,303	437,568
107	52 14 0	12,014	633,138
108	52 14 0	10,465	551,506
109	52 14 0	11,790	621,333
110	52 14 0	13,809	727,734
111	52 14 0	12,419	654,481
112	52 14 0	Nil.	Nil.
113	52 14 0	249	13,122
114	52 14 0	353	18,603
115	52 14 0	525	27,668
116	52 14 0	1,133	59,709
117	52 14 0	681	35,889
118	55 18 3	9,304	520,443
119	55 18 3	7,039	393,744
120	55 18 3	3,259	182,300
121	55 18 3	3,162	176,874
122	55 18 3	8,955	500,920
123	55 18 3	5,016	280,583
	5,919 13 1	2,497,200*	123,458,024
	†5,668 4 0		
†Averages..	48 8 3	21,343	1,055,196

* Mr. Watkins's engine and the Contractor's engine, No. 2 are not included. † Mileage = 11,017.
 † Only 117 running. ‡ The averages of 117 only, as Nos. 1, 3, 4, 6, 9, and 112 did not run.

Mr. Watkins's engine	...	13
Contractor's engine, No. 2	...	11,004
		<u>11,017</u>
Total	...	2,508,217

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No. 44—*continued*.

TONNAGE of Engines and Tenders, Great Northern Railway, 1878.

No. of Engine.	Weight of Engine and Tender for whole journey.	Mileage of each Engine and Tender.	Total Tons carried.
	t. c. q.		
1	42 14 1	23,809	1,016,942
2	42 14 1	20,562	878,254
3	42 14 1	1,838	78,506
4	30 15 1	37,392	1,150,271
5	31 14 0	14,186	449,696
6	33 10 2	9,293	311,548
7	33 10 2	16,974	569,053
8	33 10 2	33,726	1,145,841
9	15 13 2	13,403	210,092
10	38 18 0	17,239	670,597
11	47 13 1	27,879	1,328,783
12	47 13 1	18,601	886,570
13	47 13 1	25,057	1,194,279
14	47 0 1	18,173	854,358
15	47 0 1	26,496	1,245,643
16	47 0 1	18,216	856,379
17	31 14 0	24,083	763,431

TONNAGE of Engines and Tenders, Great Northern Railway—*continued*.

No. of Engine.	Weight of Engine and Tender for whole journey.	Mileage of each Engine and Tender.	Total Tons carried.
	t. c. q.		
18	47 13 1	23,731	1,131,079
19	47 13 1	25,633	1,221,733
20	33 6 2	19,609	653,470
21	47 13 1	20,969	999,435
22	47 13 1	28,730	1,369,344
23	48 6 1	23,522	1,136,407
24	48 6 1	25,232	1,219,021
25	48 6 1	20,573	993,933
26	48 6 1	24,962	1,205,977
27	55 18 3	36,621	2,048,487
28	55 18 3	37,226	2,082,329
29	55 18 3	29,101	1,627,837
30	55 18 3	35,308	1,975,041
31	52 14 0	33,948	1,789,060
32	52 14 0	30,570	1,611,039
33	52 14 0	30,033	1,582,739
34	52 14 0	31,816	1,676,703
35	52 14 0	34,596	1,823,209
36	52 14 0	42,030	2,214,981
Total	1,619 2 0	901,137*	41,972,067
Averages..	44 19 2	25,031	1,165,891

* Mr. Watkins's engine and "Native Bear," No. 3, are not included. Mileage = 1,171.

Mr. Watkins's new engine	...	919
"Native Bear," No. 3	...	252
		<hr/>
		1,171
		<hr/>
		902,308

No. 44 continued—ABSTRACT of Total and Average Weights of Rolling Stock Empty.

	Southern and Western.			Northern.		
	No. of each Class.	Total Weight, Empty.	Average Weight.	No. of each Class.	Total Weight, Empty.	Average Weight.
		tons cwt. qrs.	tons cwt. qrs.		tons cwt. qrs.	tons cwt. qrs.
PASSENGER STOCK.						
Carriages, Sleeping.....	1	17 10 2	17 10 2	.....	.....	.....
Do. First Class.....	32	326 15 0	10 4 1	16	113 19 2	7 2 2
Do. Composite.....	35	259 9 0	7 8 1	8	61 4 3	7 13 0
Do. Smoking.....	6	38 8 0	6 8 0	.....	.....	.....
Brake Vans, Composite.....	20	226 15 2	11 6 3	.....	.....	.....
Carriages, Second Class.....	68	407 15 0	5 19 3 $\frac{1}{2}$	48	281 0 0	5 17 0
Mail Vans.....	5	28 1 0	5 12 0 $\frac{1}{2}$	4	23 0 0	5 15 0
Prison Vans.....	1	5 14 2	5 14 2	.....	.....	.....
Hearses.....	2	7 19 2	3 19 3	.....	.....	.....
Horse Boxes.....	51	273 9 2	5 7 1	19	98 14 0	5 3 3
Carriage Trucks.....	26	105 4 0	4 0 3 $\frac{1}{2}$	12	48 2 2	4 0 1
Brake Vans.....	15	97 18 0	6 10 2	9	49 13 0	5 10 1
Total.....	262	1,794 19 2	6 17 0	116	675 13 3	5 16 2
GOODS STOCK.						
Brake Vans.....	42	509 18 2	12 2 3 $\frac{1}{2}$	25	245 4 2	9 16 0
A Waggons.....	72	290 6 0	4 0 2 $\frac{1}{2}$	40	161 4 0	4 0 2
B do.....	105	483 0 3	4 12 0	40	190 10 0	4 15 1
C Vans.....	98	551 19 0	5 12 2 $\frac{1}{2}$	38	220 0 0	5 15 3
D Waggons.....	1,834	8,263 0 3	4 10 0 $\frac{1}{2}$	446	1,955 10 3	4 7 2
E do.....	162	671 1 0	4 2 3 $\frac{1}{2}$	44	177 10 1	4 0 2
Powder Vans.....	6	29 11 0	4 18 2	3	14 11 0	4 17 0
Sheep do.....	114	751 0 3	6 11 3	64	418 3 1	6 10 2
Cattle do.....	131	794 8 2	6 1 1	52	316 19 0	6 1 3
Meat do.....	10	57 6 0	5 14 2 $\frac{1}{2}$	1	5 10 0	5 10 0
Composite Cattle and Goods Van.....	1	8 18 0	8 18 0	.....	.....	.....
Ballast Waggons.....	42	143 7 0	3 8 1	43	168 18 0	3 18 2
Total.....	2,617	12,553 17 1	4 15 3$\frac{1}{2}$	796	3,874 0 3	5 0 0
Total Vehicles, all Lines.....	2,879	14,348 16 3	4 19 3	912	4,549 14 2	4 19 3

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No. 41 continued—RETURN showing the Weight of ROLLING STOCK.
GREAT SOUTHERN AND WESTERN RAILWAYS.

Description.	Nos.	Total of Class.	Weight, Empty, each Class.			Gross Weight, Empty.			Average Weight of each Class.		
			Tons	cwt.	qrs.	Tons	cwt.	qrs.	Tons	cwt.	qrs.
PASSENGER STOCK.											
Sleeping Carriage	1	1	17	10	2	17	10	2	17	10	2
1st Class Carriages	3		15	9	0	46	7	0			
	1		15	5	0	15	5	0			
	6		15	3	0	90	18	0			
	1		12	0	0	12	0	0			
	1		11	9	0	11	9	0			
	2		11	3	3	22	7	2			
	1		11	0	0	11	0	0			
	1		10	19	0	10	19	0			
	1		15	11	2	15	11	2			
	1		8	5	0	8	5	0			
	1		6	18	0	6	18	0			
	1		6	10	0	6	10	0			
	4		5	15	3	23	3	0			
	1		5	13	2	5	13	2			
	2		5	12	3	11	5	2			
	2		5	11	0	11	2	0			
	2		5	10	0	11	0	0			
	1		7	1	0	7	1	0			
		32				326	15	0	10	4	1
Composite Carriages.....	3		12	5	3	36	17	1			
	1		8	9	1	8	9	1			
	3		8	9	0	25	7	0			
	1		8	0	1	8	0	1			
	1		7	19	0	7	19	0			
	1		7	18	3	7	18	3			
	1		8	0	0	8	0	0			
	2		7	1	0	14	2	0			
	6		6	18	0	41	8	0			
	9		6	10	0	58	10	0			
	1		6	9	2	6	9	2			
	4		6	7	0	25	8	0			
	2		5	10	0	11	0	0			
		35				259	9	0	7	8	1
Composite Smoking	6	6	6	8	0	38	8	0	6	8	0
„ Break Vans.....	6		14	15	2	88	13	0			
	6		13	16	0	82	16	0			
	2		11	14	1	23	8	2			
	1		6	10	0	6	10	0			
	1		5	14	2	5	14	2			
	1		5	5	0	5	5	0			
	1		5	4	2	5	4	2			
	2		4	12	0	9	4	0			
		20				226	15	2	11	6	3
2nd Class Carriages	1		10	0	2	10	0	2			
	1		6	10	0	6	10	0			
	24		6	8	0	153	12	0			
	1		6	5	2	6	5	2			
	27		5	10	0	148	10	0			
	11		4	14	0	51	14	0			
	2		8	0	0	16	0	0			
	1		15	3	0	15	3	0			
		68				407	15	0	5	19	3 $\frac{1}{2}$
Mail Vans	1		6	1	0	6	1	0			
	4		5	10	0	22	0	0			
		5				28	1	0	5	12	0 $\frac{1}{2}$
Hearses	2	2	3	19	3	7	19	2	3	19	3
Carriage Trucks	8		4	4	0	33	12	0			
	14		4	0	0	56	0	0			
	2		3	19	0	7	18	0			
	2		3	17	0	7	14	0			
		26				105	4	0	4	0	3 $\frac{1}{2}$
Horse Boxes	28		5	11	3	166	9	0			
	5		5	8	2	27	2	2			
	14		5	1	0	70	14	0			
	4		4	16	0	19	4	0			
		51				273	9	2	5	7	1
Prison Van.....	1	1	5	14	2	5	14	2	5	14	2

No. 44 *continued*—RETURN showing the Weight of ROLLING STOCK.
GREAT SOUTHERN AND WESTERN RAILWAYS.

Description.	Nos.	Total of Class.	Weight, Empty, each Class.	Gross Weight, Empty.	Average Weight of each Class.
			Tons cwt. qrs.	Tons cwt. qrs.	Tons cwt. qrs.
PASSENGER STOCK—continued.					
Passenger Brake Vans	2		7 16 2	15 13 0	
	4		7 0 0	28 0 0	
	4		6 13 1	26 13 0	
	4		5 15 0	23 0 0	
	1		4 12 0	4 12 0	
		15		97 18 0	6 10 2
Total Passenger Stock		262		1,794 19 2	6 17 0
Average running during year		254		1,730 1 2	
GOODS STOCK.					
Brake Vans	18		11 16 0	212 8 0	
	5		13 0 0	65 0 0	
	7		12 6 0	86 2 0	
	5		12 4 2	61 2 2	
	2		12 4 0	24 8 0	
	1		12 4 1	12 4 1	
	1		12 3 3	12 3 3	
	2		12 3 2	24 7 0	
	1		12 3 0	12 3 0	
		42		509 18 2	12 2 3½
A Waggon	26		4 3 0	107 18 0	
	4		4 2 2	16 10 0	
	28		4 1 0	113 8 0	
	4		4 0 0	16 0 0	
	10		3 13 0	36 10 0	
		72		290 6 0	4 0 2½
B Waggon	37		4 17 3	180 16 3	
	40		4 14 0	188 0 0	
	8		4 5 2	34 4 0	
	20		4 0 0	80 0 0	
		105		483 0 3	4 12 0
C Van	78		5 16 0	452 8 0	
	8		5 7 0	42 16 0	
	7		4 15 0	33 5 0	
	5		4 14 0	23 10 0	
		98		551 19 0	5 12 2½
D Waggon	29		4 19 0	143 11 0	
	1		4 18 0	4 18 0	
	1		4 18 1	4 18 1	
	1		4 17 2	4 17 2	
	1		4 17 1	4 17 1	
	67		4 17 0	324 19 0	
	5		4 16 3	24 3 3	
	7		4 16 2	33 15 2	
	6		4 16 1	28 17 2	
	36		4 16 0	172 16 0	
	36		4 15 3	172 7 0	
	38		4 15 2	181 9 0	
	31		4 15 1	147 12 3	
	126		4 15 0	598 10 0	
	42		4 14 3	198 19 2	
	133		4 14 2	628 8 2	
	21		4 14 1	98 19 1	
	187		4 14 0	878 18 0	
	21		4 13 3	98 8 3	
	39		4 13 2	182 6 2	
	7		4 13 1	32 12 3	
	88		4 13 0	409 4 0	
	2		4 12 3	9 5 2	
	4		4 12 2	18 10 0	
	1		4 12 1	4 12 1	
	371		4 12 0	1,706 12 0	
	2		4 11 3	9 3 2	
	4		4 11 2	18 6 0	
	3		4 11 0	13 13 0	
	1		4 10 3	4 10 3	
	1		4 10 2	4 10 2	
	1		4 10 1	4 10 1	
	2		4 10 0	9 0 0	
	1		4 9 3	4 9 3	
	3		4 9 2	13 8 2	
	55		4 9 0	244 15 0	
	1		4 7 2	4 7 2	
	81		4 7 0	352 7 0	
	2		4 6 3	8 13 2	
	34		4 6 2	147 1 0	
	5		4 5 0	21 5 0	
	6		4 3 0	24 18 0	
	20		4 2 2	82 10 0	
	6		4 2 0	24 12 0	
	1		4 1 2	4 1 2	

No. 44 continued—RETURN showing the Weight of ROLLING STOCK.
GREAT SOUTHERN AND WESTERN RAILWAYS.

Description.	Nos.	Total of Class.	Weight. Empty, each Class.	Gross Weight, Empty.	Average Weight of each Class.		
			Tons cwt. qrs.	Tons cwt. qrs.	Tons cwt. qrs.		
<i>Goods Stock—continued.</i>							
D Waggon—continued	70	1,834	4 0 0	280 0 0	4 10 0½		
	1		3 17 0	3 17 0			
	103		3 16 2	393 19 2			
	108		3 13 1	395 11 0			
	21		3 12 0	75 12 0			
	1		3 9 0	3 9 0			
E Waggon	20	1,834	4 7 1	87 5 0	4 10 0½		
	82		4 6 0	352 12 0			
	20		4 5 0	85 0 0			
	26		3 16 2	99 9 0			
	6		3 10 2	21 3 0			
	8		3 4 0	25 12 0			
Sheep Vans	2	162	7 4 0	14 8 0	4 2 3½		
	2		7 3 3	14 7 2			
	1		7 3 1	7 3 1			
	4		7 3 0	28 12 0			
	2		7 2 2	14 5 0			
	1		7 2 1	7 2 1			
	1		7 2 0	7 2 0			
	1		7 1 3	7 1 3			
	1		7 1 2	7 1 2			
	1		7 1 1	7 1 1			
	6		7 1 0	42 6 0			
	3		7 0 3	21 2 1			
	4		7 0 2	28 2 0			
	6		7 0 1	42 1 2			
	9		7 0 0	63 0 0			
	4		6 19 3	27 19 0			
	2		6 19 2	13 19 0			
	2		6 19 1	13 18 2			
	4		6 19 0	27 16 0			
	1		6 18 3	6 18 3			
	3		6 18 2	20 15 2			
	2		6 18 1	13 16 2			
	4		6 18 0	27 12 0			
	3		6 17 2	20 12 2			
	4		6 17 0	27 8 0			
	1		6 16 3	6 16 3			
	2	6 16 2	13 13 0				
	6	5 18 2	35 11 0				
	31	5 15 0	178 5 0				
	1	5 3 0	5 3 0				
Cattle Vans	3	114	6 12 1	19 16 3	6 11 3		
	12		6 12 0	79 4 0			
	8		6 11 3	52 14 0			
	8		6 11 2	52 12 0			
	8		6 11 1	52 10 0			
	8		6 11 0	52 8 0			
	4		6 10 3	26 3 0			
	6		6 10 2	39 3 0			
	1		6 10 1	6 10 1			
	4		6 10 0	26 0 0			
	3		6 9 3	19 9 1			
	2		6 9 2	12 19 0			
	2		6 9 1	12 18 2			
	1		6 8 3	6 8 3			
	47		5 16 0	272 12 0			
	14		4 10 0	63 0 0			
Meat Vans.....	8		131	5 15 0		46 0 0	6 1 1
	2			5 13 0		11 6 0	
Ballast Waggon	3		10	4 3 0		12 9 0	5 14 2½
	5			4 0 0		20 0 0	
	10	3 13 0		36 10 0			
	24	3 2 0		74 8 0			
Composite Cattle and Goods Van ...	1	42	8 18 0	143 7 0	3 8 1		
	1		8 18 0	8 18 0			
Powder Vans.....	3	6	5 2 0	15 6 0	4 18 2		
	3		4 15 0	14 5 0			
Total, Goods Stock.....		2,617		12,553 17 1	4 15 3½		
Average running during year		2,326		11,094 7 1			

No. 44 *continued*—RETURN showing the Weight of ROLLING STOCK.

GREAT NORTHERN RAILWAY.

Description.	Nos.	Total of Class.	Weight, Empty, each Class.	Gross Weight.	Average Weight of each Class.
PASSENGER STOCK.					
First Class	1		Tons cwt. qrs. 5 13 0	Tons cwt. qrs. 5 13 0	Tons cwt. qrs.
	5		6 8 0	32 0 0	
	7		7 0 0	49 0 0	
	1		7 12 0	7 12 0	
	1		9 17 0	9 17 0	
	1		9 17 2	9 17 2	
		16		113 19 2	7 2 2
Composite	1		5 10 0	5 10 0	
	1		7 18 0	7 18 0	
	2		7 19 0	15 18 0	
	1		7 12 2	7 12 2	
	1		7 19 2	7 19 2	
	1		8 3 0	8 3 0	
	1		8 3 3	8 3 3	
		8		61 4 3	7 13 0
Second Class	17		6 8 0	108 16 0	
	9		4 14 0	42 6 0	
	12		5 12 0	67 4 0	
	7		6 6 0	44 2 0	
	3		6 4 0	18 12 0	
		48		281 0 0	5 17 0
Mail Van	4	4	5 15 0	23 0 0	5 15 0
Carriage Trucks.....	7		3 15 0	26 5 0	
	5		4 7 2	21 17 2	
		12		48 2 2	4 0 1
Horse Boxes	2		5 2 0	10 4 0	
	2		4 18 3	9 17 2	
	5		4 19 0	24 15 0	
	10		5 7 3	53 17 2	
		19		98 14 0	5 3 3
Brake Vans	1		4 17 0	4 17 0	
	1		5 3 0	5 3 0	
	2		5 4 0	10 8 0	
	2		5 10 0	11 0 0	
	1		5 15 0	5 15 0	
	2		6 5 0	12 10 0	
		9		49 13 0	5 10 1
Total Passenger Stock		116		675 13 3	5 16 2
Average running during year		110		630 16 3	
GOODS STOCK.					
Brake Vans	1		5 3 0	5 3 0	
	2		7 0 0	14 0 0	
	9		7 16 0	70 4 0	
	1		11 15 0	11 15 0	
	1		11 17 0	11 17 0	
	1		11 17 3	11 17 3	
	1		11 18 1	11 18 1	
	1		11 18 2	11 18 2	
	1		11 19 0	11 19 0	
	1		11 19 2	11 19 2	
	1		11 18 0	11 18 0	
	1		12 1 0	12 1 0	
	1		12 1 1	12 1 1	
	1		12 1 3	12 1 3	
	1		12 4 2	12 4 2	
	1		12 6 0	12 6 0	
		25		245 4 2	6 0

No. 44 continued—RETURN showing the Weight of ROLLING STOCK.

GREAT NORTHERN RAILWAY.

Description.	Nos.	Total of Class.	Weight, Empty, each Class.		Gross Weight.	Average Weight of each Class.
			Tons cwt. qrs.	Tons cwt. qrs.		
<i>Goods Stock—continued.</i>						
A Trucks	32	40	4 0 0	128 0 0	161 4 0	4 0 2
	8		4 3 0	33 4 0		
B Waggon's	10	40	4 10 0	45 0 0	190 10 0	4 15 1
	30		4 17 0	145 10 0		
C Vans	4	38	4 17 0	19 8 0	220 0 0	5 15 3
	4		5 3 0	20 12 0		
	30		6 0 0	180 0 0		
D Waggon's	6	446	3 13 2	22 1 0	1,955 10 3	4 7 2
	2		4 3 0	8 6 0		
	44		4 5 0	187 0 0		
	20		4 0 0	80 0 0		
	34		4 9 0	151 6 0		
	96		4 11 0	436 16 0		
	4		4 4 0	16 16 0		
	43		4 10 0	193 10 0		
	6		4 16 0	28 16 0		
	6		4 15 0	28 10 0		
	6		4 7 0	26 2 0		
	8		4 13 0	37 4 0		
	23		4 12 0	105 16 0		
	4		4 8 1	17 3 0		
	8		4 8 2	35 8 0		
	4		4 10 3	18 3 0		
	27		3 14 0	99 18 0		
	3		3 14 2	11 3 2		
	3		3 15 1	11 5 3		
	3		3 15 2	11 6 2		
	3		3 15 0	30 0 0		
	1		3 15 3	3 15 3		
	2		4 17 0	9 14 0		
	2		4 12 1	9 4 2		
	12		4 9 2	53 14 0		
	1		4 11 1	4 11 1		
	1		4 15 3	4 15 3		
	1		4 6 2	4 6 2		
	3		4 7 2	13 2 2		
	7		4 9 3	31 8 1		
	2		4 10 1	9 0 2		
	6		4 10 2	27 3 0		
	8		4 8 0	35 4 0		
	1		4 6 0	4 6 0		
	5		4 8 3	22 3 3		
	4		4 9 1	17 17 0		
	6		4 13 2	28 1 0		
	2		4 14 0	9 8 0		
	1		4 13 3	4 13 3		
	2		4 13 1	9 6 2		
	1		4 14 1	4 14 1		
	2		4 7 3	8 15 2		
	5		4 12 2	23 2 2		
	2		4 11 3	9 3 2		
	1		4 14 3	4 14 3		
	2		4 7 1	8 14 2		
	2	4 11 2	9 3 0			
	1	4 6 2	4 6 2			
	1	4 18 0	4 18 0			
	1	4 14 2	4 14 2			
	1	4 12 3	4 12 3			
	1	4 16 2	4 16 2			
	1	4 17 3	4 17 3			

No. 44 continued—RETURN showing the Weight of ROLLING STOCK.

GREAT NORTHERN RAILWAY.

Description.	Nos.	Total of Class.	Weight, Empty, each Class.	Gross Weight.	Average Weight of each Class.
<i>GOODS STOCK—continued.</i>					
E Trucks	6		Tons cwt. qrs. 3 15 0	Tons cwt. qrs. 22 10 0	Tons cwt. qrs.
	7		3 18 0	27 6 0	
	8		4 6 0	34 8 0	
	4		4 5 0	17 0 0	
	6		4 0 0	24 0 0	
	3		4 0 1	12 0 3	
	1		4 1 2	4 1 2	
	1		4 4 0	4 4 0	
	3		4 2 0	12 6 0	
	1		4 3 0	4 3 0	
	2		3 19 0	7 18 0	
	1		3 17 0	3 17 0	
	1		3 16 0	3 16 0	
		44		177 10 1	4 0 2
Cattle Vans	7		5 9 0	38 3 0	
	3		5 15 0	17 5 0	
	1		5 17 0	5 17 0	
	5		5 14 0	28 10 0	
	3		5 13 0	16 19 0	
	3		5 12 0	16 16 0	
	1		6 10 1	6 10 1	
	3		6 8 2	19 5 2	
	3		6 10 0	19 10 0	
	8		6 9 0	51 12 0	
	1		6 8 1	6 8 1	
	3		6 8 0	19 4 0	
	3		6 10 2	19 11 2	
	2		6 9 1	12 18 2	
	2		6 9 3	12 19 2	
	3		6 9 2	19 8 2	
	1		6 1 0	6 1 0	
		52		316 19 0	6 1 3
Meat Vans.....	1	1	5 10 0	5 10 0	5 10 0
Sheep Vans	6		6 0 0	36 0 0	
	2		7 14 0	15 8 0	
	1		7 11 0	7 11 0	
	1		7 10 0	7 10 0	
	2		7 9 0	14 18 0	
	3		7 13 0	22 19 0	
	1		7 12 0	7 12 0	
	11		5 18 0	64 18 0	
	1		5 19 0	5 19 0	
	6		5 15 0	34 10 0	
	8		6 15 0	54 0 0	
	2		6 16 0	13 12 0	
	5		6 13 0	33 5 0	
	1		6 12 2	6 12 2	
	3		6 13 2	20 0 2	
	4		6 14 0	26 16 0	
	1		6 7 0	6 7 0	
	1		6 15 2	6 15 2	
	3		6 14 2	20 3 2	
	1		6 14 1	6 14 1	
	1		6 12 0	6 12 0	
		64		418 3 1	6 10 2
Powder Vans.....		3	4 17 0	14 11 0	4 17 0
Ballast Waggons	25		4 1 0	101 5 0	
	12		4 0 0	48 0 0	
	5		3 2 0	15 10 0	
	1		4 3 0	4 3 0	
		43		168 18 0	3 18 2
Total		796		3,874 0 3	5 0 0
Coal Waggons		1,896		8,936 2 3	4 14 1
Total Goods		2,692		12,810 3 2	4 15 1
Average running during year.....		2,658		12,572 16 3	

No. 44—continued.

FROM the figures in the foregoing tables the following results are derived.

		South and West.	North.	Total.
LOCOMOTIVES.				
*Number of engines and tenders—				
Passenger.....	(running) No.	61	13	74
Goods	do. "	56	23	79
Total.....	"	117	36	153
Mileage of engines and tenders—				
Passenger	miles "	1,268,504	328,340	1,596,844
Goods	"	1,228,696	572,797	1,801,493
Total.....	"	2,497,200	901,137	3,398,337
Gross weight of engines and tenders—				
Passenger	(Average) tons "	2,508	557	3,065
Goods	ditto "	2,497	1,062	3,559
Total	"	5,005	1,619	6,624
Gross tonnage—				
Passenger.....	"	56,953,346	14,821,120	71,774,466
Goods	"	66,504,678	27,150,947	93,655,625
Total.....	"	123,458,024	41,972,067	165,430,091
PASSENGER AND GOODS STOCK.				
Number of vehicles running during the year—				
Passenger.....	No.	254	110	364
†Goods	"	2,326	2,658	4,984
Total	"	2,580	2,768	5,348
Weight of Do.—				
Passenger.....	tons "	1,730	631	2,361
†Goods	"	11,094	12,573	23,667
Total	"	12,824	13,204	26,028
†Total mileage of vehicles—				
Passenger.....	miles "	6,687,009	1,349,415	8,036,424
Goods	"	19,978,147	6,093,880	26,072,027
Total	"	26,665,156	7,443,295	34,108,451
Gross dead weight of vehicles—				
Passenger.....	tons "	45,555,249	7,742,269	53,297,518
Goods	"	95,270,789	28,793,583	124,064,372
Total.....	"	140,826,038	36,535,852	177,361,890

* Of the engines used for goods and passengers half their number is added to the passenger and half to the goods engines.

† The mileage does not include ballast waggons, but merely vehicles used for traffic purposes; and as many of them were in use for only a part of the year their average number and weight are taken as the factors in the above calculations.

No. 44—*continued.*

		South and West.	North.	Totals.
PASSENGER AND GOODS STOCK— <i>continued.</i>				
*Tonnage of load carried in vehicles—				
Passenger	No.	221,844	35,825	257,669
Goods	"	514,238	1,111,647	1,625,885
Total	"	736,082	1,147,472	1,883,554
Total ton-mileage of load—				
Passenger	"	3,160,328	793,798	3,954,126
Goods	"	42,612,866	16,010,420	58,623,286
Total	"	45,773,194	16,804,218	62,577,412
Total tonnage of vehicles empty and loaded—				
Passenger	tons.	48,715,577	8,536,067	57,251,644
Goods	"	137,883,655	44,804,003	182,687,658
Total	"	186,599,232	53,340,070	239,939,302
Total tonnage of engines and vehicles loaded—				
Passenger	"	105,668,923	23,357,187	129,026,110
Goods	"	204,388,333	71,954,950	276,343,283
Total	"	310,057,256	95,312,137	405,369,393
Gross earnings—				
Passenger and Coaching	£	240,388	65,920	306,308
Goods	"	419,662	177,019	596,681
Total	"	660,050	242,939	902,989
Total working expenses	"	401,647	135,341	536,988
Net earnings	"	258,403	107,598	366,001
RESULTS.				
AVERAGE EARNINGS PER TON PER MILE—				
PASSENGER	d.	'546	'677	'570
GOODS	"	'492	'590	'520
ALL TRAFFIC	"	'511	'612	'535
WORKING EXPENSES PER TON PER MILE	"	'311	'341	'318
NET EARNINGS PER TON PER MILE	"	'200	'271	'217

* Fifteen passengers are reckoned equivalent to one ton; carriages are estimated at 15 cwt.; horses and horned cattle 500 lbs.; pigs at 75 lbs.; sheep at 50 lbs.; and dogs at 30 lbs. each.

No. 45.

MERCHANDIZE Traffic Rates, 1876 to 1878.

Articles of Traffic.	*1876.			*1877.			*1877.			*1878***		
	SEPTEMBER 18.			SEPTEMBER 17.			DECEMBER 7.			SEPTEMBER 13.		
	Class.	15 miles.	Exceeding 15 miles.	Class.	15 miles.	Exceeding 15 miles.	Class.	15 miles.	Exceeding 15 miles.	Class.	15 miles.	Exceeding 15 miles.
Acids—in cases and carboys	4	12 00	9	.....	.....	.....	.....	.....	.....	.....	.....	.....
Aerated Waters	3	9 00	7	2	7 00	5	.....	.....	.....	.....	.....	.....
Agriculture Machines	3	9 00	7	.....	.....	.....	.....	.....	.....	.....	.....	.....
Do. Produce—not otherwise specified	A	3 00	1½	A	2 00	1½	.....	.....	.....	.....	.....	.....
Ale and Porter—in bulk	.....	.....	.....	.....	.....	.....	.....	.....	.....	3	9 00	7
Ammunition	4	12 00	9	.....	.....	.....	.....	.....	.....	2	7 00	5
Bark—in sheets, bundles, or bags	†A	3 00	1½	A	2 00	1½	.....	.....	.....	.....	.....	.....
Do. Tanners'	†A	3 00	1½	A	2 00	1½	.....	.....	.....	.....	.....	.....
Battens	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Beet-root	A	3 00	1½	A	2 00	1½	.....	.....	.....	.....	.....	.....
Bicycles	4	12 00	9	.....	.....	.....	.....	.....	.....	.....	.....	.....
Boards, not exceeding 2 inches	2	7 00	5	D	5 00	2½	.....	.....	.....	.....	.....	.....
Boats—80 cubic feet per ton	2	7 00	5	.....	.....	.....	.....	.....	.....	.....	.....	.....
Boilers	2	7 00	5	.....	.....	.....	.....	.....	.....	.....	.....	.....
Do. Plates	2	7 00	5	.....	.....	.....	.....	.....	.....	.....	.....	.....
Bones—in bags	A	3 00	1½	A	2 00	1½	.....	.....	.....	.....	.....	.....
Do. loose	B	4 00	2½	B	3 00	1½	.....	.....	.....	.....	.....	.....
Bottles—empty, in cases or crates	B	4 00	2½	C	4 00	2½	.....	.....	.....	.....	.....	.....
Bran	†A	3 00	1½	B	3 00	1½	A	2 00	1½	.....	.....	.....
Bricks—4 ton lots	A	3 00	1½	A	2 00	1½	.....	.....	.....	.....	.....	.....
Cabbages	A	3 00	1½	A	2 00	1½	.....	.....	.....	.....	.....	.....
Candied Fruits	Up	3	9 00	7	D	5 00	2½	.....	.....	.....	.....	.....
Carpentry	3	9 00	7	.....	.....	.....	.....	.....	.....	.....	.....	.....
Carrots	A	3 00	1½	A	2 00	1½	.....	.....	.....	.....	.....	.....
Casks—new, empty	B	4 00	2½	C	4 00	2½	.....	.....	.....	.....	.....	.....
Cases do.	B	4 00	2½	C	4 00	2½	.....	.....	.....	.....	.....	.....
Cement	I	6 00	4	.....	.....	.....	.....	.....	.....	.....	.....	.....
Chaff—pressed. (See page 114.)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Charcoal and coke—in bags	C	5 00	2½	D	5 00	2½	.....	.....	.....	.....	.....	.....
Chicory Root	A	3 00	1½	B	3 00	1½	.....	.....	.....	.....	.....	.....
Clay 4-ton lots	B	4 00	2½	A	2 00	1½	.....	.....	.....	.....	.....	.....
Coal. (See page 114.)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Do. in bags	C	5 00	2½	D	5 00	2½	.....	.....	.....	.....	.....	.....
Do. Waggons—new, on wheels to collieries	6d. p. m. each; min. 5s.	.....	.....	6d. p. m. each; min. 5s.	.....	.....	.....	.....	.....	.....	.....	.....
Coke	A	3 00	1½	B	3 00	1½	.....	.....	.....	.....	.....	.....
Colonial Wine	Up	A	3 00	1½	B	3 00	1½	.....	.....	.....	.....	.....
Copper Ingots	1	6 00	4	.....	.....	.....	.....	.....	.....	.....	.....	.....
Do. Ore	A	3 00	1½	A	2 00	1½	.....	.....	.....	.....	.....	.....
Drain Pipes	B	4 00	2½	C	4 00	2½	B	3 00	1½	.....	.....	.....
Dynamite—owner's risk, in casks or cases	1s. p. ton p. m.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Feathers	3	9 00	7	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fellocs	B	4 00	2½	B	3 00	1½	.....	.....	.....	.....	.....	.....
Fellocs	A	3 00	1½	A	2 00	1½	.....	.....	.....	.....	.....	.....
Fire-clay Blocks	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Firewood	Mis.	2 00	1½	D	5 00	2½	A	2 00	1½	.....	.....	.....
Fireworks	4	12 00	9	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fish	Not less than 2 cwt., 3d. per ton per mile.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Flour	†A	3 00	1½	A	2 00	1½	.....	.....	.....	.....	.....	.....
Flower-pots	B	4 00	2½	C	4 00	2½	.....	.....	.....	.....	.....	.....
Fruit—Orchard	†A	3 00	1½	A	2 00	1½	.....	.....	.....	.....	.....	.....
Furniture—in cases	3	9 00	7	.....	.....	.....	.....	.....	.....	.....	.....	.....
Do.	4	12 00	9	.....	.....	.....	.....	.....	.....	.....	.....	.....
Furze	3	9 00	7	.....	.....	.....	.....	.....	.....	.....	.....	.....
Garden Produce—not otherwise specified	A	3 00	1½	A	2 00	1½	.....	.....	.....	.....	.....	.....
Glue Pieces	C	5 00	2½	C	4 00	2½	.....	.....	.....	.....	.....	.....
Glue Piece—wet	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Greaves	C	5 00	2½	C	4 00	2½	.....	.....	.....	.....	.....	.....
Grain—all kinds	†A	3 00	1½	A	2 00	1½	.....	.....	.....	.....	.....	.....
Green Fodder	A	3 00	1½	A	2 00	1½	.....	.....	.....	.....	.....	.....
Guano and Artificial Manures	C	5 00	2½	B	3 00	1½	.....	.....	.....	.....	.....	.....
Gunpowder (owner's risk)—in casks	1s. p. ton p. m.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Hats—in cases	4	12 00	9	.....	.....	.....	.....	.....	.....	.....	.....	.....
Hardware	3	9 00	7	.....	.....	.....	.....	.....	.....	.....	.....	.....
Hay—pressed and branded with weight (See page 114.)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Do. Loose. (See page 114.)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Hides, on the down journey	B	4 00	2½	.....	.....	.....	.....	.....	.....	.....	.....	.....
Hides	2	7 00	5	**B	3 00	1½	.....	.....	.....	.....	.....	.....
Hoofs	†3	9 00	7	†D	5 00	2½	.....	.....	.....	.....	.....	.....
Horns	§A	3 00	1½	§A	2 00	1½	.....	.....	.....	.....	.....	.....
	||B	4 00	2½	||B	3 00	1½	.....	.....	.....	.....	.....	.....
	§A	3 00	1½	§A	2 00	1½	.....	.....	.....	.....	.....	.....
	||B	4 00	2½	||B	3 00	1½	.....	.....	.....	.....	.....	.....

Marked thus*, subject to the following allowances—10 per cent. on the rate per mile for every mile beyond 100; 20 per cent. on the rate per mile for every mile beyond 150; 40 per cent. on the rate per mile for every mile beyond 200.

Marked thus †, an additional charge for use of tarpaulins will be made—47 miles, 1s. per ton; 80 miles, 1s. 6d. per ton; 150 miles, 2s. per ton; 200 miles, 2s. 3d. per ton; 300 miles, 2s. 6d. per ton; marked ‡, means "Insecuré"; marked §, in bundles or bags; marked ||, if loose; marked **, green and wet, salted; marked †, dry.

A, B, C, D, Rates (September 17 and December 7, 1877, and 13 September, 1878) -For distances over 100 miles, the terminal charge for 15 miles will be remitted.

** A further reduction of 20 per cent. on 1st, 2nd, 3rd, and 4th Class Goods conveyed over 300 miles.

No 45—continued.
MERCHANDISE Traffic Rates, 1876 to 1878.

Articles of Traffic.	1875.			*1876.			*1877.			*1878.†		
	SEPTEMBER 18.			SEPTEMBER 17.			DECEMBER 7.			SEPTEMBER 13.		
	Class.	15 miles.	Exceeding 15 miles.	Class.	15 miles.	Exceeding 15 miles.	Class.	15 miles.	Exceeding 15 miles.	Class.	15 miles.	Exceeding 15 miles.
Iron—Bar, Rod, and Bundles ... { Up ... Down }	B	4 00 2½		C	4 00 2½		B	3 00 1½				
Boiler, Plate or Sheet { Up ... Down }	B	4 00 2½		C	4 00 2½		B	3 00 1½				
Corrugated—in cases	2	7 00 5							††	7 00 5		
Girders	2	7 00 5										
Pig and Scrap { Up ... Down }	A	3 00 1½		B	3 00 1½		A	2 00 1½		D	5 00 2½	
Do.—Tanks, 80 c. ft. per ton—Corrugated	2	7 00 5										
Do.—Wire in bundles	2	7 00 5							††	7 00 5 0		
Do.—Wheels and Axles—Railway.....	2	7 00 5										
Do.—Rails and Chairs	2	7 00 5								1	6 00 4	
Do.—Castings, over 3 tons—owner's risk only.	2	7 00 5										
Do.—Screws and Washers—Galvanized										††	7 00 5	
Do.—Girders, if requiring 2 trucks no less charge than for 3 tons will be made.	2	7 00 5										
Iron—Galvanized—cases	2	7 00 5							††	7 00 5		
Iron Nails									2	7 00 5		
Ironmongery	3	9 00 7										
Ironstone									Mis.	1 60 1½		
Jams	3	9 00 7		D	5 00 2½							
Joinery	3	9 00 7										
Kerosene Oil	1	6 00 4										
Lead—Pig or Sheet	2	7 00 5										
Leather	**1	6 00 4										
Lamps—Street, Door, or Hall	3	9 00 7										
Laths	B	4 00 2½		B	3 00 1½							
Lick Blocks				D	5 00 2½							
Lime—4-ton lots.....	†B	4 00 2½		B	3 00 1½							
Limestone.....	Mis.	2 00 1½		Mis.	1 60 1½							
Lithofracteur or other explosives—owner's risk—in casks or cases.	rs. p. ton p. mile											
Lucerne—Seed	1	6 00 4										
Machinery of all kinds	3	9 00 7										
Malt	2	7 00 5		1	6 00 4							
Malt Tanks—square and empty										3	9 00 7	
Mangold Wurzel.....	A	3 00 1½		A	2 00 1½							
Manure, loose (4-ton lots)	B	4 00 2½		Mis.	1 60 1½							
Do., in bags	C	5 00 2½		B	3 00 1½							
Marble—Undressed (4-ton lots)	B	4 00 2½		B	3 00 1½							
Meal	†A	3 00 1½		A	2 00 1½							
Measurement Goods, 80 cubic feet to ton ..	1	6 00 4										
Melons	A	3 00 1½		A	2 00 1½							
Millinery—in cases	4	12 00 9										
Mirrors	4	12 00 9										
Muriate of Lime.....	1	6 00 4										
Musical Instruments	4	12 00 9										
Naphtha	4	12 00 9										
Offal	1	6 00 4		B	3 00 1½							
Oil Cake	C	5 00 2½		D	5 00 2½							
Opium	3	9 00 7										
Ores (4-ton lots)	A	3 00 1½		A	2 00 1½							
Oysters	Mis. 3d. p. ton p. m.			B	3 00 1½							
Palings	B	4 00 2½										
Paintings and Engravings	A	3 00 1½		A	2 00 1½							
Paper	B	4 00 2½		C	4 00 2½							
Papier-maché Goods	under 1 ton	7 00 5										
Perambulators	3	9 00 7										
Perfumery	4	12 00 9										
Picture Frames	3	9 00 7										
Pier Glasses	4	12 00 9										
Pipes, Iron	Up									A	2 00 1½	
Pitch.....	1	6 00 4										
Plants (in pots and cases)	3	9 00 7										
Plated Goods	3	9 00 7										
Plate Glass	4	12 00 9										
Pollard	†A	3 00 1½		A	2 00 1½							

Marked thus*, subject to the following allowances—10 per cent. on the rate per mile for every mile beyond 100; 20 per cent. on the rate per mile for every mile beyond 150; 40 per cent. on the rate per mile for every mile beyond 200.
Marked thus†, an additional charge for use of tarpaulins will be made—40 miles, 1s. per ton; 80 miles, 1s. 6d. per ton; 150 miles, 2s. per ton; 200 miles, 2s. 3d. per ton; 300 miles, 2s. 6d. per ton.
† A further reduction of 20% per cent. on 1st, 2nd, 3rd, and 4th class goods conveyed for distances over 300 miles.
A, B, C, D Rates (September 17 and December 7, 1877, and 13 September, 1878)—For distances over 100 miles, the terminal charge for 15 miles will be remitted.
Marked thus**, if loose, 2nd class.
†† Over 300 miles, 1st class.

No. 45—continued.
MERCHANDISE Traffic Rates, 1876 to 1878.

Articles of Traffic.	*1876. SEPTEMBER 18.			*1877. SEPTEMBER 17.			*1877. DECEMBER 7.			*1878.‡ SEPTEMBER 13.		
	Class.	15 miles.	Exceeding 15 miles.	Class.	15 miles.	Exceeding 15 miles.	Class.	15 miles.	Exceeding 15 miles.	Class.	15 miles.	Exceeding 15 miles.
Portable Engines	3	9 00	7	B	3 00	1 1/2						
Posts and Rails	A	3 00	1 1/2	A	2 00	1 1/2						
Potatoes	A	3 00	1 1/2	A	2 00	1 1/2						
Poultry—Living (in crates)	3	9 00	7									
Preserved Meat	Up A	3 00	1 1/2	B	3 00	1 1/2						
Pumpkins	A	3 00	1 1/2	A	2 00	1 1/2						
Quicksilver	4	12 00	9	I	6 00	4						
Railway Materials	2	7 00	5									
Rags and Materials for making Paper (not chemicals).	A	3 00	1 1/2	A	2 00	1 1/2				I	6 00	4
Regulus (4-ton lots)	A	3 00	1 1/2									
Resin	2	7 00	5	D	5 00	2 1/2						
Road Metal	Mis.	2 00	1 1/2	Mis.	1 60	1 1/2						
Salt—Rock and Calcutta	†A	3 00	1 1/2	B	3 00	1 1/2						
Do. Dairy and Meat-curing	I	6 00	4									
Sand—4-ton lots	B	4 00	2 1/2	B	3 00	1 1/2						
Sawdust	A	3 00	1 1/2	A	2 00	1 1/2						
Scientific Instruments	4	12 00	9									
Screws and Washers—Galvanized										††2	7 00	5
Sewing Machines	4	12 00	9									
Seed Grass										I	5 00	4
Shale—Kerosene	†C	5 00	2 1/2	†C	4 00	2 1/2						
Sheepskins	B	4 00	2 1/2	B	3 00	1 1/2						
Shingles	3	9 00	7									
Silk Goods	4	12 00	9									
Slate Slabs	4	12 00	9									
Slates	I	6 00	4	C	4 00	2 1/2						
Sleepers—Railway	C	5 00	2 1/2	D	5 00	2 1/2						
Soap (except scented and fancy)	3	9 00	7	2	7 00	5						
Soda—Crystals	I	6 00	4	D	5 00	2 1/2						
Soda—Caustic	I	6 00	4	D	5 00	2 1/2						
Spokes and Shafts—Undressed	B	4 00	2 1/2	B	3 00	1 1/2						
Stocks	A	3 00	1 1/2	A	2 00	1 1/2						
Stone undressed—4-ton-lots	B	4 00	2 1/2	Mis.	1 60	1 1/2						
Do. carved and Gravestones	2	7 00	5									
Do. cut for Building or Grindstones	I	6 00	4	D	5 00	2 1/2						
Straw, pressed and branded with weight. (See page 114.)												
Straw, loose. (See page 114.)												
Sugar	2	7 00	5									
Sulphuric Acid (loads not less than 4 tons)	I	6 00	4									
Tallow	2	7 00	5	I	6 00	4						
Tar	1	6 00	4									
Terra Cotta				D	5 00	2 1/2	A	2 00	1 1/2			
Threshing Machines	3	9 00	7									
Tiles—Tessellated and Ornamental										D	5 00	2 1/2
Tiles	B	4 00	2 1/2	C	4 00	2 1/2	B	3 00	1 1/2			
Timber (in log)	C	5 00	2 1/2	A	2 00	1 1/2						
Do. Undressed	2	7 00	5	D	5 00	2 1/2						
Do. Dressed	C	5 00	2 1/2	C	4 00	2 1/2						
Tin Ore	2	7 00	5									
Tin-plates	I	6 00	4									
Tin Smelted	†A	3 00	1 1/2	B	3 00	1 1/2				D	5 00	2 1/2
Tobacco—Colonial Leaf	3	9 00	7									
Toys in cases	4	12 00	9									
Tricycles	A	3 00	1 1/2	A	2 00	1 1/2						
Turnips	4	12 00	9									
Velocipedes	3	9 00	7									
Water Tanks (by weight)	C	5 00	2 1/2	D	5 00	2 1/2						
Whiting	3	9 00	7									
Wire-netting	I	6 00	4									
Woolpacks	2	7 00	5							††I	6 00	4
Zinc	3	9 00	7									

Marked thus*, subject to the following allowances—10 per cent. on the rate per mile for every mile beyond 100; 20 per cent. on the rate per mile for every mile beyond 150; 40 per cent. on the rate per mile for every mile beyond 200.
 Marked thus †, an additional charge is made for use of tarpaulins—40 miles, 1s.; 80 miles, 1s. 6d.; 150 miles, 2s.; 200 miles, 2s. 3d.; 300 miles, 2s. 6d. per ton.
 ‡ If loose or insecure, 1st Class rates. ¶ If loose or insecure, D rate.
 § All 3rd Class Goods are carried at owner's risk; if Commissioner's risk, an insurance rate of 10s. per cent. on the declared value of the articles will be made. Minimum charge for risk, 1s. 6d.
 A, B, C, D Rates (September 17th, and December 7th, 1877, and 13th September, 1878)—For distances over 100 miles, the terminal charge for 15 miles will be remitted.
 § A further reduction of 20 per cent. on 1st, 2nd, 3rd, and 4th Class Goods conveyed for distances over 300 miles.
 †† Over 300 miles, 1st Class.

No. 45—*continued.*

MERCHANDISE Traffic Rates.

7 December, 1877.—Rates for Carriage of Live Stock.

When carried in small numbers not exceeding number for full Trucks, mixed consignments will be taken from same Owner for a Truck or any portion of a Truck, all to be conveyed at Owner's risk only.

Cattle—each.	2 Cows or 5 Calves, or 20 Sheep, or 15 Pigs— $\frac{1}{2}$ Truck.	4 Cows, or 10 Calves, or 40 Sheep, or 30 Pigs— $\frac{1}{3}$ Truck.	8 Cows, or 20 Calves, or 60 Pigs—Full Truck.	Bulls—each.	Calves—each.	Sheep or Pigs—each.	Valuable Rams and Ewes, if less number than for $\frac{1}{3}$ Truck—each.
3d. per mile.	4d. per mile.	6d. per mile.	8d. per mile.	7d. per mile, if more than one in Truck, 4½d.	1d. per mile.	½d. per mile.	2d. per mile.

Minimum charge :—Cattle, 7s. 6d. ; Calves, 2s. ; Sheep or Pigs, 1s. 6d. ; Bulls, 12s. 6d. Do. Quarter Truck, 7s. 6d. ; Half Truck, 10s. ; Full Truck, 15s.

CATTLE AND HORSES

Will be conveyed at Owner's risk, at 3d per Truck per mile. No less charge than for a whole Truck to be made. Minimum charge, 15s. To be loaded and unloaded by Owners.

RATES FOR SHEEP.

Sheep in flocks of not less than 100 conveyed at Owner's risk, as follows, viz. :—
For distances under 40 miles, 1s. per Truck per mile. Minimum charge, 15s.

	£	s.	d.
Not exceeding 40 miles, at per Truck	2	2	0
40 to 60 " " " " " " " " " " " "	2	10	0
60 to 80 " " " " " " " " " " " "	2	15	0
80 to 100 " " " " " " " " " " " "	3	0	0
100 to 120 " " " " " " " " " " " "	3	5	0
120 to 140 " " " " " " " " " " " "	3	7	6
140 to 160 " " " " " " " " " " " "	3	10	0

And 3d. per Truck per mile for any distance over 160 miles.
To be loaded and unloaded by Owners. For open Trucks, half above rates.

CONDITIONS FOR CONVEYANCE OF LIVE STOCK.

Arrival at any particular time, or for any particular market, is not guaranteed.
Live Stock will be conveyed to and from such Stations only as have accommodation for loading and unloading ; and flocks and herds only at convenient times to be previously arranged with the Traffic Manager, in which case applicants for Trucks must deposit with the Commissioner the sum of 10s. per Truck on account of trainage, and the amount so deposited will be forfeited to the Commissioner if Trucks be not used by applicant.

In all cases of conveyance of Live Stock, Owners must unload same within three hours after arrival, or the Stock will be unloaded by the Department at Owner's risk and a charge of 2s. per Truck will be made. The Commissioner will have the right of loading any number of Stock up to the maximum number of a Truck load, when only a portion of a Truck is required.

13 September, 1878.—Rates for Live Stock.

When carried in small numbers not exceeding number for full Trucks, mixed consignments will be taken from same Owner for a Truck or any portion of a Truck, all to be conveyed at Owner's risk only.

Cattle—each.	2 Cows, or 5 Calves, or 20 Sheep, or 15 pigs— $\frac{1}{2}$ Truck.	4 Cows, or 10 Calves, or 40 Sheep, or 30 Pigs— $\frac{1}{3}$ Truck.	Cattle or Calves, Sheep or Pigs—Full Truck.	Bulls—each.	Calves—each.	Sheep or Pigs—each.	Valuable Rams and Ewes, if less number than for $\frac{1}{3}$ Truck—each.
3d. per mile.	4d. per mile.	6d. per mile.	8d. per mile.	7d. per mile if more than one in Truck, 4½d.	1d. per mile.	½d. per mile.	2d. per mile.

Minimum charge :—Cattle, 7s. 6d. ; Calves, 2s. ; Sheep or Pigs, 1s. 6d. ; Bulls, 12s. 6d. Do. for Quarter Truck, 7s. 6d. ; Half Truck, 10s. ; Full Truck, 15s.

Cattle and Horses.

Will be conveyed at Owner's risk, for distances not exceeding 100 miles, 8d. per Truck per mile.
Every mile over 100, and not exceeding 150 miles, 7d. per Truck per mile.
" 150, " 200 " 6d. " " "
" 200 5d. per Truck per mile.

No less charge than for a whole Truck to be made. Minimum charge, 15s. To be loaded and unloaded by Owners.

Rates for Sheep.

Sheep in flocks of not less than 100, conveyed at Owner's risk, as follows, viz. :—
For distances under 40 miles 1s. per Truck per mile. Minimum charge, 15s.

	£	s.	d.
Not exceeding 40 miles, at per Truck	2	2	0
40 to 60 " " " " " " " " " " " "	2	10	0
60 to 80 " " " " " " " " " " " "	2	15	0
80 to 100 " " " " " " " " " " " "	3	0	0
100 to 120 " " " " " " " " " " " "	3	5	0
120 to 140 " " " " " " " " " " " "	3	7	6
140 to 160 " " " " " " " " " " " "	3	10	0

And 3d. per Truck per mile for any distance over 160 miles.
To be loaded and unloaded by Owners. For open Trucks, half above rates.

Conditions for Conveyance of Live Stock.

Arrival at any particular time, or for any particular market, is not guaranteed.
Live Stock will be conveyed to and from such Stations only as have accommodation for loading or unloading ; and flocks and herds only at convenient times to be previously arranged with the Traffic Manager, in which cases applicants for Trucks must deposit with the Commissioner the sum of 10s. per Truck on account of trainage, and the amount so deposited will be forfeited to the Commissioner if Trucks be not used by applicant.

In all cases of conveyance of Live Stock, Owners must unload same within three hours after arrival, or the Stock will be unloaded by the Department at Owner's risk and a charge of 2s. per Truck will be made. The Commissioner will have the right of loading any number of Stock up to the maximum number of a Truck load, when only a portion of a Truck is required.

Live Stock Rates.

(To come into force on 15th January, 1879.)

Herds, Flocks, &c., when in consignments of not less than one full Truck load.

CATTLE

Will be conveyed from the undermentioned Stations to Homebush, at the following rates per Truck.

Stations.	Rate.	Stations.	Rate.
	£ s. d.		£ s. d.
Wagga Wagga 304 miles	7 15 4	Moss Vale 86 miles	2 18 8
Junee 287 "	7 9 8	Bowral 80 "	2 14 8
Cootamundra 253 "	6 18 4	Mittagong 77 "	2 12 8
Murrumburrah 228 "	6 10 0	Picton 53 "	1 16 8
Binalong 208 "	6 3 4		
Bowning 194 "	5 16 4	Orange 192 "	5 15 4
Yass 187 "	5 12 10	Blayney 172 "	5 5 4
Gunning 165 "	5 1 10	Bathurst 145 "	4 11 10
Breadalbane 149 "	4 13 10	Wallerawang 105 "	3 11 4
Goulburn 134 "	4 6 4	Mount Victoria 77 "	2 12 8
Marulan 114 "	3 16 4		

And between the undermentioned Stations, at the following rates per Truck.

From	Newcastle.	East Maitland.	West Maitland.	Wollombi Road.	Lochinvar.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Tamworth	5 14 4	5 5 4	5 4 4	5 3 4	5 1 4
Werris Creek	5 0 10	4 11 10	4 10 10	4 9 10	4 7 10
Quirindi	4 15 4	4 6 4	4 5 4	4 4 4	4 2 4
Willow-tree	4 10 4	4 1 4	4 0 4	3 19 4	3 17 4
Scone	3 10 8	2 18 8	2 17 4	2 16 0	2 13 4
Musclebrook	3 0 0	2 8 0	2 6 8	2 5 4	2 2 8

Other distances to be charged—For the first 40 miles, 10d. per Truck per mile; for every mile exceeding 40 and not exceeding 100, 8d. per Truck per mile; for every mile exceeding 100 and not exceeding 200, 6d. per Truck per mile; for every mile over 200, 4d. per Truck per mile. Minimum charge, 15s.

SHEEP

Will be conveyed from the undermentioned Stations to Homebush, at the following rates per Truck.

Stations.	Rate.	Stations.	Rate.
	£ s. d.		£ s. d.
Wagga Wagga 304 miles	6 6 9	Moss Vale 86 miles	2 12 4
Junee 287 "	6 1 10	Bowral 80 "	2 9 4
Cootamundra 253 "	5 11 11	Mittagong 77 "	2 7 10
Murrumburrah 228 "	5 4 7	Picton 53 "	1 15 10
Binalong 208 "	4 18 9		
Bowning 194 "	4 14 1	Orange 192 "	4 13 5
Yass 187 "	4 11 9	Blayney 172 "	4 6 9
Gunning 165 "	4 4 5	Bathurst 145 "	3 17 3
Breadalbane 149 "	3 18 9	Wallerawang 105 "	3 1 10
Goulburn 134 "	3 13 1	Mount Victoria 77 "	2 7 10
Marulan 114 "	3 5 7		

And between the undermentioned Stations, at the following rates per Truck.

Stations from	Newcastle.	East Maitland.	West Maitland.	Wollombi Road.	Lochinvar.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Tamworth	4 12 9	4 6 9	4 6 1	4 5 5	4 4 1
Werris Creek	4 3 9	3 17 3	3 16 6	3 15 9	3 14 3
Quirindi	3 19 10	3 13 1	3 12 4	3 11 7	3 10 1
Willow-tree	3 16 1	3 9 4	3 8 7	3 7 10	3 6 4
Scone	3 1 4	2 12 4	2 11 4	2 10 4	2 8 4
Musclebrook	2 13 4	2 4 4	2 3 4	2 2 4	2 0 4

Other distances to be charged—For the first 40 miles, 10d. per Truck per mile; for every mile exceeding 40 and not exceeding 100, 6d. per Truck per mile; for every mile exceeding 100 and not exceeding 150, 4½d. per Truck per mile; for every mile exceeding 150 and not exceeding 200, 4d. per Truck per mile; for every mile over 200, 3½d. per Truck per mile. For single decked Truck, only half these rates will be charged. Minimum charge, 15s.

HORSES.

HORSES.

The Commissioner will carry Horses in Cattle Trucks if requested to do so, but only under special contract, relieving him of all responsibility. The charge for Horses so carried will be the same as for Cattle in full Truck loads. For the Rates for Horse Boxes, see Coaching Rate Sheet.

PIGS.

8d. per Truck per mile for the whole distance. Minimum, 15s.]

Under the foregoing rates for Cattle, Sheep, Horses, and Pigs, no less charge than for one full Truck will be made for each and every Truck used.

SMALL CONSIGNMENTS.

$\frac{1}{2}$ Truck, i.e., 4 Cows or Oxen, or 10 Calves, or 40 Sheep, or 80 Pigs.	$\frac{1}{4}$ Truck, i.e., 2 Cows or Oxen or 5 Calves, or 20 Sheep, or 15 Pigs.	Single Cow or Ox.	Sheep or Pigs, when less than $\frac{1}{4}$ Truck.	Calves, when less than $\frac{1}{4}$ Truck.
6d. per mile	4d. per mile.....	3d. per mile.....	$\frac{1}{2}$ d. each per mile ...	1d. each per mile.
Minimum, 10s.....	Minimum, 7s. 6d.	Min., 7s. 6d. each ...	Min., 1s. 6d. each ...	Minimum, 2s. each.

When the number of animals or the space occupied exceeds the limit for a $\frac{1}{2}$ Truck, the rate for $\frac{1}{2}$ a Truck will be charged; and when the limit of $\frac{1}{4}$ a Truck is exceeded, a full Truck will be charged for at the rate for herds, flocks, &c.

In ascertaining what portion of a Truck is to be charged for, i.e., $\frac{1}{2}$, $\frac{1}{4}$, or full Truck, regard will be had to the space actually occupied more than to the number of animals; but in no case must the number of animals stated above be exceeded.

Mixed stock will be carried together in the same Truck, provided the whole consignment belongs to one person, and the Commissioner is relieved of all responsibility. When mixed stock cannot be loaded together, each kind will be charged for separately.

When the charge per head for Live Stock exceeds that for a $\frac{1}{4}$ Truck, or when the charge for a part Truck exceeds that for a full one, only the lesser amount will be collected.

Bulls.

The charge for Bulls is 7d. each per mile; if more than one in a Truck, 4 $\frac{1}{2}$ d. each per mile. Minimum, 12s. 6d.

Valuable Rams and Ewes.

If less than half a Truck load, will be charged 2d. each per mile; for half a Truck and upwards, Sheep rates. Minimum, 5s.

Horses.

See full Truck rates. No less charge than for a full Truck load will be made for any number.

GENERAL CONDITIONS AND REGULATIONS.

The Commissioner will not receive Live Stock on Sunday, Good Friday, Christmas Day, or any proclaimed Holiday. Live Stock will be conveyed only from and to such stations as have accommodation for loading and unloading, and herds and flocks only at convenient times to be previously arranged with the Traffic Manager.

The Commissioner does not guarantee arrival at any particular time or for any particular market.

Persons forwarding Live Stock must give at least twenty-four hours' notice of the number of Trucks they will require, at the same time paying a deposit of ten shillings per truck, such deposit money to be forfeited to the Commissioner for Railways in the event of the Trucks not being used by the person ordering them. The acceptance of this deposit will in no way bind the Commissioner to supply the Trucks by any particular time, it being merely intended as a guarantee of the *bond fide* nature of the order.

All Live Stock must be loaded and unloaded by the senders and consignees respectively, by whom also the Truck doors must be secured and opened, fastenings attended to, &c.

All Live Stock must be unloaded within three hours after arrival, otherwise it will be unloaded by the Commissioner, and a charge made of 2s. per Truck.

All Live Stock must be removed from the Railway premises immediately after unloaded; or if left, will remain at the owner's risk and expense, and may be sent to agistment or livery, the cost of which shall be paid by the owner, and such cost must be paid on demand as part of the authorised charges; and such stock, if not removed within seven days, may be sold by auction, by order of the Commissioner, within the Railway premises, and the proceeds applied in payment of all expenses incurred, and the balance thereof handed over to the owner on demand.

When a Truck is only partly occupied by a consignment, the Commissioner will have the right to fill it up to its full carrying capacity with other stock.

One or more *bond fide* Drivers will be allowed to accompany each consignment, travelling distances over 60 miles, to give the stock whatever attention may be necessary during transit. They will be furnished with return free passes, available for three days, and must ride either in the Guard's Van or a 2nd Class Carriage. The number allowed will be regulated by the following scale:—

1 to 5 Trucks (full Trucks only)	1 Driver
6 to 15 ,,	2 Drivers
16 and upwards	3 ,,

The following are the Rates at which Live Stock can be insured:—

NEAT CATTLE (INCLUDING BULLS).

1 to 50 miles, 2 per cent. on the declared value above £15.
51 to 100 ,, 3 ,, ,, ,,
101 to 150 ,, 4 ,, ,, ,,
151 and upwards, 5 ,, ,, ,,

The same percentage charge to be made for Pigs and Sheep (including valuable Rams and Ewes) on the declared value above £2.

Under no circumstances will the Commissioner be responsible for loss or injury to Live Stock, insured or uninsured, occurring during loading or unloading, whether such services be performed by either the servants of the Department or the owner. Nor will he under any circumstances be responsible for loss of or injury to any Live Stock during transit, arising from fear or restiveness, or through any of the animals being suffocated or trampled upon.

No. 45—continued.
 MERCHANDISE Traffic Rates.
 23rd April, 1877.—Rates for Carriage of Wool.
 GREAT SOUTHERN RAILWAY.

	To Sydney.			To Sydney.	
	Per bale not over 4 cwt.			Per bale not over 4 cwt.	
	s.	d.		s.	d.
From Cootamundra	8	3	From Moss Vale	5	6
Murrumburrah	8	0	Mittagong	5	0
Binalong	7	9	Picton	4	0
Bowning	7	6	Menangle	3	0
Yass	7	6	Campbelltown	2	6
Gunning	7	4			
Goulburn	7	0			
Marulan	6	6			

GREAT WESTERN RAILWAY.

	To Sydney.			To Sydney.	
	Per bale not over 4 cwt.			Per bale not over 4 cwt.	
	s.	d.		s.	d.
From Orange	7	9	From Wallerawang	6	6
Blayney	7	6	Bowenfels	6	3
Bathurst	7	3	Penrith	2	6
Raglan	7	3	Richmond	2	6
Macquarie Plains	7	0			
Tarana	7	0			

GREAT NORTHERN RAILWAY.

	To Newcastle.		To Morpeth.			To Newcastle.		To Morpeth.	
	Per bale not over 4 cwt.		Per bale not over 4 cwt.			Per bale not over 4 cwt.		Per bale not over 4 cwt.	
	s.	d.	s.	d.		s.	d.	s.	d.
From Quirindi	7	3	6	9	From Muswellbrook	5	0	4	9
Murrurundi	7	0	6	6	Camberwell	4	6	4	0
Blandford	6	9	6	3	Singleton	4	0	3	6
Scone	6	3	5	9	Branxton	3	6	2	6
Aberdeen	6	0	5	9	Maitland	2	6	1	6

Bales over 4 cwt. to be charged 15 per cent. per cwt. in excess of above charges.

DUMPED WOOL.

An allowance of 15 per cent. will be made on above rates for all wool properly dumped and hooped with iron.

The rates to and from washing establishments will be, for distances not exceeding 15 miles, 1s. per bale—exceeding 15 but not exceeding 22 miles, 1s. 3d. per bale.

13th September, 1878.

GREAT SOUTHERN RAILWAY.

	To Sydney.			To Sydney.	
	Per bale not over 4 cwt.			Per bale not over 4 cwt.	
	s.	d.		s.	d.
From Wagga Wagga	9	0	From Gunning	7	4
Juneo	8	9	Goulburn	7	0
Bethungra	8	6	Marulan	6	6
Cootamundra	8	3	Moss Vale	5	6
Murrumburrah	8	0	Mittagong	5	0
Binalong	7	9	Picton	4	0
Bowning	7	6	Menangle	3	0
Yass	7	6	Campbelltown	2	6

GREAT WESTERN RAILWAY.

	To Sydney.			To Sydney.	
	Per bale not over 4 cwt.			Per bale not over 4 cwt.	
	s.	d.		s.	d.
From Orange	7	9	From Tarana	7	0
Blayney	7	6	Wallerawang	6	6
Bathurst	7	3	Bowenfels	6	3
Raglan	7	3	Penrith	2	6
Macquarie Plains	7	0	Richmond	2	6

No. 45—continued.

MERCHANDISE Traffic Rates.

Rates for Carriage of Wool.

GREAT NORTHERN RAILWAY.

	To Newcastle.		To Morpeth.			To Newcastle.		To Morpeth.	
	Per bale not over 4 cwt.		Per bale not over 4 cwt.			Per bale not over 4 cwt.		Per bale not over 4 cwt.	
	s.	d.	s.	d.		s.	d.	s.	d.
From Quirindi	7	3	6	9	From Muswellbrook	5	0	4	6
Murrurundi	7	0	6	6	Camberwell	4	6	4	0
Blandford	6	9	6	3	Singleton	4	0	3	6
Scone	6	3	5	9	Braunton	3	6	2	6
Aberdeen	6	0	5	6	Maitland	2	6	1	6

Bales over 4 cwt. to be charged 15 per cent. on above charges for every cwt. or portion of cwt. in excess of 4 cwt.

DUMPED WOOL.

An allowance of 15 per cent. will be made on above rates for all wool properly dumped and hooped with iron, and for all bales not exceeding 250 lbs. in weight.

The rates to and from washing establishments will be, for distances not exceeding 15 miles, 1s. per bale—exceeding 15 but not exceeding 22 miles, 1s. 3d. per bale.

Rates for Carriage of Coal.

SOUTH AND WEST LINES.	NORTHERN LINE.
<p>7 December, 1877.</p> <p><i>Commissioner's Trucks.</i></p> <p>Under 50 miles, 1½d. per ton per mile. Minimum, 2/6 Over 50 " 1d. " " " 5/3</p> <p><i>Owner's Trucks.</i></p> <p>Under 50 miles, 1d. per ton per mile. Minimum charge, 2/- Over 50 " ¾d. " " with a terminal charge of 3d. per ton. Minimum charge, 4/3. Lots under 5 tons to be charged as 5 tons, or First-class rates.</p>	<p>7 December, 1877.</p> <p><i>Commissioner's Trucks.</i></p> <p>Same as South and West.</p> <p><i>Owner's Trucks.</i></p> <p>Under 7 miles -/10 Over 7 to 10 miles 1/- 10 " 15 " 1/3 15 " 25 " 1/10 25 " 35 " 2/4 35 " 50 " { 1d. per ton per mile.</p> <p>For distances of 50 miles, ¾d. per ton per mile, with a terminal charge of 3d. a ton. Minimum charge, 4/3.</p> <p>After the first three days, a charge of 3d. per waggon per day will be made for standing accommodation on the Coal Sidings at Newcastle.</p>
<p>13 September, 1878.</p> <p>No alteration.</p>	<p>13 September, 1878.</p> <p>No alteration.</p>

Rates for Carriage of Hay and Straw (Unpressed).

7 DECEMBER, 1877.			
	£	s.	d.
Not exceeding 54 miles	1	5	0 per Truck.
" 46 "	1	2	0 " "
" 41 "	1	0	0 " "
Not exceeding 35 miles	0	18	0 per Truck.
" 26 "	0	14	0 " "
" 16 "	0	10	0 " "

13 SEPTEMBER, 1878.

No alteration.

CHAFF (Loose).

		15 miles.	Over 15 miles.
1877—September 17	Special C	4/-	2½d.
1878—September 13	"	4/-	2½d.

HAY, STRAW, AND CHAFF (PRESSED).

		15 miles.	Over 15 miles.
1877—September 17	Special A	2/-	1½d.
1878—September 13	"	{ 2/-	1½d.
		{ Min. 10/-	per Truck.

No. 45—continued.

MERCHANDISE Traffic Rates.

1 November, 1877—Parcels Rates.

Miles.	7 lbs. and under.	Over 7 lbs. to 14 lbs.	Over 14 lbs. to 28 lbs.	Over 28 lbs. to 56 lbs.	Over 56 lbs. to 84 lbs.	Over 84 lbs. to 112 lbs.	Every 28 lbs. or part thereof.
Distance not over—	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
15.....	0 4	0 6	0 8	0 10	1 0	1 2	0 3
30.....	0 6	0 9	1 0	1 3	1 6	1 9	0 4
45.....	0 8	1 0	1 4	1 8	2 0	2 4	0 5
60.....	0 10	1 3	1 8	2 1	2 6	2 11	0 6
75.....	1 0	1 6	2 0	2 6	3 0	3 6	0 7
90.....	1 2	1 9	2 4	2 11	3 6	4 1	0 8
105.....	1 4	2 0	2 8	3 4	4 0	4 8	0 9
120.....	1 6	2 3	3 0	3 9	4 6	5 3	0 10
135.....	1 8	2 6	3 4	4 2	5 0	5 10	0 11
150.....	1 10	2 9	3 8	4 7	5 6	6 5	1 0
165.....	2 0	3 0	4 0	5 0	6 0	7 0	1 1
180.....	2 2	3 3	4 4	5 5	6 6	7 7	1 2
195.....	2 4	3 6	4 8	5 10	7 0	8 2	1 3
210.....	2 6	3 9	5 0	6 3	7 6	8 9	1 4
225.....	2 8	4 0	5 4	6 8	8 0	9 4	1 5
240.....	2 10	4 3	5 8	7 1	8 6	9 11	1 6
And respectively for every additional or part of additional, 15 miles.....	0 2	0 3	0 4	0 5	0 6	0 7	0 1

NOTE.—Dairy produce over 1 cwt. will be conveyed only when practicable, by Passenger Trains, at Goods Rates.

All parcels to be at stations 15 minutes before the advertised time of departure of the train by which they are to be forwarded.

Parcels over £10 value and under £50, double rate; over £50 value, quadruple rate. Although these rates are charged and the value of such parcels declared accordingly, the Department does not hold itself responsible for contents.

Musical instruments, sewing machines, and perambulators, double parcels rate.

Corpses, 1s. per mile; minimum charge, 5s.

Newspaper parcels, one-quarter parcels rates; minimum charge, 3d.

Passengers' excess luggage, parcels rates.

6 July, 1878—Parcels Rates.

Miles.	3 lbs. and under.	Over 3 lbs. to 7 lbs.	Over 7 lbs. to 14 lbs.	Over 14 lbs. to 28 lbs.	Over 28 lbs. to 56 lbs.	Over 56 lbs. to 84 lbs.	Over 84 lbs. to 112 lbs.	Every 28 lbs. or part thereof.
Distance not over—	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
15.....	0 3	0 4	0 6	0 8	0 10	1 0	1 2	0 3
30.....	0 3	0 5	0 7	0 9	0 11	1 2	1 4	0 3
45.....	0 3	0 6	0 9	1 0	1 3	1 6	1 9	0 4
60.....	0 4	0 8	0 11	1 3	1 7	1 11	2 2	0 6
75.....	0 5	0 9	1 2	1 6	1 11	2 3	2 8	0 7
90.....	0 6	0 11	1 4	1 9	2 2	2 8	3 5	0 8
105.....	0 6	1 0	1 6	2 0	2 6	3 0	4 0	0 10
120.....	0 7	1 2	1 8	2 3	2 10	3 5	4 6	1 0
135.....	0 8	1 3	1 11	2 6	3 2	3 9	5 0	1 3
150.....	0 9	1 5	2 1	2 9	3 5	4 2	5 6	1 5
165.....	0 9	1 6	2 3	3 0	3 9	4 6	6 0	1 6
180.....	0 10	1 8	2 5	3 3	4 1	4 11	6 5	1 7
195.....	0 11	1 9	2 8	3 6	4 5	5 3	6 10	1 8
210.....	1 0	1 11	2 10	3 9	4 8	5 8	7 3	1 9
225.....	1 0	2 0	3 0	4 0	5 0	6 0	7 6	1 10
240.....	1 1	2 2	3 2	4 3	5 4	6 5	8 0	2 0
And respectively for every additional, or part of ad- ditional, 15 miles.....	0 1	0 2	0 2	0 3	0 4	0 5	0 5	0 1

NOTE.—Dairy produce over 1 cwt. will be conveyed only when practicable, by Passenger Trains, at Goods Rates.

All parcels to be at stations 15 minutes before the advertised time of departure of the train by which they are to be forwarded.

Parcels over £10 value and under £50, double rate; over £50 value, quadruple rate. Although these rates are charged and the value of such parcels declared accordingly, the Department does not hold itself responsible for contents.

Musical instruments, sewing machines, and perambulators, double parcels rate.

Corpses, 1s. per mile; minimum charge, 5s.

Newspaper parcels, one-quarter parcels rates; minimum charge, 3d.

Passengers' excess luggage, parcels rates.

20 December, 1878—Parcels Rates.

No alteration excepting the addition of the following:—

Fresh meat, fish, poultry (dead), dairy produce, eggs, fruit, vegetables, ice, and game under 1 cwt., 25 per cent. reduction on parcels rates; minimum charge, 3d.

No. 46.

COMPARATIVE STATEMENT of the RATES charged for Goods in New South Wales, Victoria, Queensland, and South Australia, 31st December, 1878:

APPENDIX TO REPORT ON RAILWAYS—1878.

Articles of Traffic.	New South Wales.			Victoria.			Queensland.			+ South Australia.				
	Class.	50 miles.	150 miles.	Class.	50 miles.	150 miles.	Class.	50 miles.	150 miles.	Class.	50 miles.	150 miles.		
Acids (in cases and carboys)	4	s. d. 38 3	s. d. 109 6	4	s. d. 58 0	s. d. 175 0	Gunpow- der Rate	Cases 106 8	s. d. 160 0	s. d. 320 0	4	s. d. 39 6	s. d. 114 6	
Aerated Waters	2	21 7	61 2	Miscellaneous.	13 6	38 6	2	30 10	105 0	105 0	1	14 6	39 6	
Agricultural Machines	3	29 5	84 10	4	29 0	87 6	2	30 10	105 0	105 0	} 1½d. to 9d. per mile according to kind of machine.			
Alc and Porter (in bulk)	3	29 5	84 10	Miscellaneous.	13 6	38 6	1	20 10	70 0	70 0	1	14 6	39 6	
Ammunition	4	38 3	109 6	Carried by Regulation.			Gunpowder Rate	53 4	160 0	160 0	4	39 6	114 6	
Bark (in sheets, bundles or bags)	A	5 8	15 2	{ in truck loads, Special in less than truckloads, Miscellaneous. Firewood Soft wood 1 ...	7 6	20 0	} Special 2 Timber	12 9	38 0	38 0	1	14 6	39 6	
Battens.....	A	6 2	15 2		4 2	12 6		8 6	25 4	25 4
Beet-root	A	5 8	15 2		Agricultural	7 3		17 8	Agricultural 2	9 2	25 0	25 0	Special	10 5	31 3
Bicycles	4	38 3	109 6	4	29 0	87 6	2	30 10	105 0	105 0	4	39 6	114 6	
Boards { Not exceeding 2 inches	D	12 4	30 3	1 Soft wood Timber rate, sawn	16 6	50 0	} Timber Rate	12 9	38 0	38 0	50 ft. to ton 1	14 6	39 6	
..... { If requiring 2 trucks	1	17 8	49 4		5 6	15 6								30 0
Boats (80 cubic feet to ton)	2	21 7	61 2	2	21 0	62 6	2	30 10	105 0	105 0	1 40 cub. ft.	14 6	39 6	
Boilers	2	21 7	61 2	4	29 0	87 6	1	20 10	70 0	70 0	{ 2 3, if 2 trucks	20 9	58 3	
Do. (if requiring 2 trucks)	3	29 5	84 10	.....	.....	.....	.....	.....	.....	.....		27 0	77 0
Bones (in bags)	A	5 8	15 2	Special	7 6	20 0	Excep.	6 8	19 2	19 2	Special	10 5	31 3	
Do. (loose)	B	7 5	18 2	Special	7 6	20 0	Excep.	6 8	19 2	19 2	1	14 6	39 6	
Bottles (empty, in cases and crates)	C	10 7	27 3	Miscellaneous.	13 6	38 6	1	20 10	70 0	70 0	Special	10 5	31 3	
Bran	A	5 8	15 2	Agricultural	7 3	17 8	1	20 10	70 0	70 0	Special	10 5	31 3	
Bricks	A*	5 8	15 2	Special	7 6	20 0	Excep.	6 8	19 2	19 2	Special	10 5	31 3	
Cabbages	A	5 8	15 2	Agricultural	7 3	17 8	Agricultural 2	9 2	25 0	25 0	Special	10 5	31 3	
Candied Fruits (up journey)	D	12 4	30 3	3	25 0	75 0	2	30 10	105 0	105 0	3	27 0	77 0	
Carpentry	3	29 5	84 10	Not named			2	30 10	105 0	105 0	3	27 0	77 0	
Carrots	A	5 8	15 2	Agricultural	7 3	17 8	Agricultural 2	9 2	25 0	25 0	Special	10 5	31 3	
Cases (new, empty)	C	10 7	27 3	2	21 0	62 6	2	30 10	105 0	105 0	2	20 9	58 3	
Casks do.	C	10 7	27 3	2	21 0	62 6	2	30 10	105 0	105 0	3	27 0	77 0	
Cement.....	1	17 8	49 4	1	16 6	50 0	Special 2	12 9	38 0	38 0	1	14 6	39 6	
Chaff.....	C	10 7	27 3	.....	.....	.....	Agricultural 2	9 2	25 0	25 0	2	20 9	58 3
Do. (pressed).....	A	5 8	15 2	Special	7 6	20 0	do. 2	9 2	25 0	25 0	1	14 6	39 6	

Charcoal (in bags)	D	12 4	30 3	Special	7 6	20 0	1	20 10	70 0	2	20 9	58 3			
Chicory Root	B	7 5	18 2	Agric.	7 3	17 8	2	30 10	105 0	2	20 9	58 3			
Clay	A*	5 8	15 2	Special	7 6	20 0	Excep.	6 8	19 2	Special	10 5	31 3			
Coal	Commissioner's Trucks	5 3	12 6	Special	7 6	20 0	Government Trucks	4 2	9 6	Special	10 5	31 3			
	Owner's Trucks	4 2	9 8					3 2	6 4						
Coke (in bags).....	D	12 4	30 3	1	16 6	50 0	Excep.	6 8	19 2	2	20 9	58 3			
Do.	B	7 5	18 2	Not named			Excep.	6 8	19 2	2	20 9	58 3			
Colonial Wine.....	B	7 5	18 2	Bulk Misc. up Cases 2 up	13 6	38 6	2	30 10	105 0	In bottles 3 In bulk 2	27 0	77 0			
		Up journey	21 0		62 6	20 9					58 3				
Copper ore	A	5 8	15 2	Special	7 6	20 0	Special 2	.....	26 8	166 miles	.....	.....	
Do (Smelted)	D	12 4	30 3	2	21 0	62 6	Special 2	39 2	140 do	1	14 6	39 6		
Drain Pipes	B	7 5	18 2	Special	7 6	20 0	Special 2	12 9	38 0	Special	10 5	31 3			
Dynamite (in casks, packed in secure bags)	Miscellaneous	50 0	150 0	Carried by Regulation.			Gunpowder rate	53 4	160 0	4	39 6	114 6			
Feathers	3	29 5	84 10	4	58 0	175 0	3	41 8	151 8	4	79 0	229 0			
Felloes—undressed	A	6 2	15 2	Firewood	4 2	12 6	Timber	12 9	38 0	1	14 6	39 6			
Fireclay Blocks	A	5 8	15 2	1	16 6	50 0	Not named			Special	10 5	31 3			
Firewood	Miscellaneous	4 10	13 2	Firewood	4 2	12 6	Timber	4 2	12 6	Special	10 5	31 3			
Fireworks.....	4	38 3	109 6	4	29 0	87 6	Gunpowder rate	106 8	320 0	4	39 6	114 6			
Fish—fresh or shell (quantities not less than 2 cwt.)	Miscellaneous	12 6	37 6	2	21 0	62 6	Special 2	12 9	38 0	2	20 9	58 3			
				3	25 0	75 0							1	20 10	70 0
				2	21 0	62 6							In brine		
Flour.....	A	5 8	15 2	Agricultural	7 3	17 8	From Colonial wheat. 1	20 10	70 0	Special	10 5	31 3			
Flower-pots.....	C	10 7	27 3	3	25 0	75 0	Special 2	8 6	25 4	3	27 0	77 0			
Fruit	A	5 8	15 2	Miscellaneous	13 6	38 6	2	30 10	105 0	Special	10 5	31 3			
Furniture	4	38 3	109 6	4	29 0	87 6	Agricultural 1	12 6	40 0	4	39 6	114 6			
Do. (in cases)	3	29 5	84 10	3	25 0	75 0	3	41 8	151 8	3	27 0	77 0			
Garden Produce	A	5 8	15 2	Agricultural	7 3	17 8	Agricultural 2	9 2	25 0	Special	10 5	31 3			
Glue picces	C	10 7	27 3	2	21 0	62 6	2	30 10	105 0	3	27 0	77 0			
Grain.....	A	5 8	15 2	Agricultural	7 3	17 8	Agricultural 2	9 2	25 0	Special	10 5	31 3			
Green Fodder	A	5 8	15 2	Agricultural	7 3	17 8	Agricultural 2	9 2	25 0	Not named					
Guano and Artificial Manures.....	B	7 5	18 2	Guano, Special, Artificial Manures (Col.) Agricultural	7 6	20 0	Special 2	12 9	38 0	Special	10 5	31 3			
					7 3	17 8									
Gunpowder (in casks)	Miscellaneous	50 0	150 0	Carried by Regulation.			Gunpowder rate	53 4	160 0	4	39 6	114 6			
Hardware.....	3	29 5	84 10	3	25 0	75 0	2	30 10	105 0	3	27 0	77 0			
Hats	4	38 3	109 6	4	58 0	175 0	3	41 8	151 8	4	79 0	229 0			

Articles of Traffic.	New South Wales.			Victoria.			Queensland.			+ South Australia.		
	Class.	50 miles.	150 miles.	Class.	50 miles.	150 miles.	Class.	50 miles.	150 miles.	Class.	50 miles.	150 miles.
Hay (loose) (see page 126)		s. d.	s. d.		s. d.	s. d.		s. d.	s. d.		s. d.	s. d.
Do. (pressed and branded with weight)	A	5 8	15 2	Special	7 6	20 0	Agricultural 2	9 2	25 0	Special	10 5	31 3
Hides—Green and Wet Salted	B	7 5	18 2	} Miscellaneous	13 6	38 6	{ Loose 1	20 10	70 0	Bales Special	10 5	31 3
Do. Dry	D	12 4	30 3										} Miscellaneous	13 6	38 6	{ Tied Special 1	15 0	46 8	Loose 1	14 6	39 6
Hoofs (in bags)	A	5 8	15 2	} Miscellaneous	13 6	38 6	Excep.	6 8	19 2	{ Special 1	10 5	31 3
Do. (loose)	B	7 5	18 2										} Miscellaneous	13 6	38 6	Excep.	6 8	19 2	{ Special 1	10 5	31 3
Horns (in bags)	A	5 8	15 2	} Miscellaneous	13 6	38 6	Excep.	6 8	19 2	{ Special 1	10 5	31 3
Do. (loose)	B	7 5	18 2										} Miscellaneous	13 6	38 6	1	20 10	70 0	1	14 6	39 6
Iron—Bar and Plate (up journey)	B	7 5	18 2	} Miscellaneous	13 6	38 6	1	20 10	70 0	1	14 6	39 6
Do. Bar, Rod, Angle, and T.												
Do. Boiler-plate or Sheet.....				} Plate Miscell.	13 6	38 6	1	20 10	70 0	1	14 6	39 6
Do. Castings (if over 3 tons, owner's risk only)												
Do. Corrugated (in cases)				} 2	21 0	62 6	1	20 10	70 0	in cases 2	20 9	58 3
Do. Girders (if requiring two trucks no less charge than for 3 tons will be made)	2	21 7	61 2										} 3	25 0	75 0	1	20 10	70 0	1	14 6	39 6
Do. Tanks (80 cubic feet per ton)				} 4	29 0	87 6	3	41 8	151 8	{ 1	14 6	39 6
Do. Wire (in bundles)												
Do. Wheel and Axles (Railway)				} 2	21 0	62 6	2	30 10	105 0	Fencing Special	20 9	58 3
Do. Pig, Pipes, and Rough Castings (up journey)	A	5 8	15 2										} Special	7 6	20 0	Special 2	12 9	38 0	1	14 6	39 6
Do. Pig	D	12 4	30 3	} Special	7 6	20 0	Special 2	12 9	38 0	Special	10 5	31 3
Do. Scrap	D	12 4	30 3										} Special	7 6	20 0	Special 2	12 9	38 0	Special	10 5	31 3
Do. do. (up journey).....	A	5 8	15 2	} 3	25 0	75 0	2	30 10	105 0	{ Cases 1	14 6	39 6
Ironmongery	3	29 5	84 10										} 3	25 0	75 0	2	30 10	105 0	Loose 3	27 0	77 0
Ironstone	Miscellaneous	4 10	13 2	} Special	7 6	20 0	Excep.	6 8	19 2	Special	10 5	31 3
Jams (up journey)	D	12 4	30 3										} 3	25 0	75 0	Special 2	12 9	38 0	3	27 0	77 0
Joinery	3	29 5	84 10	} 4	29 0	87 6	2	30 10	105 0	3	27 0	77 0
Kerosene Oil	1	17 8	49 4										} 3	25 0	75 0	2	30 10	105 0	2	20 9	58 3
Lamps—(Street, Door, or Hall)	3	29 5	84 10	} 4	58 0	175 0	3	41 8	151 8			
Laths	B	7 5	18 2										} 2	21 0	62 6	Timber	12 9	38 0	1	14 6	39 6
Lead (Pig)	2	21 7	61 2	} 2	21 0	62 6	Special 2	12 9	38 0	2	20 9	58 3
Do. (Sheet) .....													3	25 0	75 0	} 3	25 0	75 0	1	20 10	70 0	2	20 9	58 3
Leather (in bales or secured bundles)	1	17 8	49 4	} Miscellaneous	13 6	38 6	2	30 10	105 0	1	14 6	39 6
Do. (if loose or insecure bundles) (up)	2	21 7	61 2									

Lime	B*	7 5	18 2	Special	7 6	20 0	Special 2	12 9	38 0	Special	10 5	31 3
Limestone	Miscellaneous	4 10	13 2	Not	named.		Excep.	6 8	19 2	Special	10 5	31 3
Lithofracteur	Miscellaneous	50 0	150 0	Carried	by Regulation.		Gunpowder	53 4	160 0	4	39 6	114 6
Lucerne Seeds	1	17 8	49 4	2	21 0	62 6	Agric. 1	12 6	40 0			
Machinery (of all kinds)	3	29 5	84 10	2	21 0	62 6	2	30 10	105 0	2	20 9	58 3
Malt	1	17 8	49 4	1	16 6	50 0	1	20 10	70 0	1	14 6	39 6
Do. Tanks, square and empty	3	29 5	84 10	Agric.	7 3	17 8	Not	named.				
Mangold Wurzel	A	5 8	15 2	Not	named.		Agric. 2	9 2	25 0			
Manure (loose)	Miscellaneous	4 10	13 2	Agric.	7 3	17 8				Special	10 5	31 3
Do. (in bags)	B	7 5	18 2	Not	named.					Special	10 5	31 3
Marble (undressed)	B*	7 5	18 2	Not	named.		Excep.	6 8	19 2			
Meal	A	5 8	15 2	Special	7 6	20 0	Special 2	12 9	38 0	2	20 9	58 3
Measurement Goods, 80 cub. feet to ton	1	17 8	49 4	Agric.	7 3	17 8	1	20 10	70 0	Special	10 5	31 3
Millinery	4	38 3	109 6	Not	named.		Not	named.		Not	named.	
Muriate of Lime	1	17 8	49 4	4	58 0	175 0	3	41 8	151 8	4	39 6	114 6
Musical Instruments	4	38 3	109 6	Not	named.		2	30 10	105 0	3	27 0	77 0
Naphtha	4	38 3	109 6	4	29 0	87 6	3	41 8	151 8	4	39 6	114 6
Offal	B	7 5	18 2	4	29 0	87 6	Gunpowder	106 8	320 0	4	39 6	114 6
Oil-cake	D	12 4	30 3	Not	named.		Excep.	6 8	19 2	3	27 0	77 0
Opium	3	29 5	84 10	1	16 6	50 0	2	30 10	105 0	1	14 6	39 6
Ores	A*	5 8	15 2	4	58 0	175 0	3	83 4	303 4	4	39 6	114 6
Paintings and Engravings	4	38 3	109 6	Special	7 6	20 0	Special 2	.....	26 8—166 miles	Special	10 5	31 3
Palings	A	6 2	15 2	loose 4	58 0	175 0	3	41 8	151 8	4	39 6	114 6
Paper	C	10 7	27 3	in cases 4	29 0	87 6	Timber	8 6	25 4	1	14 6	39 6
Do.	(Under 1 ton) 2	21 7	61 2	Firewood	4 2	12 6	2	30 10	105 0	2	20 9	58 3
Papier Mâché Goods	3	29 5	84 10	2	21 0	62 6	3	41 8	151 8	4	39 6	114 6
Perambulators	4	38 3	109 6	4	29 0	87 6	2	30 10	105 0	4	39 6	114 6
Perfumery	3	29 5	84 10	3	25 0	75 0 boxed	3	41 8	151 8	4	39 6	114 6
Picture-frames	4	38 3	109 6	4	29 0	87 6 bundles	3	41 8	151 8	4	79 0	229 0
Pier Glasses and Mirrors	4	38 3	109 6	4	58 0	175 0 loose	3	41 8	151 8	4	39 6	114 6
Pipes (iron)	(Up) A	5 8	15 2	4	29 0	87 6	1	20 10	70 0			
Pitch	1	17 8	49 4	1	16 6	50 0	1	20 10	70 0			
Plants (in pots and cases)	3	29 5	84 10	1	16 6	50 0	2	30 10	105 0	1	14 6	39 6
Plate-glass	4	38 3	109 6	3	25 0	75 0	3	41 8	151 8	4	39 6	114 6
Plated Goods	3	29 5	84 10	4	29 0	87 6	3	41 8	151 8	Window 3	27 0	77 0
Pollard	A	5 8	15 2	4	29 0	87 6	3	41 8	151 8	4	39 6	114 6
Portable Engines	3	29 5	84 10	Agric.	7 3	17 8	1	20 10	70 0	Special	10 5	31 3
Posts and Rails	A	6 2	15 2	1	16 6	50 0	2	30 10	105 0	1	14 6	39 6
Potatoes	A	5 8	15 2	Firewood	4 2	12 6	Timber	8 6	25 4	Special	10 5	31 3
				Agric.	7 3	17 8	Agric. 2	9 2	25 0	Special	10 5	31 3

No. 46—continued.

Articles of Traffic.	New South Wales.			Victoria.			Queensland.			†South Australia.			
	Class.	50 miles.	150 miles.	Class.	50 miles.	150 miles.	Class.	50 miles.	150 miles.	Class.	50 miles.	150 miles.	
Poultry (living) in crates.....	3	s. d. 29 5	s. d. 84 10	4	s. d. 29 0	s. d. 87 6	Agric. 1	s. d. 12 6	s. d. 40 0	4	s. d. 39 6	s. d. 114 6	
Preserved Meat.....	B	7 5 (Up Journey)	18 2	Miscellaneous	13 6	38 6	Special 2	12 9	38 0	1	14 6	39 6	
Quicksilver.....	1	17 8	49 4	3	25 0	75 0	3	41 8	151 8	3	27 0	77 0	
Rags and Materials for making Paper (not chemicals).	A	5 8	15 2	Rags—Miscel. Ropc—Special	13 6 7 6	38 6 20 0	Excep.	6 8	19 2	1	14 6	39 6	
Railway Materials.....	1	17 8	49 4	Miscellaneous	13 6	38 6	Special 2	12 9	38 0	1	14 6	39 6	
Regulus.....	D	12 4	30 3		Not named.			Not named.		Special	10 5	31 3	
Resin.....	1	17 8	49 4	1	16 6	50 0	2	30 10	105 0	1	14 6	39 6	
Road Metal.....	Miscellaneous	4 10	13 2	Special	7 6	20 0	Excep.	6 8	19 2	Special	10 5	31 3	
Salt—Rock and Calcutta—Lick Blocks	D	12 4	30 3	Miscellaneous	13 6	38 6	Special 2	12 9	38 0	Special	10 5	31 3	
Do. do., if consigned between 15 Sept. and end of February, inclusive.....	B	7 5	18 2				1	16 6	50 0	Special 1	15 0	46 8	Special	10 5	31 3
Do. Dairy and Meat-curing.....	1	17 8	49 4	1	16 6	50 0	Excep.	6 8	19 2	Special	10 5	31 3	
Sand.....	B*	7 5	18 2	Special	7 6	20 0							
Sawdust.....	A	5 8	15 2	Miscellaneous	13 6	38 6	2	30 10	105 0	3	27 0	77 0	
Scientific Instruments.....	4	38 3	109 6	4	29 0	87 6	3	41 8	151 8	4	39 6	114 6	
Seed—Grass.....	1	17 8	49 4	2	21 0	62 6	Agric. 1	12 6	40 0	Flower 4	2	20 9	58 3
											4	39 6	114 6
Sewing Machines.....	4	38 3	109 6	4 3	29 0 25 0	87 6 loose 75 0 boxed	3	41 8	151 8	4	39 6	114 6	
Shalc—Kerosene, from Hartley Siding to Sydney.....	Miscellaneous	£2 per of 6	Truck tons.	Miscellaneous	13 6	38 6		Not named.			Not named.		
Sheepskins (in bales or secured bundles)	C	10 7	27 3	Miscellaneous	13 6	38 6	Special 1	15 0	46 8	Special	10 5	31 3	
Do. (if loose, or insecure bundles).....	D	12 4	30 3				1	20 10	70 0				
Shingles.....	B	7 5	18 2	Firewood	4 2	12 6	Timber	12 9	38 0	1	14 6	39 6	
Silk Goods.....	3	29 5	84 10	4	29 0	87 6	3	41 8	151 8	4	39 6	114 6	
Slate Slabs.....	4	38 3	109 6	4	29 0	87 6	3	41 8	151 8	3	27 0	77 0	
Slates.....	C	10 7	27 3	1	16 6	50 0	Special 2	12 9	38 0	Special	10 5	31 3	
Sleepers (Railway).....	D	12 4	30 3	Firewood	4 2	12 6	Timber	8 6	25 4	1	14 6	39 6	
Soap (except scented and fancy).....	2	21 7	61 2	1	16 6	50 0	1	20 10	70 0	Fancy 4	1	14 6	39 6
											4	39 6	114 6
Soda (Crystals).....	D	12 4	30 3	1	16 6	50 0	1	20 10	70 0	1	14 6	39 6	
Do. (Caustic).....	D	12 4	30 3	1	16 6	50 0	1	20 10	70 0	1	14 6	39 6	

Spokes and Shafts (undressed)	A	6 2	15 2	Firewood	4 2	12 6	Timber	12 9	38 0	1	14 6	39 6												
Stone (cut for building or grindstones)	D	12 4	30 3	Building 2	21 0	62 6	Excep.	6 8	19 2	Special	10 5	31 3												
Stone (carved, and gravestones)	2	21 7	61 2	Grindstones 1	16 6	50 0	1	20 10	70 0	1	14 6	39 6												
Do. (undressed)	Miscellaneous	4 10	13 2	2	21 0	62 6	2	30 10	105 0	3	27 0	77 0												
Stocks (undressed)	A	6 2	15 2	Special	7 6	20 0	Excep.	6 8	19 2	Special	10 5	31 3												
Straw (pressed and branded)	A	5 8	15 2	Firewood	4 2	12 6	Timber	12 9	38 0	1	14 6	39 6												
Sugar	2	21 7	61 2	Special	7 6	20 0	Agricultural 2	9 2	25 0	Special	10 5	31 3												
Sulphuric Acid	1	17 8	49 4	2	21 0	62 6	In mats & bags In cases, &c. Loaf, loose	1	20 10	70 0	Loaf, loose 4	14 6 39 6 114 6												
Tallow	1	17 8	49 4	3	25 0	75 0							2	30 10	105 0	3	27 0	77 0						
Tar	1	17 8	49 4	4	29 0	87 6													Special 1	15 0	46 8	1	14 6	39 6
Terra Cotta	A	5 8	15 2	Miscellaneous	13 6	38 6	1	20 10	70 0	1	14 6	39 6												
Threshing Machines	3	29 5	84 10	1	16 6	50 0	Not named.	Not named.	Not named.	Not named.	Not named.	Not named.												
Tiles—Earthenware	B	7 5	18 2	4	29 0	87 6	2	30 10	105 0	2	20 9	58 3												
Do. Tessellated and Ornamental	D	12 4	30 3	Special	7 6	20 0	Excep.	6 8	19 2	2	20 9	58 3												
Timber	A	6 2	15 2	Timber	30 cub. ft. to ton	5 6	15 6	Timber	12 9	38 0	Ironbark, 0 25c. f. to tn. Pine, 45 do.	1	14 6	39 6										
															Dressed ... { not exceeding 2 inches	D	12 4	30 3	1	16 6	50 0	1	14 6	39 6
															do. if requiring 2 trucks	1	17 8	49 4	1	17 8	49 4	1	14 6	39 6
Undressed	A	6 2	15 2	Timber	5 6	15 6	Timber	12 9	38 0	1	14 6	39 6												
Tin (smelted)	D	12 4	30 3	2	21 0	62 6	Special 2	30 0	166 miles	3	27 0	77 0											
Tin Plates	2	21 7	61 2	2	21 0	62 6	Special 1	15 0	46 8	1	14 6	39 6												
Tin Ore	C	10 7	27 3	Not named.	Not named.	Not named.	Special 2	26 8	166 miles	Special	10 5	31 3											
Tobacco—Colonial leaf	B	7 5	18 2	Miscellaneous	13 6	38 6	Agricultural 1	12 6	40 0	1	14 6	39 6												
Toys, in cases	3	29 5	84 10	4	29 0	87 6	3	41 8	151 8	.....	.....	.....									
Tricycles	4	38 3	109 6	4	29 0	87 6	2	30 10	105 0	4	39 6	114 6												
Turnips	A	5 8	15 2	Miscellaneous	13 6	38 6	Agricultural 2	9 2	25 0	Special	10 5	31 3												
Velocipedes	4	38 3	109 6	4	29 0	87 6	2	30 10	105 0	4	39 6	114 6												
Whiting	D	12 4	30 3	1	16 6	50 0	Special 1	15 0	46 8	1	14 6	39 6												
Wire Netting	3	29 5	84 10	4	29 0	87 6	2	30 10	105 0	4	39 6	114 6												
Woolpacks	1	17 8	49 4	1	16 6	50 0	1	20 10	70 0	3	27 0	77 0												
Zinc	2	21 7	61 2	2	21 0	62 6	2	30 10	105 0	2	20 9	58 3												
	‡3	29 5	84 10	.....	.....	.....	.....	.....	.....	.....	.....	.....			

‡ For all articles not enumerated above.

* Marked thus * will be carried only in quantities of 4 tons and over; smaller quantities will be charged as 4 tons, or subject to 1st class rates.

A terminal charge of 1s. per ton is included in Special and Miscellaneous Rates.

† 2s. per ton included for loading and unloading.

SHEEP

Will be conveyed from the undermentioned Stations to Homebush, at the following rates per truck :-

Stations.	Rate.	Stations.	Rate.
Wagga Wagga	304 miles £ s. d. 6 6 9	Moss Vale	86 miles £ s. d. 2 12 4
Junee	287 " 6 1 10	Bowral	80 " 2 9 4
Cootamundra	258 " 5 11 11	Mittagong	77 " 2 7 10
Murrumburrah	228 " 5 4 7	Pictou	53 " 1 15 10
Binalong	208 " 4 18 9	Orange	192 " 4 18 5
Bowling	194 " 4 14 1	Blayney	172 " 4 6 9
Yass	187 " 4 11 9	Bathurst	145 " 3 17 3
Gunning	165 " 4 4 5	Wallerawang	105 " 3 1 10
Bredalbane	149 " 3 18 9	Mount Victoria	77 " 2 7 10
Goulburn	134 " 3 13 1		
Marulan	114 " 3 5 7		

And between the undermentioned Stations, at the following rates per truck :-

Stations from	Newcastle.	East Maitland.	West Maitland.	Wollombi Road.	Lochinvar.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Tamworth	4 12 9	4 6 9	4 6 1	4 6 5	4 4 1
Werris Creek	4 3 9	3 17 3	3 16 6	3 15 9	3 14 3
Quilindi	3 19 10	3 13 1	3 12 4	3 11 7	3 10 1
Willow-tree	3 16 7	3 9 4	3 8 7	3 7 10	3 6 4
Some	3 1 4	2 12 4	2 11 4	2 10 4	2 8 4
Musclebrook	2 13 4	2 4 4	2 3 4	2 2 4	2 0 4

Other distances to be charged—For the first 40 miles, 10d. per truck per mile ; for every mile exceeding 40 and not exceeding 100, 6d. per truck per mile ; for every mile exceeding 100 and not exceeding 150, 4½d. per truck per mile ; for every mile exceeding 150 and not exceeding 200, 4d. per truck per mile ; for every mile over 200, 3½d. per truck per mile. For single-decked truck, only half these rates will be charged. Minimum charge, 15s.

HORSES.

The Commissioner will carry Horses in Cattle Trucks if requested to do so, but only under special contract, relieving him of all responsibility. The charge for Horses so carried will be the same as for Cattle in full Truck loads.

For the Rates for Horse Boxes, see Coaching Rate Sheet.

PIGS.

8d. per Truck per mile for the whole distance. Minimum, 15s.

Under the foregoing rates for Cattle, Sheep, Horses, and Pigs, no less charge than for one full Truck will be made for each and every Truck used.

SMALL CONSIGNMENTS.

¼ Truck, i.e. 4 Cows or Oxen, or 10 Calves, or 40 Sheep, or 30 Pigs.	½ Truck, i.e. 2 Cows or Oxen, or 5 Calves, or 20 Sheep, or 15 Pigs.	Single Cow or Ox.	Sheep or Pigs, when less than ¼ Truck.	Calves, when less than ¼ Truck.
6d. per mile	4d. per mile	3d. per mile.	½d. each per mile.	1d. each per mile.
Minimum, 10s.	Minimum, 7s. 6d.	Min., 7s. 6d. each.	Min., 1s. 6d. each.	Min., 2s. each.

SHEEP.

Sheep Trucks.

	Per mile.
1 to 150 miles	-/9 per truck.
Over 150 miles	-/7 " "

GOODS TRUCKS.

1 to 150 miles	-/6 " "
Over 150 miles	-/5 " "

In the event of the Department not being able to supply Sheep Trucks, it does not undertake to provide Goods Trucks.

Every Sheep or Lamb, up to 3, carried any distance not exceeding 24 miles, by Goods Trains only 2/-

And for each mile beyond that distance /1

Over 3 and up to 10 animals, half Truck rate ; over 10 animals, full Truck rate.

Minimum Charge :—Sheep Truck, 40/- ; Goods Truck, 20/- ; exclusive of a Terminal Charge of 2/- per Truck for Sheep Trucks, and 1/- per Truck for Goods Trucks, to be added to the above rates in all cases.

Horses, Cattle, or other Animals to be carried must be at the Stations One Hour before the departure of the Train by which they are intended to be forwarded ; and the Board do not undertake to forward Horses, Cattle, or other Animals at or by any particular time or Train. Not less than twenty-four hours' notice must be given when a Horse-box is required, and 50% of the Fare must be deposited when making the requisition, such deposit to be forfeited if the Horse or other Animal does not arrive in time to be forwarded by the train appointed.

PIGS IN TRUCKS.

-/6 per waggon per mile.
-/3 per half waggon per mile.

No. 46—continued.

NEW SOUTH WALES.	VICTORIA.	QUEENSLAND.	SOUTH AUSTRALIA.
<p>When the number of animals or the space occupied exceeds the limit for a quarter Truck, the rate for half a Truck will be charged; and when the limit of half a Truck is exceeded, a full Truck will be charged for at the rate for herds, flocks, &c.</p> <p>In ascertaining what portion of a Truck is to be charged for, <i>i.e.</i>, quarter, half, or full Truck, regard will be had to the space actually occupied more than to the number of animals; but in no case must the number of animals stated above be exceeded.</p> <p>Mixed Stock will be carried together in the same Truck, provided the whole consignment belongs to one person, and the Commissioner is relieved of all responsibility. When Mixed Stock cannot be loaded together, each kind will be charged for separately.</p> <p>When the charge per head for Live Stock exceeds that for a quarter Truck, or when the charge for a part Truck exceeds that for a full one, only the lesser amount will be collected.</p> <p style="text-align: center;"><i>Bulls.</i></p> <p>The charge for Bulls is 7d. each per mile; if more than one in a Truck, 4½ each per mile. Minimum, 12s. 6d.</p> <p style="text-align: center;"><i>Valuable Rams and Ewes.</i></p> <p>If less than half a Truck load, will be charged 2d. each per mile; for half a Truck and upwards, Sheep rates. Minimum, 5s.</p> <p style="text-align: center;"><i>Horses.</i></p> <p>See full Truck rates. No less charge than for a full Truck load will be made for any number.</p> <p style="text-align: center;">GENERAL CONDITIONS AND REGULATIONS.</p> <p>The Commissioner will not receive Live Stock on Sunday, Good Friday, Christmas Day, or any proclaimed Holiday.</p> <p>Live Stock will be conveyed only from and to such stations as have accommodation for loading and unloading, and herds and flocks only at convenient times to be previously arranged with the Traffic Manager.</p> <p>The Commissioner does not guarantee arrival at any particular time or for any particular market.</p> <p>Persons forwarding Live Stock must give at least twenty-four hours' notice of the number of Trucks they will require, at the same time paying a deposit of 10s. per Truck, such deposit money to be forfeited to the Commissioner for Railways in the event of the Trucks not being used by the person ordering them. The acceptance of this deposit will in no way bind the Commissioner to supply the Trucks by any particular time, it being merely intended as a guarantee of the <i>bond fide</i> nature of the order.</p> <p>All Live Stock must be loaded and unloaded by the senders and consignees respectively, by whom also the Truck doors must be secured and opened, fastenings attended to, &c.</p> <p>All Live Stock must be unloaded within three hours after arrival, otherwise it will be unloaded by the Commissioner, and a charge made of 2s. per Truck.</p> <p>All Live Stock must be removed from the Railway premises immediately after unloaded; or if left, will remain at the owner's risk and expense, and may be sent to agistment or livery, the cost of which shall be paid by the owner, and such cost must be paid on demand as part of the authorised charges; and such stock, if not removed within seven days, may be sold by auction, by order of the Commissioner, within the Railway premises, and the proceeds applied in payment of all expenses incurred, and the balance thereof handed over to the owner on demand.</p> <p>When a Truck is only partly occupied by a consignment, the Commissioner will have the right to fill it up to its full carrying capacity with other stock.</p>			

No. 46—(continued.)

NEW SOUTH WALES.	VICTORIA.	QUEENSLAND.	SOUTH AUSTRALIA.																																																																					
<p>Contractor's Plant, at Owner's Risk only. Waggon, Tools, and Implements, at 3d. per ton per mile; minimum charge, 10s. Waggon on wheels, 4d. per mile each; minimum charge, 10s. Locomotive Engines in Steam, Owner's risk only, 2s. 6d. per mile each, in addition to wages of Driver, Fireman, and Guard, and cost of Fuel. Locomotive Engines on Wheels, but not in Steam, First-class Rates, at Owner's risk only.</p>	<p>Contractor's Plant. -/10 per Truck per mile; minimum charge 20/-; Truck load is 5 tons.</p>	<p>Contractor's Plant. Not named.</p>	<p>Contractor's Plant. Not named.</p>																																																																					
<p>Rates for Hay and Straw, unpressed.</p> <table border="0"> <tr> <td></td> <td>£</td> <td>s.</td> <td>d.</td> <td></td> <td>£</td> <td>s.</td> <td>d.</td> </tr> <tr> <td>Not exceeding 54 miles</td> <td>1</td> <td>5</td> <td>0</td> <td>per Truck.</td> <td>Not exceeding 35 miles</td> <td>0</td> <td>18</td> <td>0</td> </tr> <tr> <td>" 46 "</td> <td>1</td> <td>2</td> <td>0</td> <td>"</td> <td>" 26 "</td> <td>0</td> <td>14</td> <td>0</td> </tr> <tr> <td>" 41 "</td> <td>1</td> <td>0</td> <td>0</td> <td>"</td> <td>" 16 "</td> <td>0</td> <td>10</td> <td>0</td> </tr> </table>		£	s.	d.		£	s.	d.	Not exceeding 54 miles	1	5	0	per Truck.	Not exceeding 35 miles	0	18	0	" 46 "	1	2	0	"	" 26 "	0	14	0	" 41 "	1	0	0	"	" 16 "	0	10	0	<p>Hay and Straw—Loose. 20/- per Truck under 20 miles; over 20 to 30 miles, 25/- per Truck; 30 to 50 miles, 30/- per Truck; -/6 per Truck per mile (additional) over 50 miles. Part of a Truck to be charged as a full Truck.</p>	<p>Hay and Straw—Loose. Not named.</p>	<p>Hay and Straw—Loose. Not named.</p>																																		
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<p>CONDITIONS. Unpressed Hay and Straw will be carried only under special agreement that Consignor will take all risk of loss of, or damage to, same whilst in the custody of the Commissioner, and must be loaded by Owner and unloaded and removed from Railway premises within one clear working day from time of arrival. A Truck-load must not exceed in height 12 feet in the centre from the level of the rail, and must be gradually rounded to the side from the centre, and no more than 7 feet 6 inches across, and must not bulge over the trucks more than 6 inches at each end. Note.—Hay and Straw, unpressed.—The Commissioner will not be responsible for delivery by any particular train, nor for any particular market, but every exertion will be made to deliver without unnecessary delay. Hay and straw unpressed will be carried only between Sydney and Picton, Penrith and Richmond inclusive.</p>	<p>Returned Empties.</p> <table border="0"> <tr> <td></td> <td>50 miles.</td> <td>150 miles.</td> </tr> <tr> <td>Pipes</td> <td>2/-</td> <td>4/-</td> </tr> <tr> <td>Tallow puncheons</td> <td>1/-</td> <td>2/-</td> </tr> <tr> <td>Hogsheads</td> <td>-/9</td> <td>1/6</td> </tr> <tr> <td>Quarter-casks & barrels</td> <td>-/6</td> <td>1/-</td> </tr> <tr> <td>Kegs</td> <td>-/6</td> <td>-/9</td> </tr> <tr> <td>Bags of empty bags, up to 3 bags of 25 each, 1/- per bag or bundle, over 3 bags 1st class rates.</td> <td></td> <td></td> </tr> <tr> <td>Cases, drums, cans, carboys, crates, butter boxes, and fowl coops, miscell. rate, 50 miles, 13/6; 150 miles, 38/6; min. -/6.</td> <td></td> <td></td> </tr> <tr> <td>Fruit cases, special, 50 miles, 7/6; 150 miles, 20/; min., -/6.</td> <td></td> <td></td> </tr> </table>		50 miles.	150 miles.	Pipes	2/-	4/-	Tallow puncheons	1/-	2/-	Hogsheads	-/9	1/6	Quarter-casks & barrels	-/6	1/-	Kegs	-/6	-/9	Bags of empty bags, up to 3 bags of 25 each, 1/- per bag or bundle, over 3 bags 1st class rates.			Cases, drums, cans, carboys, crates, butter boxes, and fowl coops, miscell. rate, 50 miles, 13/6; 150 miles, 38/6; min. -/6.			Fruit cases, special, 50 miles, 7/6; 150 miles, 20/; min., -/6.			<p>Returned Empties.</p> <table border="0"> <tr> <td></td> <td>50 miles.</td> <td>150 miles.</td> </tr> <tr> <td>Pipes and tierces</td> <td>1/-</td> <td>2/-</td> </tr> <tr> <td>Hogsheads</td> <td>-/6</td> <td>1/-</td> </tr> <tr> <td>Quarter-casks, kegs, boxes, and cases ...</td> <td>-/3</td> <td>-/6</td> </tr> <tr> <td>Grain bags, bundles of, not more than 2 cwt.</td> <td>1/-</td> <td>2/-</td> </tr> <tr> <td>Carriage to be prepaid.</td> <td></td> <td></td> </tr> </table>		50 miles.	150 miles.	Pipes and tierces	1/-	2/-	Hogsheads	-/6	1/-	Quarter-casks, kegs, boxes, and cases ...	-/3	-/6	Grain bags, bundles of, not more than 2 cwt.	1/-	2/-	Carriage to be prepaid.			<p>Returned Empties.</p> <table border="0"> <tr> <td>Hhds., 56 galls.</td> <td>3d. per mile, minimum, -/4.</td> </tr> <tr> <td>Quarter-casks</td> <td>4d. per mile, minimum, -/3.</td> </tr> <tr> <td>Bags, per bale of 25...</td> <td>4d. per mile, minimum, -/3.</td> </tr> <tr> <td>Fruit cases and 5-gall. kegs, not exceeding 2 cub. ft. measurement 25 miles & under,</td> <td>-/2.</td> </tr> <tr> <td>" " 50 " " "</td> <td>-/4.</td> </tr> <tr> <td>" " 75 " " "</td> <td>-/5.</td> </tr> <tr> <td>" " 105 " " "</td> <td>-/6.</td> </tr> <tr> <td>Bottles, cases, & casks, and 10-gall. kegs, not exceeding 5 cub. ft. measurement 25 miles & under,</td> <td>-/4.</td> </tr> <tr> <td>" " 50 " " "</td> <td>-/8.</td> </tr> <tr> <td>" " 75 " " "</td> <td>-/10.</td> </tr> <tr> <td>" " 105 " " "</td> <td>1/-.</td> </tr> <tr> <td>Empties, not being returns, double the above rates.</td> <td></td> </tr> </table>	Hhds., 56 galls.	3d. per mile, minimum, -/4.	Quarter-casks	4d. per mile, minimum, -/3.	Bags, per bale of 25...	4d. per mile, minimum, -/3.	Fruit cases and 5-gall. kegs, not exceeding 2 cub. ft. measurement 25 miles & under,	-/2.	" " 50 " " "	-/4.	" " 75 " " "	-/5.	" " 105 " " "	-/6.	Bottles, cases, & casks, and 10-gall. kegs, not exceeding 5 cub. ft. measurement 25 miles & under,	-/4.	" " 50 " " "	-/8.	" " 75 " " "	-/10.	" " 105 " " "	1/-.	Empties, not being returns, double the above rates.	
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Horses.

Will be conveyed only to such stations as have accommodation for loading and unloading.
IN BOXES :—Full horse-box (3 horses), one owner, 1s. per mile, minimum charge, 15s. ; one horse, 5d. per mile ; two horses, 9d. per mile, minimum charge 7s. 6d. each ; stud horses, 1s. per mile each, minimum charge 15s. Mares, with foal at foot, rate and a half. Horses to be at the station thirty minutes before the departure of the train by which they are to be despatched, but their despatch will not be guaranteed by any particular time or train.

A reduction of 25 per cent. on the above charges will be made on every mile beyond 150 and up to 200, and over 200 miles 50 per cent. per mile will be allowed.

When possible, horses will be conveyed by Passengers' Trains.

Return tickets at rate and a half, available for three days, for distances not exceeding 45 miles (those issued on Friday and Saturday, available for return until Monday and Tuesday following), and for distances over 45 miles, available for one week. Notice of day for return is requested to be given to station-master at return station.

Carriages.

Will be conveyed to and from such stations only as have accommodation for loading and unloading.

Carriages, gigs, and dog-carts, 4d. per mile ; two vehicles, one owner, if on one Truck, 6d. per mile ; 4-wheeled waggons and bullock drays (empty), 6d. per mile ; minimum charge, 7s. 6d. Vehicles to be at the station thirty minutes before the departure of the train by which they are to be despatched, but their despatch will not be guaranteed by any particular time or train.

A reduction of 25 per cent. on the above charges will be made for every mile beyond 150 and up to 200 ; and over 200 miles, 50 per cent. per mile will be allowed.

NOTE.—No guarantee can be given to convey horses or vehicles by Passenger Trains ; but when practicable this will be done, those for the longest journey having the preference.

Dogs.

Carriage to be prepaid. One half-penny per mile each for distances up to 50 miles, and 4d. additional for every 30 miles or portion of 30 miles thereafter ; minimum charge, 6d. Dogs must be provided with chains or other sufficient means to secure them, and in all cases they will only be carried at owner's risk, who must load and unload if required by station-master.

Gold Dust and Bullion, and Gold and Silver Coin.

The Commissioner for Railways will not be responsible for the safe conveyance of gold dust and bullion, or gold and silver coin, as the following charges are made, and the gold dust and bullion and coin carried, on condition of its being in charge of owners and at their risk.

Distance not over 55 miles. Distance not over 100 miles. Distance not over 150 miles. Distance not over 200 miles. Distance not over 250 miles. Distance not over 350 miles.

Gold dust and bullion, £ 100 ozs.	2/-	3/6	4/3	5/-	5/6	6/-
Gold coin, £ 100	-/6	-/10	1/3	1/8	2/-	2/3
Silver coin, £ 100	1/-	1/9	2/6	3/3	3/6	3/9

Fractions over 100 and under 50 will not be charged, but fractions of 50 and over will be charged as 100.

Rates for Milk.

In quantities of not less than 300 gallons, less than 300 gallons double rates.

15 miles and under	1d. per gallon.
40 "	1d. "
90 "	2d. "
Beyond 90 miles	1d. "

Horses.

Each mare, gelding, or filly, not exceeding 40 miles... 20/-
 Each mile beyond 40 miles... -/6

Each entire horse not exceeding 20 miles... 20/-
 Each mile beyond 20 miles... 1/-

Horse-box (3 horses), 1/3 per mile ; minimum... 40/-

In Goods Trucks and by Goods Trains, on either Up or Down Journey, 1/- per truck per mile. By Passenger Trains, 1/6 per truck per mile.

Not more than 8 horses to be put in each truck. For each mare with foal at foot, rate and a half.

The minimum charge for a truck with horses is 20/-, exclusive of a terminal charge of 2/- per truck to be added to the above rate in all cases.

Carriages.

-/6 per mile ; minimum, 20/-.
 2 vehicles, same owner, -/9 per truck per mile.

3 vehicles, on same terms, 1/- per truck per mile ; minimum, 20/-.

Vehicles for repairs, return tickets for four weeks ; 50 per cent. added.

Dogs.

50 miles, 2/1 ; 150 miles, 6/3 ; minimum charge, -/6.

Gold Dust and Gold and Silver Coin.

	50 miles.	150 miles.
Gold dust, £ 100 ozs.	3/-	8/-
Gold coin, £ 100	1/-	2/8
Silver coin, £ 100	3/-	8/-

Milk.

	50 miles.	150 miles.
Miscl.	13/6	38/6

Horses—in Boxes.

1 horse, -/4 per mile.
 2 do. or more, -/3 each per mile.
 Entire horses, double rates, min. 5/-

Carriages.

Carriages, gigs, dog-carts, drays, and carts, -/5 per mile ; minimum, 5/-.

Dogs.

Dogs, 50 miles, 3/- ; 150 miles, 6/-.

Gold Dust, and Gold and Silver Coin.

	50 miles.	150 miles.
Gold dust, £ 100 ozs.	8/-	11/-
Gold coin, £ 100	2/6	5/6
Silver coin, £ 100	4/6	8/-

Milk.

In cans of not less than 6 gallons.
 25 miles and under... -/1 per gallon.
 Over 25 miles and under 50 miles... -/1½ "

Horses.

See Live Stock.

Carriages.

Gigs, dog-carts, and light drays (empty), -/4 per mile ; minimum charge, 4/-.

Carriages, and waggons, and drays weighing less than 1 ton (empty), -/6 per mile ; minimum charge, 6/-.
 Ditto ditto, over 1 ton (empty), -/8 per mile ; minimum charge, 8/-.

Dogs.

Distances not exceeding 10 miles...	-/6
" " 25 "	1/-
" " 50 "	2/-
" " 75 "	3/-
" " 105 "	4/-
" exceeding 105 "	4/6

Gold Dust.

For any distance not exceeding—	Gold Dust per 1,000 ozs.	Gold Coin per £1,000.
50 miles.....	£ s. d. 1 0 0	£ s. d. 0 5 0
60 ".....	1 5 0	0 6 3
70 ".....	1 10 0	0 7 6
80 ".....	1 15 0	0 8 9
100 ".....	2 0 0	0 10 0

Fractions over 100, and under 50 miles, will not be charged ; but fractions of 50 and over will be charged as 100.

No. 47.

RETURN of the number and nature of the ACCIDENTS, and the INJURIES to LIFE and LIMB, which have occurred on the Great Southern, Western, and Northern Lines, from 1st January to 31st December, 1878.

Date of Accident.	Line of Railways.	Passengers killed or injured.				Servants of the Department, or of the Contractors, killed or injured.				Trespassers.		Cause of Accident.
		From causes beyond their own control.		From their own misconduct or want of caution.		From causes beyond their own control.		From their own misconduct or want of caution.		From their own want of caution.		
		Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	
1878.												
25 Jan. ...	Northern ...	...	...	...	...	...	...	...	...	1	...	Crushed between trucks at Lambton.
31 " ...	Western ...	...	...	...	...	3	2	...	...	...	...	Collision, goods trains, Emu Plains.
1 Feb. ...	" ...	...	...	...	...	1	...	...	...	...	...	Run over by ballast train.
13 " ...	" ...	...	...	...	...	...	...	...	...	1	...	Run over by train in Bathurst yard.
13 " ...	" ...	...	...	...	...	...	...	1	...	...	...	Shunting in yard at Bathurst.
28 " ...	Western ...	...	...	1	...	...	...	...	...	...	...	Jumped from train, when it was running between Macquarie Plains and Raglan.
9 April ...	Suburban ...	...	...	...	...	...	...	...	...	1	...	Crossing line, Burwood.
9 " ...	" ...	...	...	...	1	...	...	...	...	...	...	Jumping from train while it was in motion at Newtown.
27 " ...	Northern ...	...	...	...	...	...	...	...	...	1	...	Run over by train at Morpeth.
29 " ...	Southern ...	...	...	...	...	...	1	...	...	...	...	Knocked by crush of passengers between platform and carriages at Sydney.
13 May ...	Western ...	...	...	...	...	...	1	...	...	...	...	Shunting in yards, Penrith.
17 " ...	Suburban ...	...	...	...	...	...	...	1	...	...	...	Struck by passing engine when crossing line at Croydon.
23 " ...	" ...	...	...	...	...	...	...	1	...	...	...	Uncoupling engines while in motion near Parramatta Junction.
24 " ...	Northern ...	...	...	...	...	1	...	...	...	...	...	Run over when shunting at Murrurundi.
25 " ...	Western ...	...	1	...	...	...	...	...	...	...	...	Collision at Springwood.
29 " ...	" ...	...	6	...	...	...	1	...	...	...	...	Collision at Orange. Down mail ran into wrong road through points being fouled.
20 June ...	Southern ...	...	...	...	...	...	1	...	...	...	...	Shunting at Picton.
23 July ...	Northern ...	...	...	...	...	...	...	...	1	...	...	Shunting at Murrurundi.
26 " ...	Suburban ...	...	...	...	...	...	1	...	...	...	...	Struck by engine in Sydney yard.
6 Aug. ...	" ...	...	...	...	...	...	...	...	...	1	...	Boy crossing lines, Petersham.
13 " ...	" ...	...	...	...	...	...	1	...	...	...	...	Shunting at Darling Harbour.
23 Sept. ...	" ...	...	...	1	...	...	...	...	...	...	...	Jumping from train while in motion at Redmyre (slightly injured).
26 " ...	" ...	...	...	...	...	...	1	...	...	...	...	Jumping from train while it was in motion at Newtown.
16 Oct. ...	Western ...	...	...	1	...	...	...	...	...	...	...	Child run over by train, Bowenfels.
23 " ...	Northern ...	...	...	...	...	...	...	...	...	1	...	Run over by train near Currabubula.
21 Nov. ...	Suburban ...	...	...	1	...	...	...	...	...	...	...	Jumping from train while it was in motion at Sydney.
21 " ...	Northern ...	...	...	...	...	...	...	...	...	1	...	Boy attempting to get on coal train at Wickham.
28 Dec. ...	Suburban ...	...	...	1	...	...	...	...	...	...	...	Boy jumping from train while it was in motion at Newtown.
Total		7	1	5	5	9	3	1	6	1		

No. 48.

RETURN of the Number of Passengers, Tonnage of Goods, Earnings and Working Expenses, Total and per Train Mile, Per centage of Working Expenses to Gross Earnings, Net Earnings, Capital Invested on Lines Open, and Interest on Capital each Year, from 1855 to 1878, inclusive.

Year.	Length of Line, 31 December.	Number of Passengers.	Tonnage of Goods.	Earnings from Coaching Traffic.	Earnings from Goods Traffic.	Total Earnings.	Working Expenses.	Earnings per Train Mile.	Working Expenses per Train Mile.	Per centage of Working Expenses to Gross Earnings.	Net Earnings.	Capital Invested on Lines open.	Interest on Capital.
	Miles.	No.	Tons.	£	£	£	£	d.	d.	per cent.	£	£	per cent.
1855	14	98,846	140	9,093	156	9,249	5,959	157'34	101'37	64'43	3,290	515,347	6'38
1856	23	350,724	2,469	29,526	2,757	32,283	21,788	113'32	76'48	67'49	10,495	683,217	1'536
1857	40	329,019	20,847	34,970	8,417	43,387	31,338	96'58	69'75	72'23	12,050	1,023,838	1'176
1858	55	376,492	33,385	45,858	16,451	62,309	43,928	105'69	74'51	70'50	18,381	1,231,867	1'492
1859	55	425,877	43,020	46,502	15,258	61,760	47,598	100'41	77'38	77'07	14,162	1,278,416	1'107
1860	70	551,044	55,394	45,428	16,841	62,269	50,427	83'37	67'52	80'98	11,841	1,422,672	8'32
1861	73	595,591	101,130	49,637	25,367	75,004	61,187	83'77	68'34	81'58	13,817	1,536,032	8'99
1862	97	642,431	205,139	62,096	41,775	103,871	68,725	90'79	60'07	66'16	35,146	1,907,807	1'842
1863	124	627,164	218,535	71,297	52,644	123,941	96,867	94'38	73'76	78'16	27,073	2,466,950	1'097
1864	143	693,174	379,661	81,487	66,167	147,653	103,715	85'30	59'92	70'24	43,938	2,631,790	1'669
1865	143	751,587	416,707	92,984	73,048	166,032	108,926	82'42	54'07	65'60	57,106	2,746,373	2'079
1866	143	668,330	500,937	85,636	82,899	168,535	106,230	82'49	51'99	63'64	62,305	2,786,094	2'236
1867	204	616,375	517,022	87,564	101,508	189,072	117,324	82'02	46'87	62'08	71,748	3,282,320	2'185
1868	247	714,563	596,514	99,408	124,951	224,359	144,201	70'06	45'03	64'29	80,158	4,060,950	1'973
1869	318	759,635	714,113	109,427	155,548	264,975	176,362	71'17	47'37	66'57	88,613	4,681,329	1'892
1870	339	776,707	766,523	117,854	189,288	307,142	206,003	81'81	54'86	67'08	101,139	5,566,092	1'817
1871	358	759,062	741,986	129,496	225,826	355,322	197,065	91'57	50'79	55'46	158,257	5,887,258	2'688
1872	398	753,910	825,360	164,862	260,127	424,989	207,918	98'43	48'15	48'92	217,071	6,388,727	3'397
1873	403	875,602	923,788	178,216	306,020	484,236	238,035	104'71	51'47	49'16	246,201	6,739,918	3'653
1874	403	1,085,501	1,070,938	188,595	347,980	536,575	257,703	103'09	49'51	48'03	278,872	6,844,546	4'074
1875	473	1,288,225	1,171,354	205,941	408,707	614,648	296,174	100'20	48'28	48'18	318,474	7,245,379	4'396
1876	509	1,727,730	1,244,131	233,870	459,355	693,225	339,406	98'50	48'22	48'96	353,819	7,990,601	4'428
1877	598	2,957,144	1,430,041	271,588	544,332	815,920	418,985	92'95	47'73	51'35	396,935	8,883,177	4'468
1878	688½	3,705,733	1,625,886	306,308	596,681	902,989	536,988	81'62	48'54	59'47	366,001	9,784,645	3'741

No. 49.

STATEMENT of the number and classification of persons employed on the Railways of New South Wales during 1878.

No.	Position.	Rates of Pay—lowest and highest.
HEAD OFFICE.		
1	Commissioner	£1,000 per annum.
1	Secretary	£600 "
2	Land Valuers	£550 and £600 per annum.
2	Draftsmen	£250 and £300 "
1	Accountant	£450 per annum.
1	Cashier	£350 "
1	Book-keeper (Principal)	£350 "
1	" (Assistant)	£250 "
23	Clerks	£52 to £375 per annum.
2	Messengers	7s. 6d. per day and £75 per ann.
4	Housekeepers	£25 to £52 per annum.
39	Total.	
AUDIT OFFICE.		
1	Traffic Auditor	£400 per annum.
1	Assistant do.	£250 "
22	Clerks (14 Audit, 8 Statistical)	£52 to £250 per annum.
1	Inspector of Station Accounts	£275 per annum.
25	Total.	
STORE.		
1	Storekeeper	£350 per annum.
1	Assistant do.	£275 "
8	Clerks	£109 to £200 per annum.
2	Foremen	10s. per day and £165 per annum.
2	Watchmen	7s. per night.
18	Issuers, Assistants, Ganger, Tallymen, and Labourers	7s. to 9s. per day.
32	Total.	
96	Total, Head Office.	
ENGINEER-IN-CHIEF'S BRANCH.		
<i>Office Staff.</i>		
1	Engineer-in-Chief	£1,800 per annum.
1	Assistant Engineer	£600 "
15	Draftsmen	£75 to £425 per annum.
1	Chief Clerk	£450 per annum.
4	Clerks	£100 to £175 per annum.
4	Cadets	£52 per annum to £100 per ann.
1	Custodian of Plans	£100 per annum.
1	Messenger	£75 "
2	Housekeepers	£30 and £75 per annum.
30	Total.	
FIELD STAFF.		
10	Assistant Engineers	£250 to £700 per annum.
25	Surveyors	£250 to £400 "
18	Inspectors	10s. to 18s. per day.
106	Chainmen	4s. to 8s. "
159	Total.	
189	Total, Engineer-in-Chief's Branch.	
ENGINEER FOR EXISTING LINES BRANCH.		
<i>Office Staff.</i>		
1	Engineer for Existing Lines	£1,000 per annum.
1	Assistant Engineer	£600 "
1	First Clerk	£300 "
3	Draftsmen	15s. to 25s. per day.
3	Clerks	£150 to £200 per annum.
1	Messenger	£100 per annum.
1	Housekeeper	£50 "
11	Total.	
LOCOMOTIVE ENGINEER'S BRANCH.		
1	Locomotive Engineer	£1,000 per annum.
1	First Clerk	£250 "
3	Draftsmen	£3 to £5 10s. per week.
2	Clerks	7s. 6d. per day and £150 per ann.
7	Total.	

No. 49—continued.

STATEMENT of the Number and Classification of Persons employed in the Existing Lines Branch, 31st December, 1878.

Rates.	Superintendent.	Clerks.	Timekeepers.	Foremen.	Inspectors.	Sub-Inspectors.	Gangers.	Labourers.	Labourers— Flying Gangs.	Carpenters.	Blacksmiths.	Strikers.	Fitters.	Engine-drivers.	Bricklayers.	Masons.	Plasterers.	Plumbers.	Lamp-maker.	Painters.	Gatekeeper.	Guards.	Fencers.	Galvanised Iron Worker.	Boys.	Carters.	Total.
£450 per annum	1																										1
£300 „					1																						1
£275 „					1																						1
£6 10s. per week.....				1																							1
£5 10s. „					2																						2
£4 „																											1
£2 10s. „			1																								1
£2 „		1																									1
15s. „		1																									1
15s. per day					2																						3
14s. „						1																					2
13s. „				1							1																2
12s. „					1		13						1													1	22
11s. „				1	1																						6
10s. 6d. „										7																	20
10s. „		1					6			59		8															115
9s. 6d. „										30		1															31
9s. 4d. „										3																	3
9s. „							6			20		1									1						29
8s. 9d. „										1																	1
8s. 6d. „							186			1											10			1			202
8s. 4d. „										3			1														5
8s. „							1			5				1													15
7s. 6d. „								5	4	2					1												14
7s. „			1					512	272			10	2								6						807
6s. 6d. „								176					5														182
6s. „									2				1								1						13
5s. 6d. „									4																		4
5s. „									1																		11
4s. 6d. „									4	3					1										1		1
4s. „																											18
3s. 6d. „		1								1																	5
3s. „									3	1																	8
2s. 6d. „										1																	5
2s. „																											2
	1	4	3	4	8	14	199	706	299	139	17	19	5	1	35	9	5	14	1	24	1	3	4	1	13	7	1,53

No. 49—continued.

TRAFFIC BRANCH.

Rate.	Traffic Managers.	Wharfinger.	Goods Superintendent.	Coaching Superintendent.	Traffic Inspectors.	Station-masters.	Clerks.	Cashier.	Foremen.	Assistant Wharfinger.	Telegraph Operators.	Telegraph Inspector.	Signalmen, Shunters, and Pointsmen.	Guards.	Gate-keepers.	Printers.	Porters.	Tarpaulin-makers.	Messengers.	Ladies' Attendant.	Watchmen.	Total.
£600 per annum.....	1																					1
500 "	1																					1
350 "			1	1																		2
300 "		1			2																	3
275 "					2																	2
250 "					1	7	1		1													10
235 "						2	2															2
225 "						5	1															6
208 "		1																				1
205 "							2															2
200 "						11	1	1		2												15
175 "						14	7				1											22
165 "							9															9
150 "						25	4				2											31
144 "											1											1
140 "						7																7
136 "							1															1
135 "							5															5
130 "						4																4
120 "							7				2											9
110 "							15				1											16
104 "		1					3															4
100 "												1										1
95 "							4															4
80 "							4															4
78 "							1															1
75 "											1											1
72 "							1				3											4
65 "							2															2
60 "											20											20
50 "							2															2
15 "											2											2
80/- per week.....												1										1
60/- "									1													6
55/- "													3	2								4
51/- "													4									1
48/- "													1	2			13					17
45/6 "															1							1
45/- "							1								1							2
42/- "							2				2				2							6
40/- "							1				6		1									10
35/- "											6				9				1			17
30/- "							3				10				18		3					34
25/- "							3				27				4		1					36
20/- "											5				7		2			1		16
17/6 "							1										2					1
15/- "							1								4		1					7
10/- "											1				30		2			1		34
7/6 "															8							8
7/- "															6							6
5/- "														12								12
12/- per day							1		1					4								6
11/- "							1		4				1	4								10
10/6 "														9								9
10/- "							4		1				6	24		2	6					43
9/6 "							1						14					1				16
9/- "							4						4	15			3					26
8/6 "													4	10			6					20
8/- "							5		2				7	20			34	3				72
7/6 "													8	9			26				2	46
7/- "													24	18			171	8			9	236
6/6 "													6	4			57				2	71
6/- "							2				1		26		10		183	10			6	238
5/10 "													1									1
5/- "							1				1				5							8
4/- "																						1
3/6 "															1							1
1/9 "															3							3
1/2 "															3							3
1/- "															9							9
Total	2	3	1	1	3	75	103	1	10	2	101	2	98	135	143	2	508	22	6	1	23	1242

LOCOMOTIVE DEPARTMENT—continued.

Rates.	General Overseer.	Locomotive Foreman.	Clerks.	Inspectors.	Engine-drivers (Loco.)	Engine-drivers (Stationary).	Firemen.	Cleaners.	Fitters.	Turners and Machinists.	Blacksmiths.	Strikers.	Boiler-makers.	Assist. Boiler-makers.	Pattern-makers & Carpenters.	Painters.	Carrriage and Waggon Builders.	Labourers.	Fuelmen.	Pumpers.	Timekeepers.	Foremen.	Draftsman.	Brass-moulders, Finishers, and Copper-smiths.	Ganger.	Carrriage Trimmers.	Tinsmiths.	Improvers.	Apprentices.	Carriage Examiners.	Assistant Painters.	Total Number.		
Brought forward	271	
10/- per day	1	..	13	1	25	3	1	..	8	..	3	3	16	..	..	1	1	..	..	..	..	3	..	..	..	..	..	..	79	
9/8	4	3	..	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	9	
9/10	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	
9/6	1	1	2	..	2	..	1	2	4	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	13	
9/4	1	..	..	1	2	..	..	2	..	..	..	19	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	26	
9/-	35	..	5	3	1	1	6	..	..	9	8	..	..	..	..	..	..	1	..	1	1	..	..	..	..	71		
8/8	1	..	..	..	..	..	3	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	4	
8/6	1	..	8	..	..	..	..	1	2	4	..	1	..	..	..	..	1	1	..	..	..	..	..	..	19		
8/4	1	..	..	..	2	..	..	..	1	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	5	
8/-	1	115	1	2	2	..	..	..	2	..	3	..	1	1	16	..	..	..	2	1	..	..	..	..	..	..	..	147	
7/9	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	
7/8	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	
7/6	13	..	3	..	4	..	2	..	..	1	4	28	4	..	..	..	..	..	..	..	..	..	..	..	..	59	
7/-	74	1	..	..	9	..	14	..	..	..	24	1	10	1	..	..	..	..	1	..	..	..	8	..	143		
6/6	6	1	2	..	18	..	12	..	..	1	60	22	..	..	..	..	..	..	..	..	..	..	..	5	..	127	
6/-	8	2	..	..	..	..	2	..	..	..	2	..	..	..	..	..	..	..	..	2	..	..	..	..	..	16	
5/6	11	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	13	
5/-	25	..	..	..	..	..	1	..	..	..	3	..	..	..	..	..	..	..	..	..	4	..	..	..	..	33	
4/6	1	..	..	..	..	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	3	
4/-	2	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	3	
3/6	1	..	..	..	..	..	..	..	..	..	..	..	..	..	2	..	..	..	..	3	
3/-	1	1
2/6	3	..	..	..	1	..	..	..	..	..	..	..	..	..	..	9	..	..	..	13	
2/-	4	4
1/9	5	5
1/6	1	1
1/-	4	4
Total	1	1	3	12	151	3	163	143	72	40	24	32	32	47	10	21	59	98	53	31	9	11	..	10	2	5	2	2	24	1	13	1075		

No. 49—continued.

SUMMARY.

Head Office		96
<i>Engineer-in-Chief's Branch—</i>		
Office Staff	30	
Field Staff	159	
	<u>189</u>	
<i>Engineer for Existing Lines Branch—</i>		
Office Staff	11	
Permanent Way	1,536	
	<u>1,547</u>	
<i>Traffic Branch</i>		1,242
<i>Locomotive Engineer's Branch—</i>		
Office Staff	7	
Locomotive	1,075	
	<u>1,082</u>	
Total		<u>5,156</u>

No. 50.

RETURN of the total amount paid for WAGES on the different Branches of the Railway and on the different Lines, in 1877-78.

Branches.	South and West.	North.	Total.
Locomotive—	£ s. d.	£ s. d.	£ s. d.
1877	85,071 4 0	28,438 2 10	113,509 6 10
1878	105,531 13 6	36,137 3 6	141,668 17 0
Permanent Way—			
1877	83,215 3 6	21,338 0 4	104,553 3 10
1878	130,223 5 3	28,571 0 10	158,794 6 1
Traffic—			
1877	64,462 19 4	23,056 6 8	87,519 6 0
1878	85,497 18 10	29,114 5 9	114,612 4 7
Total, all Branches—			
1877	232,749 6 10	72,832 9 10	305,581 16 8
1878	321,252 17 7	93,822 10 1	415,075 7 8

No. 51.

RETURN of Free Passes issued during 1878, specifying the different Services.

Why granted.	No. Issued.
Visitors of distinction	228
Press purposes	81
Judges on Circuit	37
Volunteers on duty	932
Members of Wesleyan Conference from other Colonies	37
Temperance Delegates from other Colonies	10
Intercolonial Rifle Match	38
Cricketing Teams—Visitors to the Colony	66
Paris Exhibition Commission	2
Aborigines... ..	3
Instructor of the Blind	3
Workmen seeking Employment in the Country	2,257
Immigrants	843
Boys, ship "Vernon"	3
Seamen, H.M. War Ships	34
Collectors of Specimens for Museum	10
Armidale Hospital	10
Bathurst Hospital	6
Bathurst Show	1
	4,601

MILES.

700

NUMBER OF MILES OPEN.

650

600

550

500

450

400

350

300

250

200

150

100

90

80

70

60

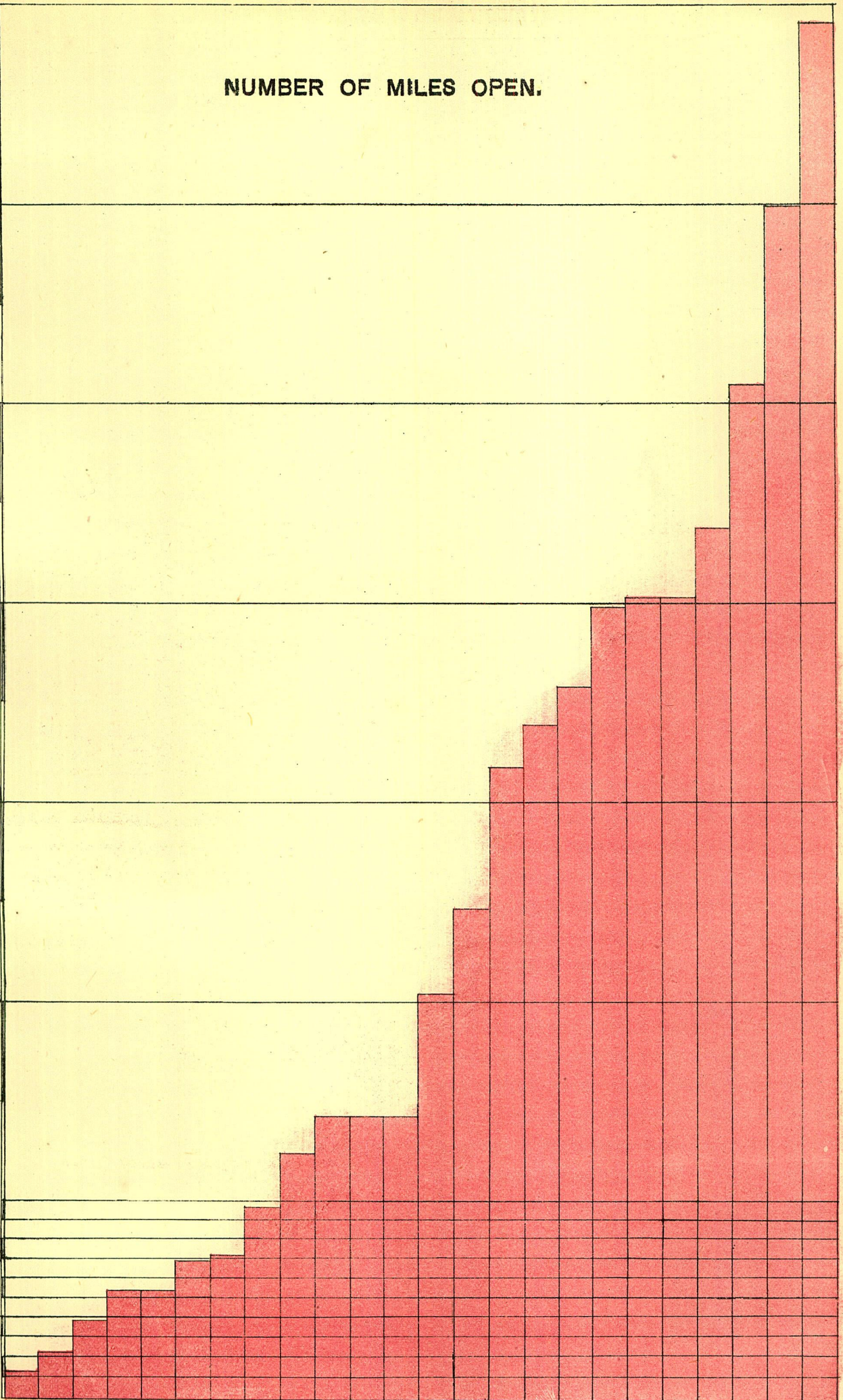
50

40

30

20

10



1855

1856

1857

1858

1859

1860

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1862

1863

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1866

1867

1868

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1870

1871

1872

1873

1874

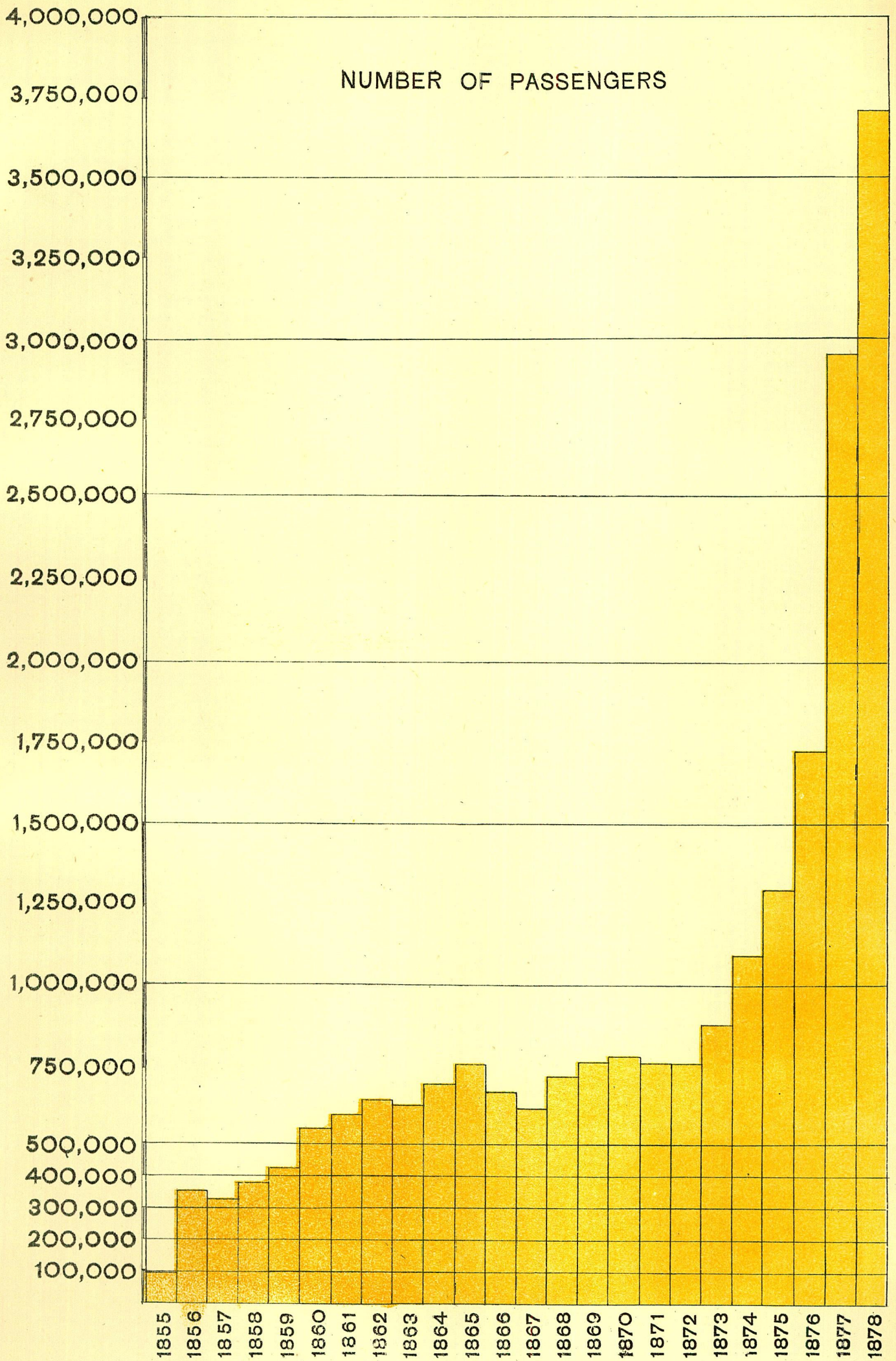
1875

1876

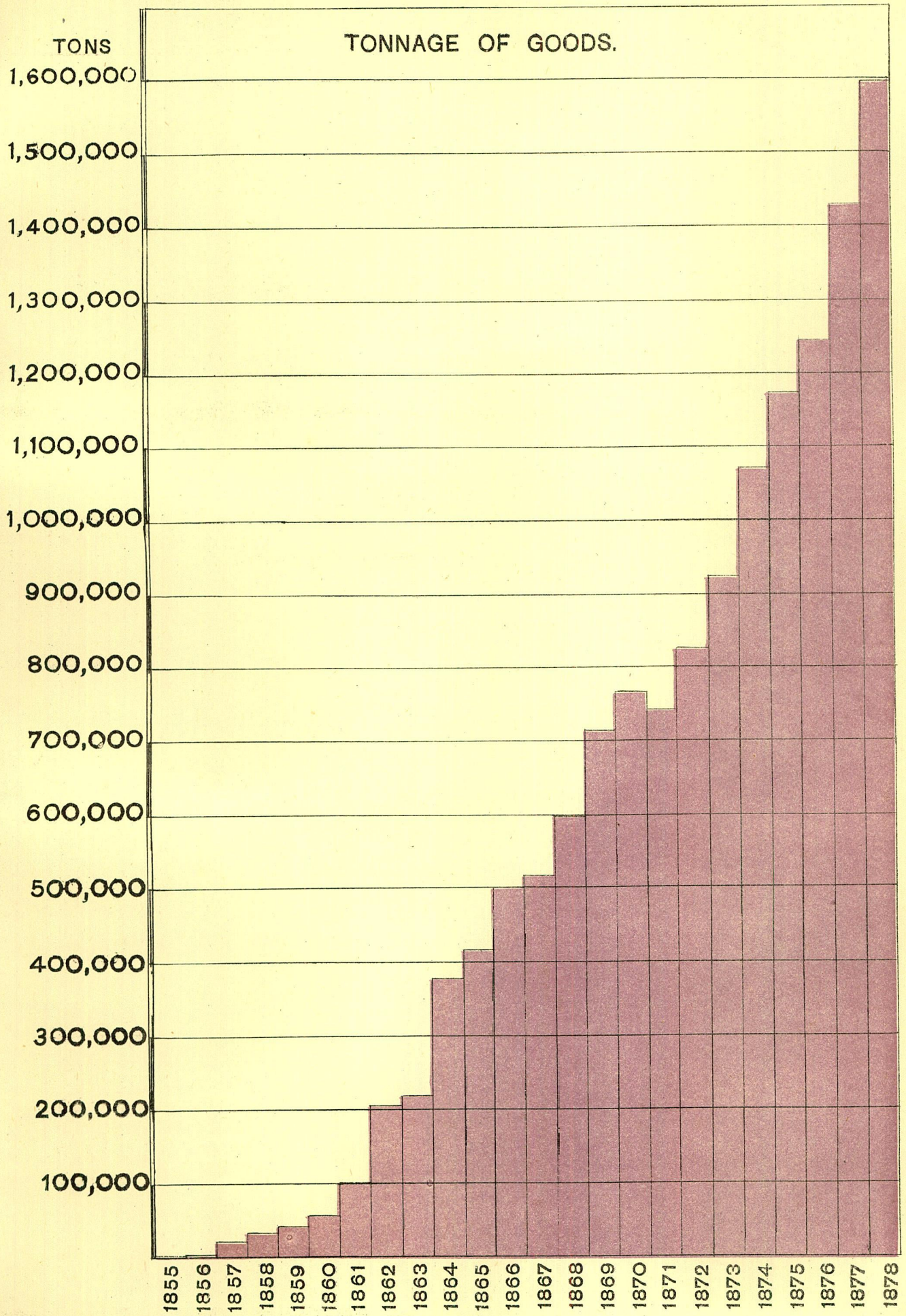
1877

1878

2-a)

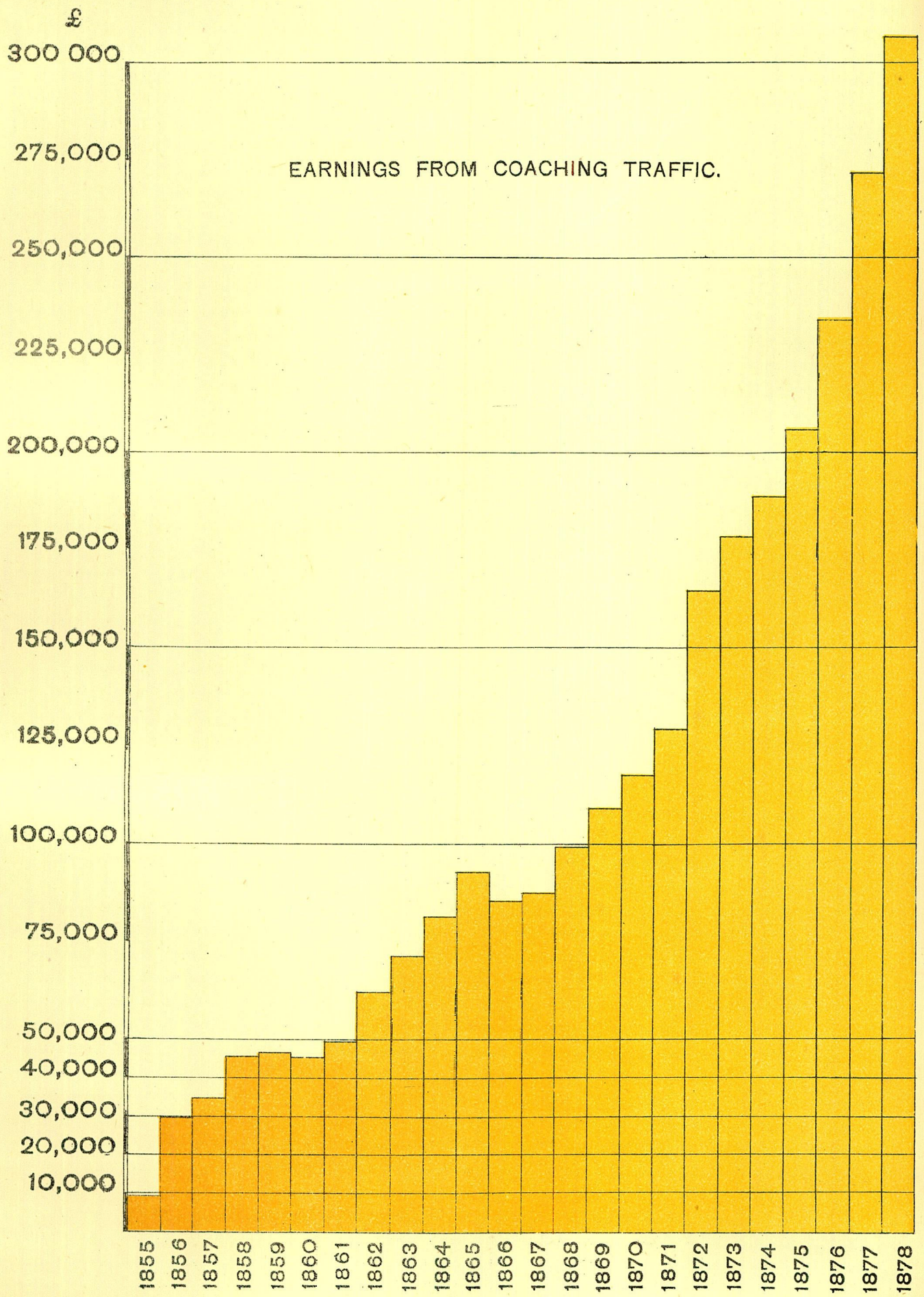


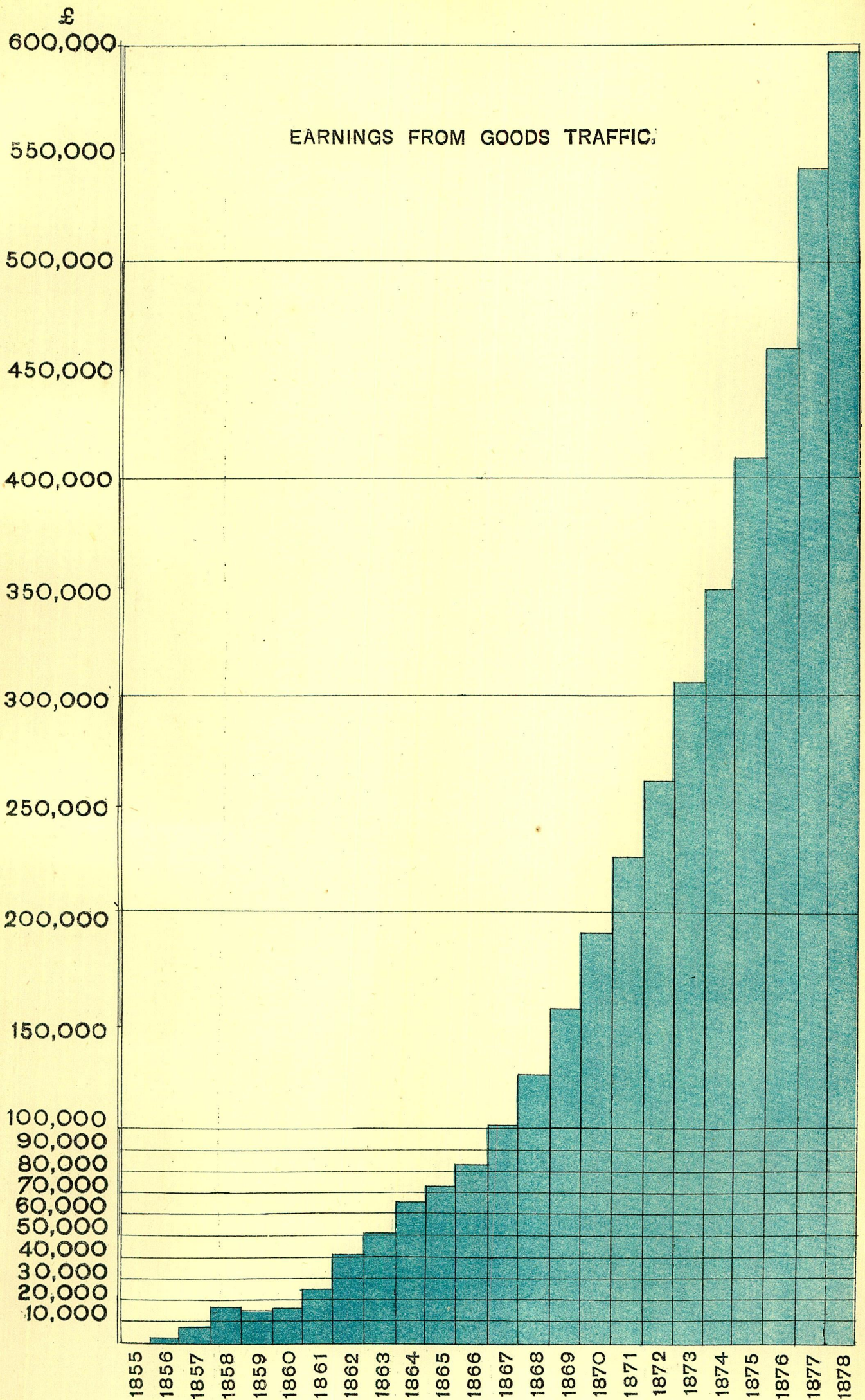
(12- b)



(12-c)

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SYDNEY, NEW SOUTH WALES.





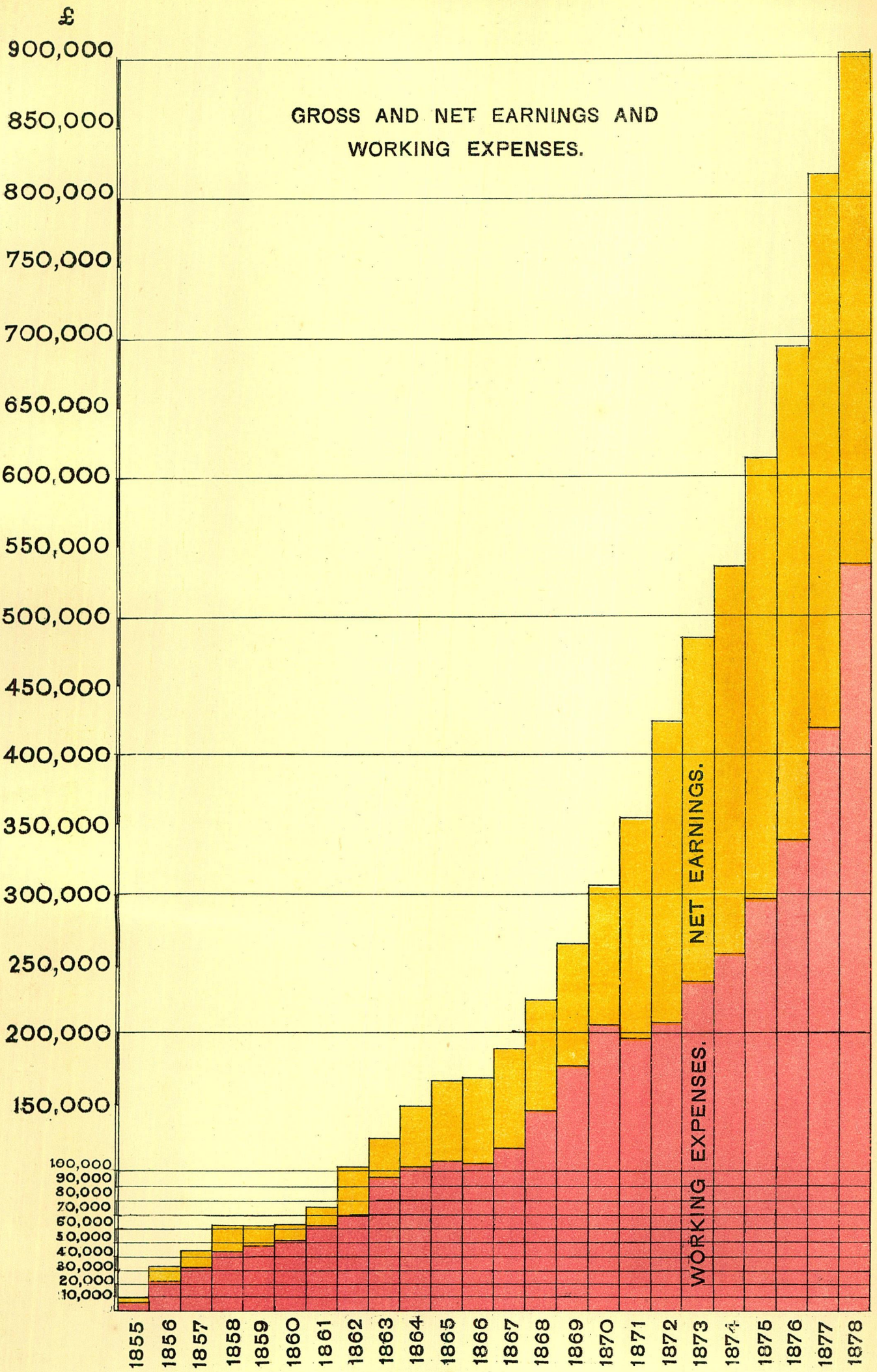
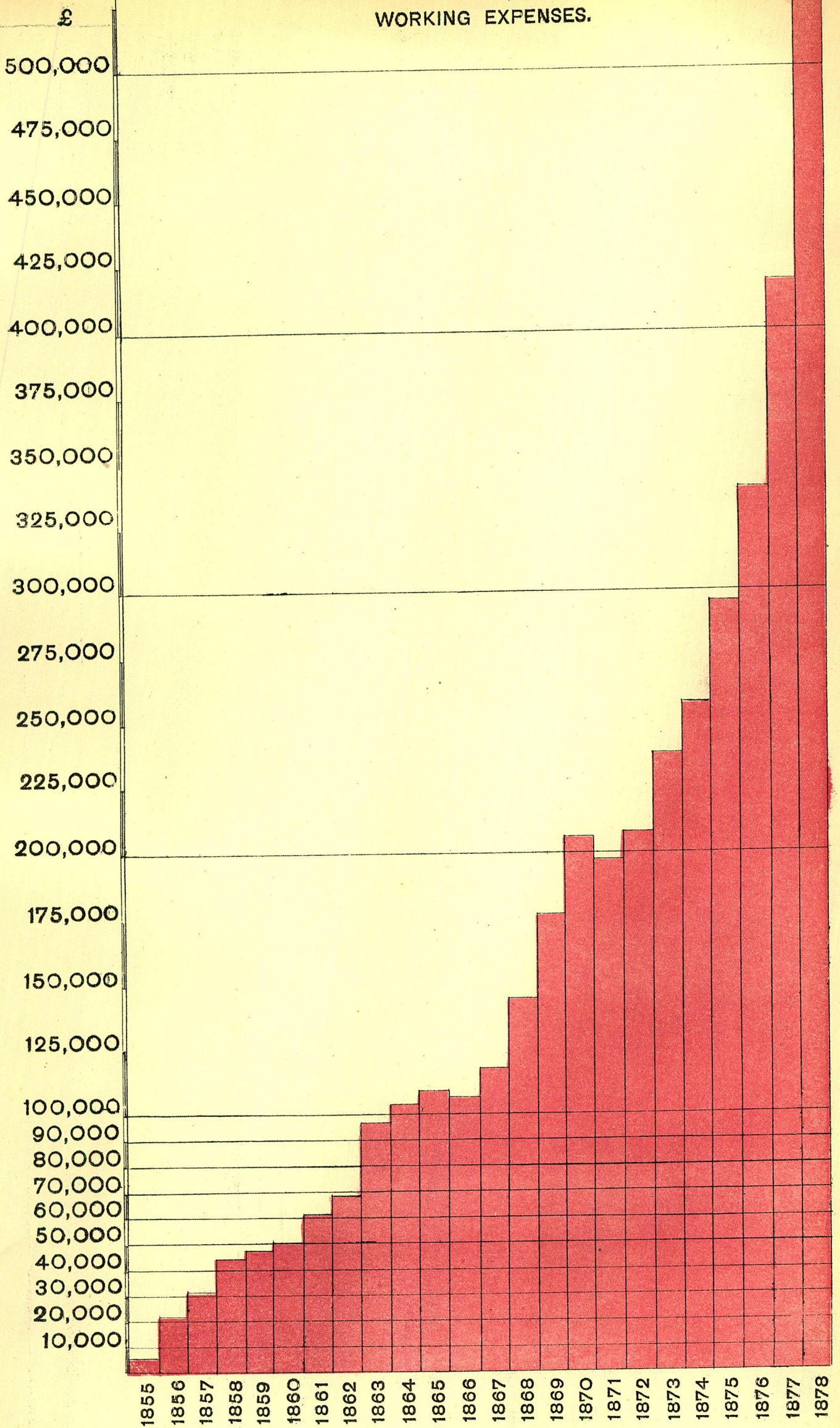


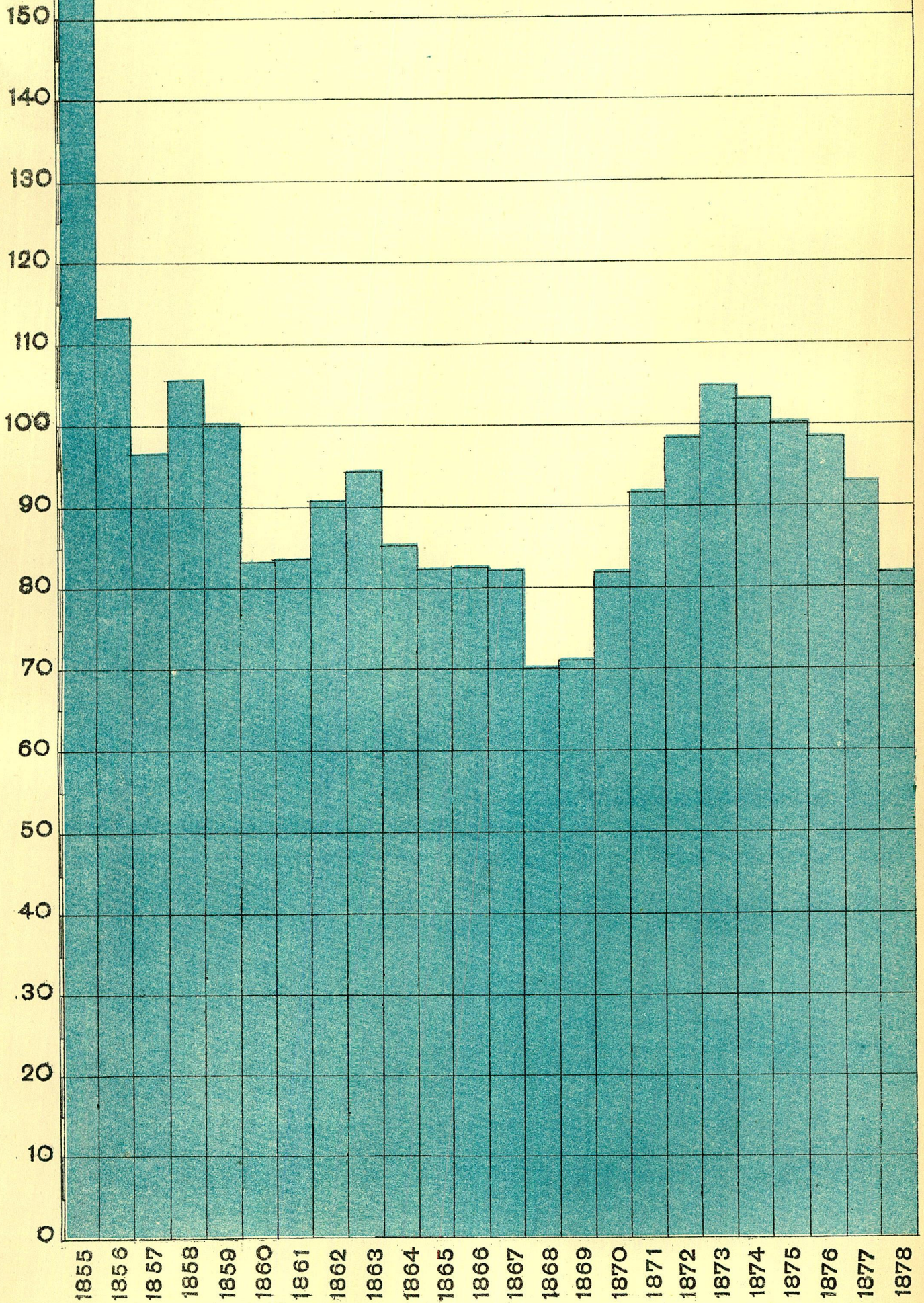
PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

WORKING EXPENSES.

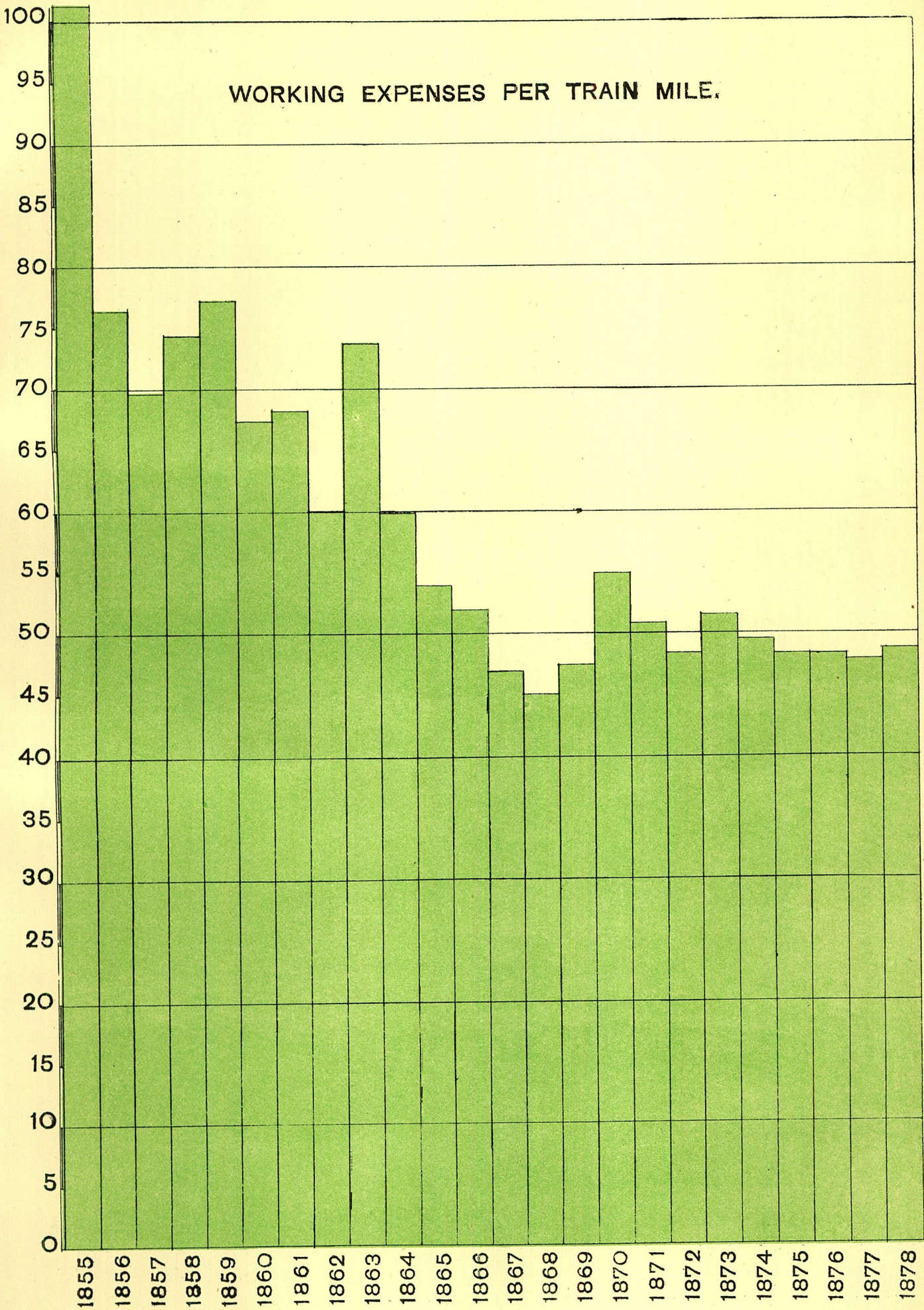


d.

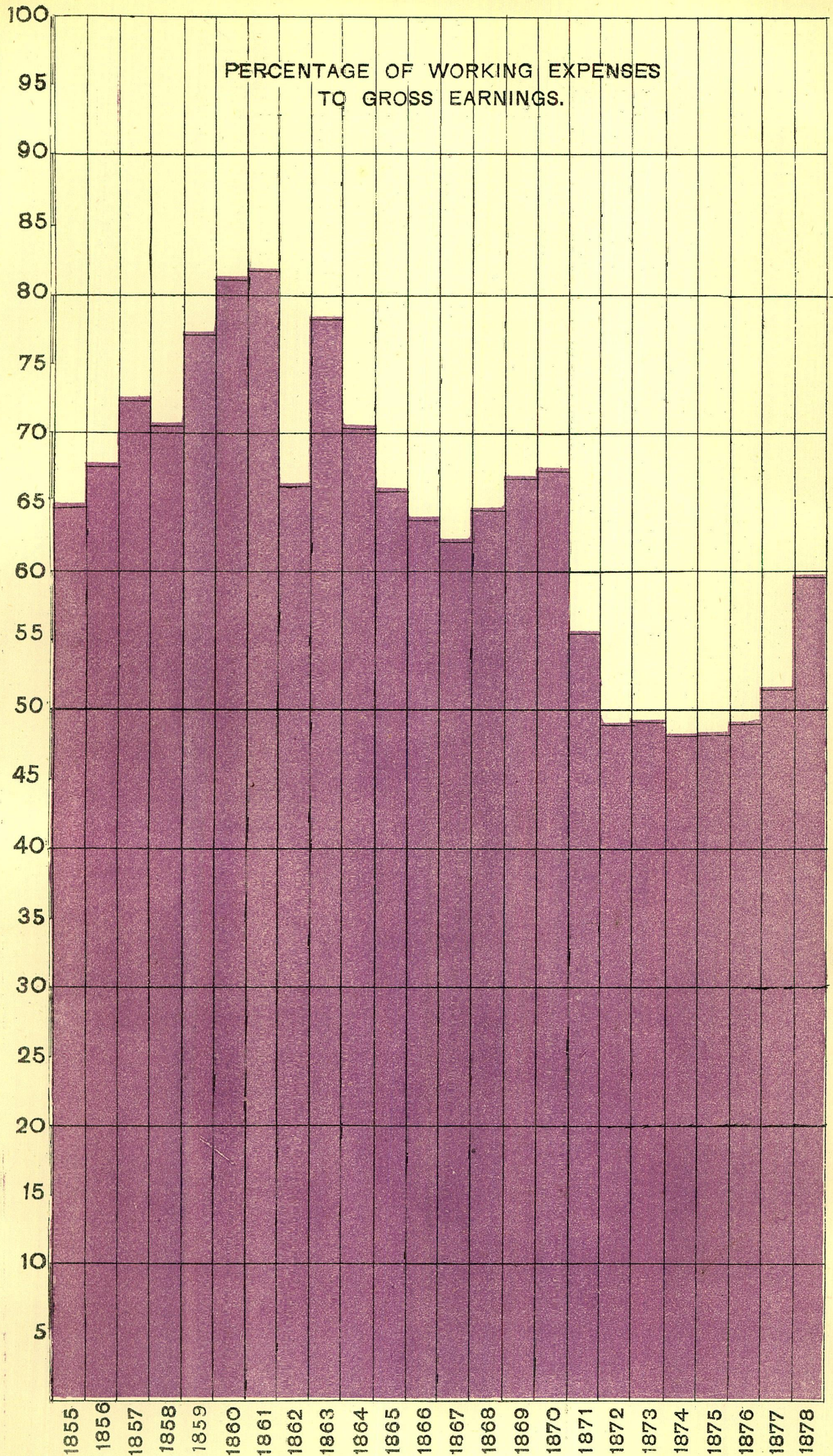
EARNINGS PER TRAIN MILE.



d.



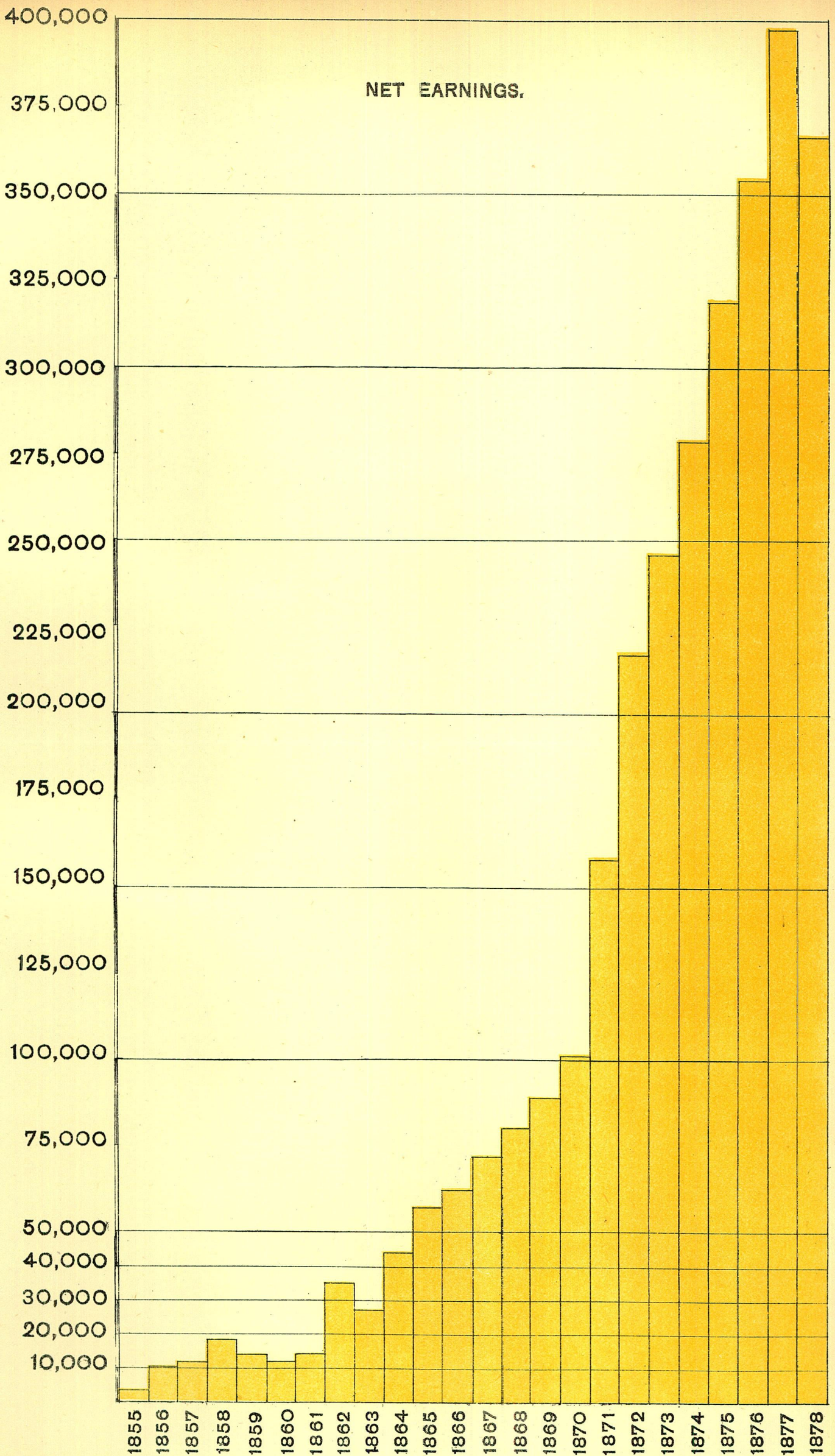
Per cent.

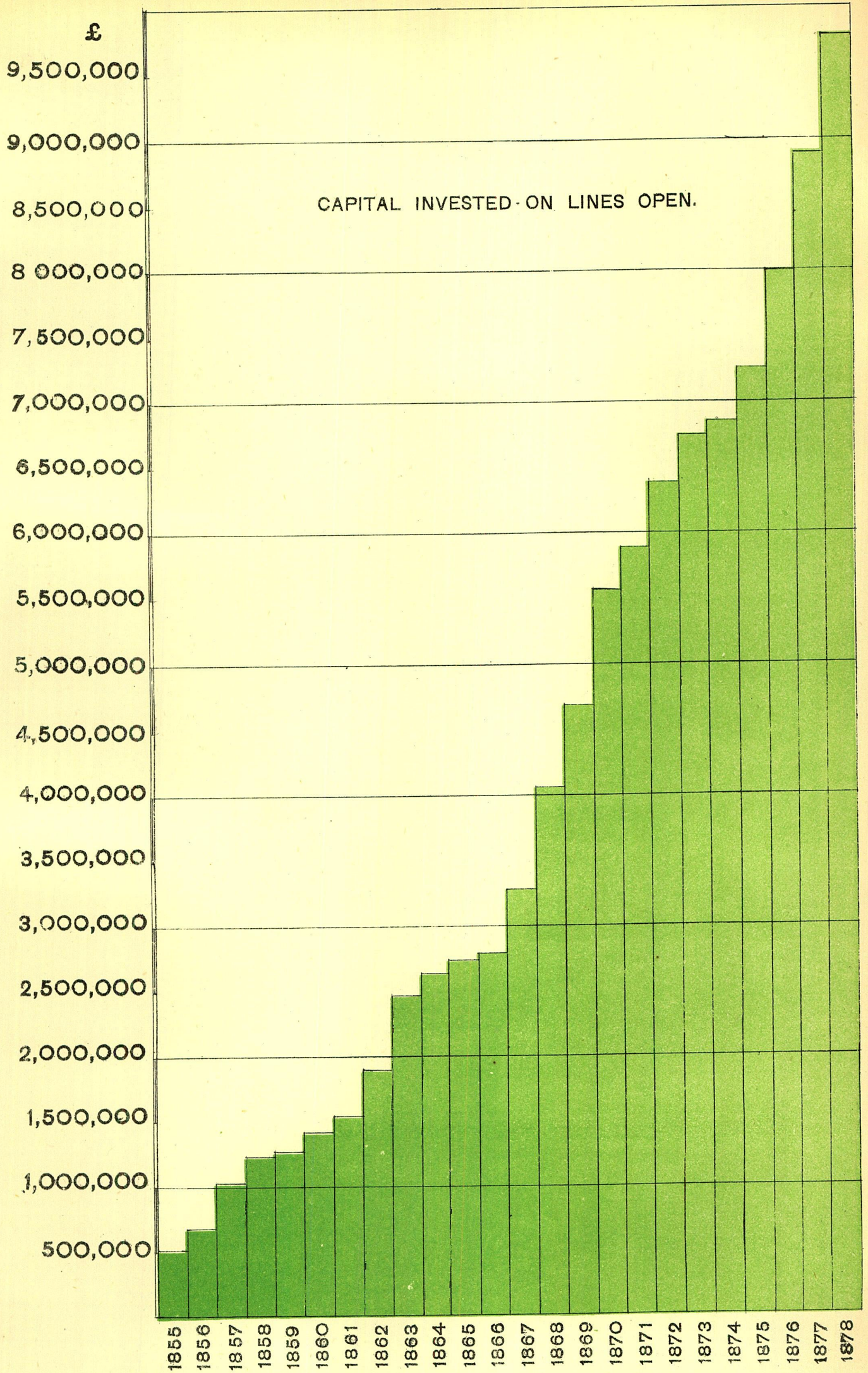


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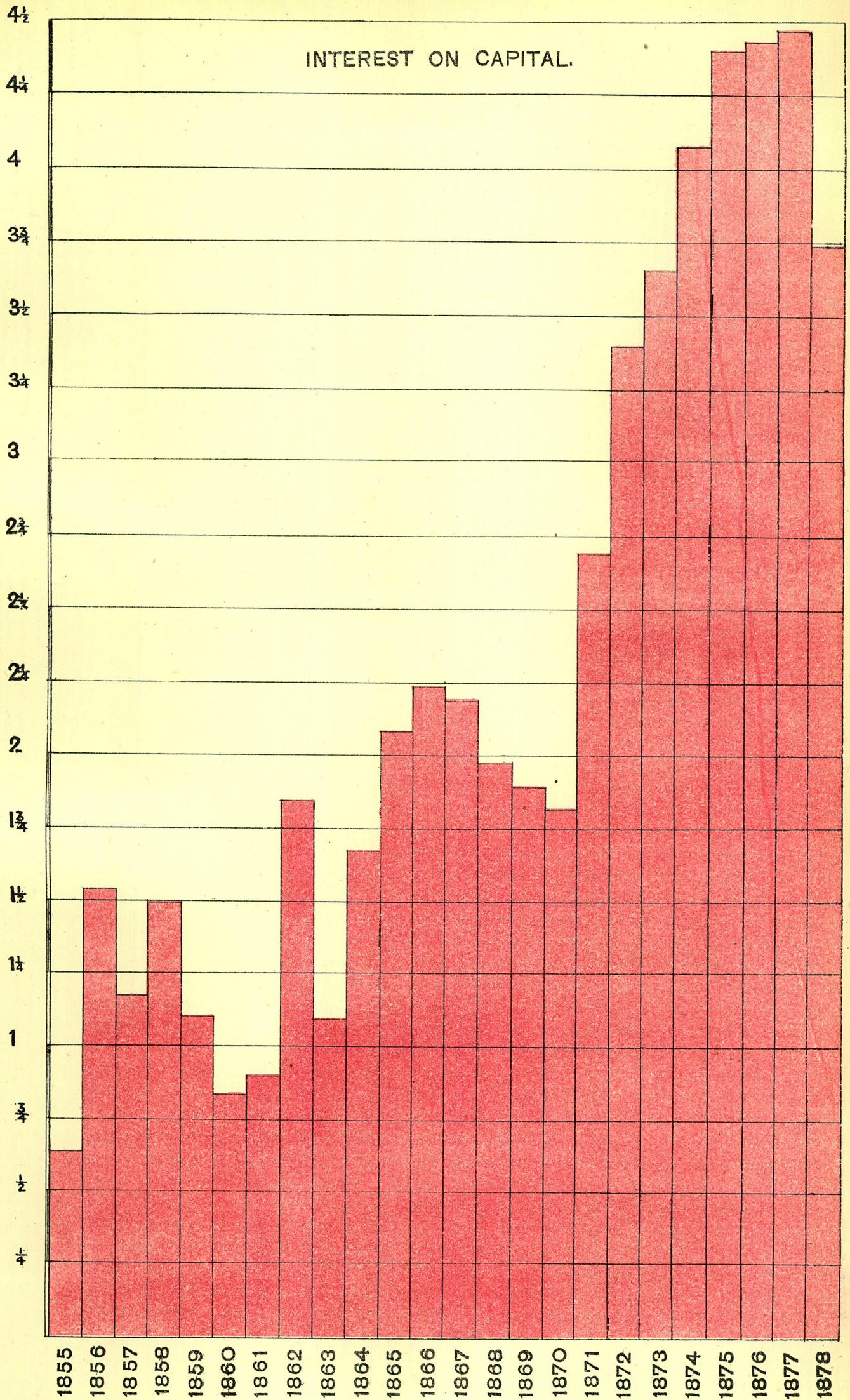
£

NET EARNINGS.





Per cent.



(12-n)

1879.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

RAILWAY WORKSHOPS.

(PURCHASE OF SITE FOR—CORRESPONDENCE, &c.)

Ordered by the Legislative Assembly to be printed, 4 December, 1879.

SCHEDULE.

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2. Minute of Engineer-in-Chief proposing to remove workshops to a site beyond the Redfern Tunnel. 22 November, 1875	2
3. Locomotive Overseer again calling attention to want of shops, &c. 10 December, 1875.....	3
4. Do. do. awkward position of store, &c. 10 December, 1875	3
5. Traffic Manager do. insufficient accommodation, &c. 17 December, 1875	4
6. Locomotive Overseer do. do. 21 February, 1876	4
7. Do. do. do. 20 April, 1876	4
8. Minute of Commissioner do. do. 27 April, 1876	4
9. Locomotive Overseer do. do. 18 July, 1876	6
10. Engineer-in-Chief do. do. 7 August, 1876	5
11. Minute from Secretary for Public Works to Engineer-in-Chief, respecting site for new Railway workshops. 14 May, 1877	5
12. Engineer-in-Chief to Commissioner for Railways, referring to above. 31 May, 1877	5
13. Engineer for Existing Lines to Commissioner for Railways, respecting site for new Railway workshops. 21 May, 1877	6
14. Site for new Railway workshops— <i>Précis</i> of case. 23 September, 1878.....	7
15. Letter from Mr. T. R. Smith, M.P., to Minister for Works, respecting amount voted for workshops at Penrith. 6 March, 1879	10
16. Minute of Commissioner, respecting site for Railway workshops. 17 March, 1879.....	10
17. Locomotive Engineer to Commissioner—Report on workshops, running sheds, &c. 24 May, 1879	10
18. Letter from Messrs. Hardie & Gorman to Colonial Secretary, respecting sale of Chisholm Estate. 3 October, 1879.	12
19. The Principal Under Secretary to Messrs. Hardie & Gorman, referring to above. 10 October, 1879.....	13
20. Messrs. Hardie & Gorman to the Colonial Secretary, respecting offer made by Government for Chisholm Estate. 21 October, 1879.....	13
21. The Principal Under Secretary to Messrs. Hardie & Gorman, that Government will purchase estate. 31 October, 1879	13
2 Messrs. Hardie & Gorman to Colonial Secretary, respecting above. 31 October, 1879	13

APPENDIX—

- A and B to Locomotive Engineer's report on Workshops, &c.
Plan of Chisholm Estate, purchased by Government.

RAILWAY WORKSHOPS.

No. 1.

Locomotive Foreman to The Engineer-in-Chief.

I BEG respectfully to call your attention to the fact that our workshops have not the requisite accommodation for the increasing work of repairing locomotives, &c. I would strongly urge the necessity for providing workshops on a larger scale as early as possible, otherwise it will not be possible to keep pace with the work. It is a serious matter to be both short of engines and also of accommodation to carry out the required repairs. At present I am erecting one of the new engines (to replace one of the 1 to 4 class) outside, under a tarpaulin without a pit, having no room inside the shops. This is building engines under great disadvantages.

The boiler for the second engine of the above class is in a forward state; but those for the third and fourth engines are only just put together, in which state they have been lying since August last year, when the men were taken off to put together new engines, since which they have been employed on heavy repairs to the old goods engines, No. 17 class, and latterly to the old bogie engines, No. 23 class; so that it has not been possible to keep many men on the new engines. Five of the latter (bogies) yet remain to be renewed in the fire-boxes, cylinders, &c.

I have in hand, for fixing on No. 23 engine, the Westinghouse dee breaks, and I have also commenced with the American chimneys for spark-catching, in both of which jobs there is a great deal of boiler-makers' and other work.

W. SCOTT, 8/10/75.

Additional accommodation will be recommended in a short time.—J. W., 13/10/75. Mr. Scott,—
To be returned. Seen.—W. SCOTT, 18/10/75.

No. 2.

The Engineer-in-Chief to The Commissioner.

Subject: Proposed Improvements, Sydney Station.

Department of Public Works, Railway Branch, Engineer's Office, Sydney, 22 November, 1875.

I FORWARD, for the consideration of the Commissioner, three plans on one sheet, showing proposed arrangements for goods warehouses and workshops at the Redfern terminus of the Southern and Western Railways, and the removal of the locomotive shops to a site beyond the tunnel at Redfern, upon land belonging to Mrs. Chisholm.

Plan No. 1 shows existing arrangements of locomotive, carriage, and goods sheds at Redfern, also proposed goods-shed in Prince Alfred Park and extension of the present locomotive shops.

Plan No. 2 shows proposed goods arrangements at Redfern, without encroaching upon Prince Alfred Park, should the removal of the present locomotive shops be sanctioned.

Plan No. 3 shows re-arrangement of locomotive shops on land belonging to Mrs. Chisholm, if removed from the present station yard.

After having given this matter the greatest consideration, I am forced to the conclusion that the present Redfern station yard is much too small even for the existing traffic, and the only way in which this yard can be made to accommodate the existing and prospective traffic will be by removing the whole of the locomotive, carriage, and waggon repairing and painting shops to the position shown on plan No. 3.

Plan No. 1. Upon this plan is shown a proposal to construct a second tunnel under Botany-street, and to carry the junction of the goods line from the north end of the Botany-street tunnel up to Wells-street, so as to enable the shunting in the station yard to be carried on without blocking the main line, as at present. Also the erection of a new goods warehouse and the construction of the necessary sidings in Prince Alfred Park, and the removal of the Exhibition building. The enlargement of the existing running-shed, machine shop, coal stage, and the construction of an erecting shop and all necessary roads in connection therewith. A new carriage-shed is also shown, and a new store, tarpaulin store, and permanent-way workshops.

On looking over this plan it is abundantly clear that the yard is much too small for the future of the locomotive department, as the proposed enlargement of the running shed would only give accommodation for eight engines in addition to the old shed, which provides for sixteen, making twenty-four engines altogether. The total number of engines now on the Southern, Western, and Richmond Railways is 74, and as the number will soon be increased to 100 it is absolutely necessary that accommodation far exceeding that which can be given in the Redfern yard must be provided.

Plan No. 2 shows an arrangement for goods warehouses, sidings, &c., with the locomotive buildings removed, and the encroachment upon Prince Alfred Park shown on plan No. 1 abandoned. This arrangement would give the following accommodation for goods traffic:—

One shed, 400 feet by 103, with two outside platforms—one 450 feet by 15 feet—and a second one 200 feet by 20 feet.

Two goods sheds, each 350 feet by 48 feet.

One „ 300 feet by 117 feet.

One „ 350 feet by 50 feet, with two lines of way through for wool traffic.

There is also a small shunting engine-shed and carriage-shed, with all the necessary sidings complete.

A tarpaulin-shed, 200 feet by 40, and the permanent-way workshops are also provided for in this arrangement.

Plan

- Plan No. 3. This plan shows an arrangement for the locomotive department only, including—
- Engine running-shed, 350 x 128 feet, to hold 56 engines.
- Shed for tenders, 300 x 40 feet.
- Engine painting shop, 200 x 40 feet.
- Carriage painting shop, 200 x 40 feet.
- Carriage and waggon repairing shop, 220 x 68 feet.
- Engine erecting shops, one 200 x 55 feet, and a second shop 340 x 55 feet.
- Engine lifting shop, 150 x 55 feet.
- Two machine shops, each 200 x 50 feet, with engine and boiler house between them.
- Blacksmiths' shops, iron foundry, copper-smiths, brass founders, and boiler shop, stores, &c.
- There are also two coal stages, one 250 x 25, the other 200 x 25, with sheds for storing wheels, offices, &c.

The goods arrangement shown on plan No. 2 will not all be required for many years ; but I am satisfied they will eventually be demanded by the great increase in traffic which will take place on the completion of the different extensions South and West, and the proposal now made will, I think, be sufficiently extensive for many years.

Additional land must be had near to Sydney, even should the locomotive shops not be immediately removed, as it is only a question of time when the Government must have sufficient accommodation for building all rolling-stock required for the railways, engines, carriages, and waggons.

The cost of carrying out this proposal will, no doubt, be great, but it must be done ; if not now, in the course of a very few years, and the cost will be considerably increased by delay.

The land alone will not cost less than £30,000, and the new buildings, tunnel, sidings, &c., will cost about £170,000. This expenditure might extend over several years, as a portion of the buildings only will be at once required, and the additions can be made as they are demanded by the traffic.

JOHN WHITTON.

No. 3.

The Locomotive Overseer to The Engineer-in-Chief.

I BEG respectfully to call your most serious attention to my reports of July 22nd, 1874, M.P. 74/2,138, and October 10th last, M.P. 75/3,663, respecting the deficiency of workshop accommodation at Sydney. The work of repairing rolling-stock is rapidly increasing, not only in proportion to the additions to our rolling-stock and increase of mileage run, which is very considerable, but also in consequence of many of our engines and other rolling-stock, which have now been a long time in use, requiring to undergo very extensive repairs and renewals of a much heavier character than they have hitherto required.

The above causes, combined with the introduction of the eight-hour system, make it impossible to prevent the work of repairs to engines and other rolling-stock from falling into arrears, so much so that unless I am able to employ more hands, through being provided with increased shop-room, I feel that I cannot much longer be answerable for supplying in safe running order the requisite engines and vehicles for working the traffic. In addition to the impossibility of maintaining the rolling-stock in an efficient condition from the want of workshop space, I should also call attention to the fact that the work of nearly all the branches of the department is carried on at very great disadvantage and loss to the Commissioner through the same cause.

The promised new machine-shop, and a repairing shop for locomotives, are equally urgently required. The former is wanted to afford room for additional lathes and other machines, and also to give space required to work the present machines to advantage. The latter is required to enable the work of repairing engines to be carried on conveniently, and to afford the necessary accommodation for the requisite number of engines to be lifted at one time, which is impossible at present. Our appliances for lifting engines are to a great extent of a temporary character, and were designed for engines of a lighter class than those now chiefly in use. The erecting of engines and other mechanical work of a superior nature have now to be carried on exposed to all the weather, or under temporary canvas covers, in consequence of want of room inside the building, which, of course, is working under great obstacles. There is also a great deal of labour and inconvenience involved in shunting engines, which would be altogether obviated were more space available under cover. At present a large number of engines have to remain outside, exposed to the weather and the effect of dust and grit, with which they become smothered, and consequently damaged to a considerable extent.

An additional waggon repairing-shop is also badly required at present ; the work, to a great extent, has to be carried on under great inconveniences, and loss, owing to its having to be done in the open air.

The additional accommodation for lathes and for lifting engines is, however, the most urgently required, and I trust that steps will at once be taken to provide the same. I should be glad if the Minister could spare time to come and inspect the works with you.

W. SCOTT, 17/12/75.

I quite agree with Mr. Scott, that additional accommodation is required for the locomotive and carriage branches, and I desire to call the Commissioner's serious attention to my proposal to remove the above branches to the south of the Redfern tunnel.—J.W., 14/12/75. The Commissioner.

No. 4.

The Locomotive Overseer to The Engineer-in-Chief.

Government Railways, Engineer-in-Chief's Branch, 10 December, 1875.

I BEG respectfully to call attention to the great degree of inconvenience and danger occasioned by the awkward position of the railway store relatively to the workshops, it being commonly necessary to pass under or over a half-dozen lines of waggons in passing from one to the other, and causing sometimes a great loss of time.

This morning, as Edward M'Grath and striker (of permanent-way blacksmith's-shop) were coming across with a bar of iron, the engine moved the waggons under which they were passing the bar. The iron

iron

iron was bent greatly, and the men had a narrow escape. This, however, is not altogether an unusual occurrence, and I may say that there are many narrow escapes, some happening every week, as all the heavy and awkward boiler-plate castings, &c., have to be transported across the lines.

W. SCOTT.

I hope the Commissioner will take into his serious consideration, at the earliest possible time, my proposal to remove the locomotive shops from the Sydney yard.—J.W., 14/12/75. Memo.—75/627 of 22/11/75. To Commissioner.

No. 5.

Minute of The Traffic Manager.

The attention of the Minister was drawn, I perceive, by *Sydney Morning Herald* of 16/12/75, and to complaints made respecting irregularities in delivery of wool from Redfern station.

I am not aware to what cases Mr. Stuart refers, but it is quite possible that it is to certain balances of consignments which get buried upon the shed being packed. It cannot be avoided, unless consignees were prepared to take delivery as fast as the wool comes down, and release contractors' drays, &c., within reasonable time. If we cannot get rid of it as fast as it comes the shed soon becomes blocked up, and there is no getting at odd bales and small consignments.

We have, of course, no platform accommodation, and cannot, therefore, pretend to sort brands.

I am now pushing the delivery faster than is agreeable to the consignees, and in addition to the shed being full have over 150 trucks not yet unloaded.

Our facilities in the way of shed and platform accommodation are utterly absurd for so large a traffic. All our general merchandise has to be taken in and delivered in the open yard, and it is a matter of serious moment that we should be provided with something like the means of carrying on the rapidly increasing work of this department.

Being unable to release the larger number of loaded trucks before-mentioned from want of shed and platform, I am unable to supply the demand of stations for either trucks or sheets. Traffic is impeded, revenue lost, and disappointment and loss entailed upon our customers.

Commissioner for Railways.

D.V., 17/12/75.

Mr. Whitton,—Can anything be done to remedy this inconvenience?—J.R., 22/12/75. See my report, 75/627, of 22nd November, with reference to the removal of the locomotive shops from the station yard, and suggesting increased facilities for the traffic branch.—J.W., 22/12/75. Commissioner.

No. 6.

The Locomotive Overseer to The Engineer-in-Chief.

Government Railways, Engineer-in-Chief's Branch, 21 February, 1876.

I BEG respectfully to call your serious attention to my previous reports respecting the deficiency of work shop accommodation at Sydney.

I find the work of maintaining the rolling stock to be increasing so rapidly that it has become absolutely necessary for carrying on the work to have additional engine pits and appliances for lifting engines. The new machine-shop also, that was promised a long time ago to be erected, is still remaining in abeyance, although so badly required.

As before stated, an additional carriage and waggon and repairing shop is urgently required.

I sincerely trust that no time will be suffered to elapse before the erection of new shops is taken in hand.

W. SCOTT.

I quite agree with Mr. Scott as to the necessity for increased accommodation for the locomotive department, and desire to call the Commissioner's attention to my memo., dated 22nd November, 1875 (75/627).—J.W., 24/2/76. The Commissioner.

No. 7.

The Locomotive Overseer to The Engineer-in-Chief.

Government Railways, Engineer-in-Chief's Branch, 20 April, 1876.

I BEG again to call your most serious attention to the want of room in our repairing shops, for taking in all the engines requiring repairs. When the new engines arrive space will also be required for putting them together.

Unless something is done in this matter at once I cannot be held responsible for supplying sufficient engine power for working the traffic.

W. SCOTT.

I again call the Commissioner's attention to my minute, No. 627, of 22nd November, 1875, with reference to the increased accommodation so urgently required at the Sydney station. Urgent and important.—J.W., 21/4/76. Commissioner.

No. 8.

Minute of The Commissioner.

I CAN do no more than urge on the Minister the necessity for an immediate settlement of this question. If a lease of the premises offered by Messrs. P. N. Russell and Co. were taken for one or a series of years, with the option of purchase, we could relieve the locomotive shops and at once commence the manufacture of passenger carriages and other stock so much wanted.

J.R., 27/4/76.

No. 9.

No. 9.

The Locomotive Overseer to The Engineer-in-Chief.

Government Railways, Engineer-in-Chief's Branch, 18 July, 1876.

I BEG respectfully to again call your serious attention to the imperative necessity for the proposed new workshops. The train mileage is being increased both by the opening of new extensions and increased number of trains, and still the long promised increased workshop accommodation, with additional machines, are not being provided. The way our shop is crowded with machines is excessively inconvenient, and entails very great expense, and considerable danger in shifting heavy pieces of machinery in and out of the shop. I may cite the case of the cylinders (to replace the cracked ones in No. 50 engine) being planed by Shaw at the time of the accident, reported yesterday, which weigh $2\frac{1}{2}$ tons, and for which our planing machine is too small and ill-adapted—involving the necessity of taking out all the screws and feeding gear to allow the cylinders to pass between the standards and cross-bridge.

I trust that something will be done in this matter at once, as it will not admit of much further delay.

W. SCOTT.

No. 10.

Minute of The Engineer-in-Chief.

I HAVE repeatedly called the Commissioner's attention to the necessity of providing additional accommodation at Sydney both for locomotive and traffic branches.

J.W., 7 August, 1876.

Commissioner.

No. 11.

Minute from The Secretary for Public Works to The Engineer-in-Chief.

[Very urgent.]

The Site for the New Railway Workshops.

THERE is a sum of money on the Loan Estimates for 1877, namely, £130,000, to be appropriated to the erection of workshops, for the repairs of rolling stock, &c., and there is also a sum of money on the Supplementary Estimates for 1876, namely £3,429 10s., for the purchase of land at Duck Creek, for railway workshops; indeed I have been informed that this land has been bought by the Government.

I likewise observe that one of the principal advantages claimed as justifying the purchase of this land, was that all heavy loading, such as boilers, castings, &c., could be lightered to it.

As the Engineer of Existing Lines has reported to me that there is so little room at the Redfern Station for the workmen employed in repairing the rolling stock, that some of the men are working under canvas (which certainly appears very objectionable), and that there exists, at the present time, the most urgent need for additional accommodation, I am desirous of obtaining, at as early a date as possible, the opinion of the Engineer-in-Chief for Railways upon the following subjects:—

First.—Does he approve of the land at Duck Creek being used for the erection of workshops, and could heavy castings, boilers, &c., be lightered to the workshops if they were erected on the land purchased by the Government at Duck Creek?

Secondly.—If the Engineer-in-Chief for Railways does not approve of the land at Duck Creek being used for the railway workshops, in what locality would he recommend that the Government should obtain land for the purpose, and would Mr. Whitton, in his report, please state the reasons which have led him to recommend any special or particular locality for this object?

J.H., 14/5/77.

Mr. Whitton for report, B.C., 14/5/77.—J.R. See report herewith.—W.H.Q., 31/5/77. A similar minute was sent to the Engineer for Existing Lines. (See report. No. 13.)

No. 12.

Minute from the Engineer-in-Chief to The Commissioner.

Department of Public Works, Railway Branch, Engineer-in-Chief's Office, 31 May, 1877.

Subject: New Railway Workshops.

REFERRING to the Minister's memo. of the 14th instant on the subject of the proposed workshops for the locomotive department, I have to state that on the 22nd November, 1875, I forwarded for the consideration of the then Minister for Works a report and plans for the removal of the workshops from the station yard at Redfern to land belonging to Mrs. Chisholm, a short distance from the present station. The shops to be erected on the same level and close alongside the main line of railway.

I also proposed to construct a second short tunnel under the Botany Road for the shunting of goods trains, and to use the present Redfern yard exclusively for goods traffic.

I selected the site I have named as one offering special advantages, being of considerable length and width, and generally favourable for the foundations of buildings, and could be connected with the main line at both ends, or at any intermediate point.

I proposed to erect upon it the following building:—Shed for tenders, engine painting shop, carriage painting shop, carriage and waggon repairing shop, engine erecting shops, engine lifting shop, two machine shops, with engine and boiler house between them, blacksmiths' shops, iron foundry, copper-smith's, brass-founders', and boiler shop, stores, &c.

A running shed to hold fifty-six engines was also included in the arrangement with coaling stages, engine turn-table, &c. For dimensions of buildings see my report previously referred to.

It is a matter of considerable importance to have the running shed and workshops together, so that one Superintendent can overlook both the engines under construction or repairs and the engines in work, and I know of no site where this arrangement can be carried out so efficiently as that recommended by

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me on the land belonging to Mrs. Chisholm. If this land be purchased it will afford sufficient accommodation for workshops and running-sheds for a long time to come, and although the cost may appear great I consider this of little moment when compared with the great advantages of the position.

The land purchased at Duck River, about 12 miles from Sydney, for the locomotive workshops, is not, in my opinion, suitable for the purpose intended, and for the following reasons:—

The land is considerably below the main line of railway near to Duck River, and can only be connected with it at one end, which is in itself a serious disadvantage.

That the rails of the main line at Duck River are 16 feet above the surface of the ground, and if the lines of rails for the workshops be laid in on the level (which they should be from that point), they would be 17 feet below the level of the main line at the northern boundary of the land, which is 37 chains north of Duck River.

That the highest flood known at Duck River since the construction of the railway extended over the land purchased for the workshops a distance of 30 chains, and an average depth of more than 4 feet.

That to keep the workshops above flood level the buildings and sidings would have to be constructed for 30 chains out of 37 chains, the total length of the ground, upon an embankment of at least 6 feet in height.

That if the land had been otherwise suitable for workshops the whole of the raw material from England required for the construction and repairs of the rolling stock would have to pay freight upon 12 miles of railway before such material could be used.

That all imported engines and rolling stock generally would have to pay freight for a like distance before they could be erected for use in the traffic branch.

That to erect the workshops at Duck River would render running-sheds, sidings, and machinery for temporary repairs absolutely necessary at Sydney, and additional land would have to be provided for this purpose.

Duck River, I am informed, is only navigable at high water for boats drawing about 4 feet, and at low water it is useless for purposes of navigation.

It is full of snags and mudbanks, and could not, under existing circumstances, be used for the purpose of taking heavy machinery from Sydney Harbour to the proposed site for the workshops.

Notwithstanding the additional price which would have to be paid for the land near to Sydney, I strongly recommend that it be purchased for the erection of the workshops and running-sheds, and that the arrangement proposed by me in my report dated 22nd November, 1875, be carried out in its entirety, as I know no other place so suitable for the requirements of the department.

JOHN WHITTON.

No. 13.

Minute from The Engineer for Existing Lines to The Commissioner.

Department of Public Works, Railway Branch,

Existing Lines, Engineer's Office, Sydney, 21 May, 1877.

Subject: Site for Railway Workshops.

I do not approve of the land referred to at Duck River as the best place for building the railway workshops; neither do I think that heavy articles such as those named could be conveyed by this river in its present state. But supposing they could be conveyed by this means it would be no advantage to do so, as it would be more costly than to lighter them at Darling Harbour, if it were necessary to lighter them at all. I see no advantage to be gained by this means of communication.

The principal objections to this land as a site for the railway workshops are:—

1st. Its distance from Sydney (12 miles), from which place all stores would have to be conveyed, involving a constant and permanent expense, besides the inconvenience that would be experienced in various ways by being removed such a distance from the terminal station.

2nd. The land is divided by the main line which is on a high embankment, and on a gradient of 1 in 120, into two portions, and although sufficient in area the form and position of it are not calculated for making convenient arrangements for shops and sidings. It is also subject to floods, and the sidings and shops would have to be constructed on an average of at least 3 feet 6 inches or 4 feet above the surface of the ground to place it above the highest known flood level.

3rd. The water in Duck River in dry seasons is of bad quality and not suitable for locomotive purposes.

The land which I consider most suitable for a site for railway workshops, sidings, &c., is situated at 1 mile from the Redfern station, and is known as Chisholm's and Slade's Paddocks.

The main line of railway which passes through this land is on an embankment from 10 to 12 feet high; on the level and straight for about $\frac{1}{2}$ of a mile. It is approached at the north end by a gradient of 1 in 106 from the Chippendale tunnel, and if chosen as a site for workshops, the above gradient could be greatly improved by lowering the embankment to about the level of the ground, and the workshops and sidings could all be placed on the same level, making communication easy with main line at any point, and reducing the foundations to a minimum depth.

The great length of continuous straight line would be a great advantage in many respects. Being so close to Sydney and the terminal station, no inconvenience would be felt or extra expense incurred in obtaining stores, &c., &c. This is of great importance.

A permanent supply of good water could be obtained.

A large number of the workmen now engaged in the workshops reside near the place, some of them in houses of their own.

Taken altogether, I know of no other place so convenient and suitable as a site for the railway workshops.

WILLIAM MASON.

No. 14.
Site for Railway Workshops.

Précis of case.

PROPOSED sites upon which to erect new railway workshops ; also offer of Messrs. P. N. Russell & Co. to sell or lease their property in Barker-street, Sydney.

The following sites have been suggested, and for easy reference may be numbered from 1 to 7 :—
No. 1, at Liverpool ; No. 2, at Picton ; No. 3, at Penrith ; No. 4, at Dogtrap Road, near Parramatta Junction ; No. 5, beyond Redfern tunnel, being that recommended by the Engineer-in-Chief ; No. 6, at Duck River, in the district of Liberty Plains, near Parramatta Junction ; No. 7, Barker-street, Sydney, being the property of Messrs. Russell & Co.

1.—LIVERPOOL.

In June, 1873, a resolution was passed by the Liverpool Municipal Council, appointing a deputation to wait upon Mr. Secretary Sutherland and bring under his notice the advantages Liverpool offered as a site for establishing a branch rolling stock manufactory. The deputation were informed that their request would be considered when any alteration in the site of the present workshops was contemplated, and they were desired to put their proposition in writing, this they did in July following, when the Council, ratepayers, and inhabitants of Liverpool expressed their willingness to resign to the Government the recreation reserve, contiguous to the railway paddock, for the purpose of erecting workshops thereon. Nothing further appears to have been done in this case.

2.—PICTON.

In January, 1874, a petition was received through Captain Onslow, M.P., from the residents of Picton, pointing out that Picton would be a suitable place ; on referring the petition to the Engineer-in-Chief, he wrote : " I was not aware that it was in contemplation to remove the workshops for the railways from Sydney, but if they were removed I do not think Picton would be a suitable place for them."

On the 9th of February, 1874, Captain Onslow was informed that nothing had been determined as to the removal of the workshops.

3.—PENRITH.

In April, 1875, a memorial was received from the inhabitants of Penrith, suggesting that Penrith was the most advantageous site for the workshops to be removed to, as land could be obtained cheap, the water was inexhaustible and of the best quality, coal and billet wood obtainable at reduced cost, and that already Penrith was the place where the lighter locomotive engines were changed for the heavier ones to work the steep inclines over the western mountains. The Engineer-in-Chief on being referred to, drew attention to his minute on the petition relating to the site at Picton.

Excepting that the receipt of the memorial was acknowledged, nothing further took place.

4.—DOGTRAP ROAD, NEAR PARRAMATTA JUNCTION.

On 29th December, 1875, Mr. A. T. Holroyd wrote recommending this site ; it abuts 20 chains on the Dogtrap Road, and is about 2 miles from Parramatta Junction station.

No action appears to have been taken on this letter.

5.—PROPOSED IMPROVEMENTS, SYDNEY STATION.

(By Engineer-in-Chief.)

On the 13th March, 1877, a return was laid upon the Table of the Legislative Assembly in reference to the purchase by the Government of certain land at Duck River for workshops, and it was found necessary in connection therewith to introduce into that return the propositions submitted by the Engineer-in-Chief, but as we are dealing seriatim with each proposed site, the minute of the locomotive foreman calling attention to the urgent necessity for providing workshops on a larger scale, and the minute of the Engineer-in-Chief submitting his propositions, are here inserted :—

The Locomotive Foreman to The Engineer-in-Chief.

I beg respectfully to call your attention to the fact that our workshops have not the requisite accommodation for the increasing work of repairing locomotives, &c. I would strongly urge the necessity for providing workshops on a larger scale as early as possible, otherwise it will not be possible to keep pace with the work. It is a serious matter to be both short of engines and also of accommodation to carry out the required repairs. At present I am erecting one of the new engines (to replace one of the 1 to 4 class) outside, under a tarpaulin without a pit, having no room inside the shops. This is building engines under great disadvantages.

The boiler for the second engine of the above class is in a forward state ; but those for the third and fourth engines are only just put together, in which state they have been lying since August last year, when the men were taken off to put together new engines, since which they have been employed on heavy repairs to the old goods engines, No. 17 class, and latterly to the old bogie engines, No. 23 class ; so that it has not been possible to keep many men on the new engines. Five of the latter (bogies) yet remain to be renewed in the fire-boxes, cylinders, &c.

I have in hand, for fixing on No. 23 engine, the Westinghouse dee breaks, and I have also commenced with the American chimneys for spark-catching, in both of which jobs there is a great deal of boiler-makers' and other work.—W. SCOTT, 8/10/75.

Additional accommodation will be recommended in a short time.—J. W., 13/10/75. Mr. Scott,—
To be returned. Seen.—W. SCOTT, 18/10/75.

The Engineer-in-Chief to The Commissioner.

Subject: Proposed Improvements, Sydney Station.

Department of Public Works, Railway Branch, Engineer's Office, Sydney, 22 November, 1875.

I FORWARD for the consideration of the Commissioner, three plans on one sheet, showing proposed arrangements for goods warehouses and workshops at the Redfern terminus of the Southern and Western Railways, and the removal of the locomotive shops to a site beyond the tunnel at Redfern, upon land belonging to Mrs. Chisholm.

Plan No. 1 shows existing arrangements of locomotive, carriage, and goods sheds at Redfern, also proposed goods-shed in Prince Alfred Park, and extension of the present locomotive shops.

Plan No. 2 shows proposed goods arrangements at Redfern, without encroaching upon Prince Alfred Park, should the removal of the present locomotive shops be sanctioned.

Plan No. 3 shows re-arrangement of locomotive shops on land belonging to Mrs. Chisholm, if removed from the present station yard.

After having given this matter the greatest consideration, I am forced to the conclusion that the present Redfern station yard is much too small even for the existing traffic, and the only way in which this yard can be made to accommodate the existing and prospective traffic will be by removing the whole of the locomotive, carriage, and waggon repairing and painting shops to the position shown on plan No. 3.

Plan No. 1. Upon this plan is shown a proposal to construct a second tunnel under Botany-street, and to carry the junction of the goods line from the north end of the Botany-street tunnel up to Wells-street, so as to enable the shunting in the station yard to be carried on without blocking the main line, as at present. Also the erection of a new goods warehouse and the construction of the necessary sidings in Prince Alfred Park, and the removal of the Exhibition building. The enlargement of the existing running-shed, machine-shop, coal stage, and the construction of an erecting shop and all necessary roads in connection therewith. A new carriage-shed is also shown, and a new store, tarpaulin store, and permanent-way workshops.

On looking over this plan it is abundantly clear that the yard is much too small for the future of the locomotive department, as the proposed enlargement of the running-shed would only give accommodation for eight engines in addition to the old shed, which provides for sixteen, making twenty-four engines altogether. The total number of engines now on the Southern, Western, and Richmond Railways is 74, and as the number will soon be increased to 100 it is absolutely necessary that accommodation far exceeding that which can be given in the Redfern yard must be provided.

Plan No. 2 shows an arrangement for goods warehouses, sidings, &c., with the locomotive buildings removed, and the encroachment upon Prince Alfred Park shown on plan No. 1 abandoned. This arrangement would give the following accommodation for goods traffic:—

One shed, 400 feet x 103, with two outside platforms—one 450 feet x 15 feet—and a second one 200 feet x 20 feet.

Two goods sheds, each 350 feet x 48 feet.

One „ 300 feet x 117 feet.

One „ 350 feet x 50 feet, with two lines of way through for wool traffic.

There is also a small shunting engine-shed and carriage-shed, with all the necessary sidings complete.

A tarpaulin-shed, 200 feet x 40, and the permanent-way workshops are also provided for in this arrangement.

Plan No. 3. This plan shows an arrangement for the locomotive department only, including—

Engine-running shed, 350 x 128 feet, to hold 56 engines.

Shed for tenders, 300 x 40 feet.

Engine painting shop, 200 x 40 feet.

Carriage painting shop, 200 x 40 feet.

Carriage and waggon repairing shop, 220 x 68 feet.

Engine erecting shops, one 200 x 55 feet, and a second shop, 340 x 55 feet.

Engine lifting shop, 150 x 55 feet.

Two machine shops, each 200 x 50 feet, with engine and boiler house between them.

Blacksmiths' shops, iron foundry, copper-smiths', brass foundry, and boiler shops, stores, &c.

There are also two coal stages, one 250 x 25, the other 200 x 25, with sheds for storing wheels, offices, &c.

The goods arrangement shown on plan No. 2 will not all be required for many years; but I am satisfied they will eventually be demanded by the great increase in traffic which will take place on the completion of the different extensions South and West; and the proposal now made will, I think, be sufficiently extensive for many years.

Additional land must be had near to Sydney, even should the locomotive shops not be immediately removed, as it is only a question of time when the Government must have sufficient accommodation for building all rolling stock required for the railways, engines, carriages, and waggons.

The cost of carrying out this proposal will, no doubt, be great, but it must be done; if not now, in the course of a very few years, and the cost will be considerably increased by delay.

The land alone will not cost less than £30,000, and the new buildings, tunnel, sidings, &c., will cost about £170,000. This expenditure might extend over several years, as a portion of the buildings only will be at once required, and the additions can be made as they are demanded by the traffic.—JOHN WHITTON.

It will be seen from a minute dated 31st May, 1877 (attached hereto), that the Engineer-in-Chief strongly recommends that the proposal made by him to remove the workshops to the land belonging to Mrs. Chisholm, a short distance from the present Redfern station, be carried out; and the Engineer for Existing Lines in his report of 21st May, 1877 (also attached hereto), also considers this site the most suitable.

6.—DUCK RIVER.

The following printed return shows what has taken place up to 4th January, 1877, subsequent minutes thereon are appended to the printed matter—both the Engineer-in-Chief and the Engineer for Existing Lines strongly disapprove of Duck River as a site for workshops.

7.—P. N. RUSSELL & Co.'s OFFER TO SELL OR LEASE THEIR PROPERTY IN BARKER-STREET, SYDNEY.

On the 9th December, 1875, Messrs. P. N. Russell & Co. addressed a letter to the Government, offering to sell their freehold property, with the whole of the plant and machinery thereon, for £50,000, or £3,000 per annum if let on lease for seven or ten years.

They state that the property has a water frontage to Darling Harbour of 320 feet, and is only about 200 yards distant from the rails of Darling Harbour Railway. It consists of their iron and brass foundries, engineering or fitting and blacksmith's shops, and the large shop recently constructed by them for the manufacture of railway rolling stock. They also include in their offer all patterns, drawings, plans, templates, &c.

On the 13th April, 1876, Mr. Secretary Lackey asked the Engineer-in-Chief for his opinion on this offer, and Mr. Whitton reported as follows:—

* * * * *

"The price asked for the land, machinery, and buildings does not appear to me excessive, though I have had no opportunity of inspecting either the machinery or buildings; but I am informed they are in good order.

"I think it would be possible, in the event of the Government purchasing this property, to connect the works with the Darling Harbour sidings; but I have not had my attention particularly directed to this matter. If it be resolved to take the works, it might probably be advisable, in the first instance, to lease the property for five years, with the right of purchase at the present price at the end of that time. This would give sufficient time to fully try the experiment of the manufacture of rolling stock by the Government.

* * * * *

"I may mention that the purchase of this property will in no way supersede or change my proposal for the removal of the locomotive shops from the Redfern terminus."

The Engineer-in-Chief having, on the 21st April following, called the Commissioner's special attention to the want of increased accommodation at Redfern, the Commissioner wrote as follows:—

"I can do no more than urge on the Minister the necessity for an immediate settlement of this question. If a lease of the premises offered by Messrs. P. N. Russell & Co. were taken for one or a series of years, with the option of purchase, we could relieve the locomotive shops, and at once commence the manufacture of passenger carriages and other stock so much wanted.—J.R., 27/4/76."

On the 27th November, 1876, Messrs. Russell again wrote (having never received any reply to their first letter), and offered the property in a different form, viz., to lease it for three to seven years, instead of seven to ten years, giving the Government the option of purchasing the plant at the end of the lease, at a valuation.

The matter was referred to Cabinet by Mr. Alex. Stuart, on 1st December, 1876; but nothing appears to have been decided, as the papers are marked "For our successors.—JOHN ROBERTSON, 21/3/77."

On the 10th May following, Messrs. Russell asked for an interview with Mr. Secretary Hoskins. They saw Mr. Hoskins on the 30th of May, and were informed by him that he declined to entertain their offer at present.

On the 20th February, 1878, Messrs. Russell wrote to Mr. Secretary Sutherland, asking for an interview respecting their offer. There is nothing on the papers to show that an interview took place, although they were informed that Mr. Sutherland would see them on the 8th of March. However, on the 14th March a letter was sent to them by direction of the Minister, informing them that he would consider the matter, and lay it before the Cabinet for their decision.

This completes the whole of the transactions as regards the sites for new workshops, and has been compiled in accordance with the Minister's and Commissioner's instructions of July last.

D. VERNON, 23/9/78.

Continue this to show the action taken by Mr. Sutherland in regard to the premises offered by P. N. Russell & Co.—CH. A. G., 6/1/79. Continuation attached.

Précis continued.

On the 2nd July, 1878, a further communication in reference to Messrs. P. N. Russell & Co.'s premises at Darling Harbour was addressed to the Minister by Mr. W. Pritchard, who stated that the property had been placed in his hands for lease or sale, and that he again offered it to the Government.

Mr. Sutherland ordered the Engineer for Existing Lines to make a careful inspection of the whole of the premises, plant, machinery, &c., and submit an inventory of same, together with a report as to their value at that time, and whether they were calculated to meet the necessities of the increasing business of the railways.

The report of the Engineer for Existing Lines was received in September last. His valuation of the property is as follows:—

Land	£24,143
Buildings, shops, sheds, &c.	10,255
Machinery, tools, stores, &c.	15,054
Miscellaneous items	200
Total value	£49,652

He reports that the premises could not be availed of for the purposes for which additional accommodation is needed, owing to their form being unsuitable and their position too isolated from the railway, communication being interrupted by valuable waterside property which could not be purchased except at great cost; and that the plant and machinery being chiefly adapted for marine and general work very little of it could be utilized for railway shops.

In a minute dated 11/11/78, Mr. Sutherland writes that the price asked by Messrs. P. N. Russell & Co., would appear from the Engineer of Existing Lines' valuation to be a reasonable one, but that having before him the objections set forth in Mr. Mason's report, he must decide to abandon the proposal to purchase this otherwise very valuable property, and directed that Mr. Pritchard be so informed, which was done.

G.B., 6/1/79.

Subsequently

Subsequently to the date of this *précis* applications were received from several inland towns to have the workshops erected in their respective localities, viz., No. 1, from Bathurst, presented by a deputation which interviewed the Minister on the 24th October, 1878, No. 2, from Blayney, presented by a deputation on 31st October, 1878, No. 3, from Orange, presented by a deputation on 6th November, 1878, No. 4, from Murrurundi, on 19th June, 1879, and No. 5, from Dubbo, on 1st September, 1879.

No. 15.

T. R. Smith, Esq., M.P., to The Secretary for Public Works.

Dear Sir,

675, George-street, 6 March, 1879.

There was granted last year the sum of £7,000 for workshops for Penrith and other places. I find that very little, if any, of this money has been laid out in Penrith. I was at Penrith last week, and my attention was drawn to several engines being out in the rain with men cleaning them. These men are compelled to work out in the rain all night cleaning these engines, as there is only room in the engine-shed for, I think, four engines, and there are at Penrith mostly from eight to twelve. Hoping you will have placed on Supplementary Estimates a sum of money to carry out these works,

Yours, &c.,

T. R. SMITH.

Mr. Mason,—B.C., 7/3/79.—C.R.A.G. The accommodation required at Penrith in additional shops, &c., is a matter for Mr. Burnett's consideration.—W.M., 10/3/79. Commissioner. Where is paper authorizing amount to be placed on Estimates?—C.R.A.G., 17/3/79. The amount on Estimates was £10,000, not £7,000. It was placed on Engineer for Existing Lines' Estimates, but there were no papers.—G.B. The following are the items voted on the Estimates:—Extension of present machine shops and engine-sheds, Sydney, £5,000; additional engine-sheds and machine shops at Penrith, Bathurst, and Goulburn, £10,000; and the amount is now available. Mr. Burnett should consider, and report on the best means of appropriating the amount in the most effective manner. He will deal with the question, no doubt, in connection with the wider one already referred to him on the subject of railway workshop accommodation generally.—C.R.A.G., 21/3/79. Locomotive Engineer,—B.C., 22/3/79.—G.B. See report on workshops.—R.H.B., 30/5/79. Commissioner.

No. 16.

Minute of The Commissioner.

Subject: Railway Workshops.

THE question of the most suitable site for the railway workshops is under the consideration of the Government.

Accompanying this are the papers on the subject.

The Locomotive Engineer, who is charged with the administration of this branch of the department, is necessarily from his position largely interested in the question, and will probably be able to offer some suggestions which may assist the Government in arriving at a decision.

The papers are forwarded to him for this purpose.

C.R.A.G., B.C., 17/3/79.

This matter should be viewed not only as regards the present, but the future requirements of the department, and Mr. Burnett's attention is drawn to the railway map attached to Railway Report of 1877, indicating the probable direction the further extension of the railways will take.—C.R.A.G., 17/3/79. Report herewith.—R.H.B., 30/5/79. Commissioner.

No. 17.

Minute from The Locomotive Engineer to The Commissioner.

Department of Public Works, Railway Branch,

Locomotive Engineer's Office, Sydney, 24 May, 1879.

Subject: Workshops and Running-sheds.

HAVING given careful consideration to the question of the site for the railway workshops, as disclosed in the previous papers on the subject, accompanying the Commissioner's M.P. 79-4, 134, and having inspected the various places which have been proposed from time to time, as well as those which appear at all suitable for the purpose, I have now the honor to submit the following report:—

The general considerations which may be regarded as governing this important question may be briefly stated as follows:—

- (1.) That the site selected shall be as near as possible to the point of delivery of the heavy material used in the manufacture and repair of the rolling stock and plant.
- (2.) That it shall be as near as possible to the natural centre of labour.
- (3.) That it shall be in a central position, and readily accessible from each of the three trunk-lines of railway, in view of their being ultimately connected.
- (4.) That it shall be as nearly level as possible, and on the same level with the railway lines.
- (5.) That it shall be wholly on one side or other of the railway.
- (6.) That it shall be capable, if possible, of being connected with the main line at both ends or at any intermediate point.
- (7.) That it shall be of sufficient extent to enable the machinery and plant to be laid out, not only for present requirements, but with sufficient margin of space to meet any probable future extensions; and
- (8.) That it shall have a sufficient supply of good water.

In the above list the question of the price of the land has been excluded, being, as seems to me, a matter of secondary consideration: because under all, but very exceptional, circumstances, it cannot amount to a vital element, when the much larger cost of buildings and machinery is taken into account.

An examination of the position of the main workshops of the English railways (particulars of which are given in the Appendix B) will illustrate this, and show the importance attaching to the first two of the foregoing considerations, viz., (1) the facility of delivery of the heavy materials used, and (2) proximity to the centre of skilled labour.

From

From the particulars given in the Appendix it will be seen that, except in the several instances where the site of the workshops has been determined by the pre-existence of centres of iron manufactures and of skilled labour away from the principal terminus, they have been fixed, in the immediate vicinity of the metropolis, or principal town of the district served, notwithstanding that the cost of land must have been, as a matter of course, much greater there than if the site had been selected by reference to that consideration alone.

In dealing with the case of the New South Wales railways, now under consideration, the question arises whether there is any certainty, or reasonable probability, of manufacturing industries being established at any point on the railway system which would justify the placing of the workshops there in preference to Sydney.

In the immediate future, at all events, the port of Sydney must continue to be, as it has been in the past, the point of supply of the great bulk of the heavy material used in the locomotive branches, and I am not aware that it can be determined with any degree of certainty what point on the railway will become in the future a great manufacturing centre, able, with the present scale of wages in the Colony, to compete on equal terms with the markets of Europe or America, for which the port of Sydney will always be the natural and most suitable place of delivery.

In any case the matter is, as it seems to me, too uncertain at present to warrant the placing of the workshops (which will, with the growth of traffic and extensions, eventually involve an expenditure of probably little short of a quarter of a million sterling), in any one or other of the three mineral districts of the Northern, Southern or Western lines, in preference to the Sydney district.

The various places which have been suggested at different times as affording suitable sites are as follows:—

- (1.) Picton, 53 miles from Sydney,
- (2.) Penrith, 34 miles from Sydney,
- (3.) Liverpool, 22 miles from Sydney,
- (4.) South-east of the Southern line, between the railway and the Dog-trap Road, about 14 miles from Sydney,
- (5.) East of the Duck River, near Parramatta Junction, 12 miles from Sydney,
- (6.) Chisholm's property, on the north side of the line, 1 mile from the Redfern terminus, and,
- (7.) Barker-street, Sydney, the property of Messrs. P. N. Russell & Co.

1. Picton is, in my opinion, quite unsuitable. It is too far from Sydney, is on a single line, and from the very limited extent of level ground could not be made available.

2. Penrith is likewise too far from Sydney, and is on a single line.

3. Liverpool is likewise unsuitable, being too far from Sydney, and is on a single line.

4. The land near the Dog-trap Road would be suitable as regards its extent, its evenness, and the levelness of the line which passes it, provided a proper water supply could be obtained. Its proximity to Parramatta Junction would enable double lines to be continued up to it without great expense, but its distance (viz., 14 miles) from Sydney renders it unsuitable.

5. The site near the Duck River is unsuitable for the reasons given in the report of Engineer-in-Chief, dated 31st May, 1877, and in that of the Engineer for Existing Lines, dated 21st May, 1877, and because of its distance from Sydney.

6. Chisholm's property possesses in a marked degree the requisite features, and if about 30 acres in addition to that embraced in the plan No. 3, accompanying the report of the Engineer-in-Chief, could be secured on the same side of the line no better place on the railway could be selected; but I believe the great increase in the value of the property which has taken place in the long interval since it was originally recommended by the Engineer-in-Chief may stand in the way of its being made available for the purpose.

7. Barker-street, Sydney, is not available for the reason given in the report of the Engineer for Existing Lines, dated 9th September, 1878.

The site which I believe will be found most suitable, if Chisholm's property proves not available, is

- (1) On the north side of the line, about $2\frac{1}{2}$ miles from Sydney, near the Stanmore platform.

Failing this, there are several others more or less suitable near Sydney, viz.:—

- (2.) On the north side of the line, about $4\frac{1}{2}$ miles from Sydney.
- (3.) On the north side of the line, about 7 miles from Sydney, near the Redmyre station; or,
- (4.) In the vicinity of the Homebush station.

Of these four sites, the one near the Stanmore platform will be found, I think, by far the most suitable; but as this can only be determined by making an accurate survey of the ground, I would recommend that it, as well as the other three sites named, be at once surveyed, and the water supply proved, so that their relative suitability may be correctly determined.

By fixing the site for the workshops as near to Sydney as possible, the following important advantage would be gained, viz.: that it would admit of its embracing the running-shed for the Sydney district, which, on account of the large number of engines stationed there, must always be a specially important one, as it must provide for the accommodation of all the engines required in working the suburban traffic, as well as those required for the through trains which start and terminate in Sydney, and which in a couple of years will number about 75 engines in use daily, of which 50 will leave and return in steam each day and which, with the extension of the proposed suburban lines, will be from time to time largely increased.

It is important that this large establishment should be on the same site with the workshops, so as to admit of its being placed under the direct supervision of one and the same head.

By placing both within the Sydney suburban district the advantage of proper supervision would be secured, while at the same time the engines of that district would be enabled to go to shed at night, and start therefrom in the morning, with the least amount of "empty" running.

If on the other hand, the workshops were placed 12 or 14 miles from Sydney, either a distinct and separate running-shed would have to be erected in the vicinity of Sydney, or the Sydney engines would have to run a large amount of extra "empty" mileage, amounting (according to the position selected) to between 200,000 and 250,000 miles per annum.

Any site beyond the suburban district is therefore not admissible, except in the event of suitable land nearer Sydney being unavailable.

The

The area that should be secured for the purpose of the workshops and sheds should not be less than from 50 to 60 acres, or even more. Although only a portion will be utilized at first, the advantage of securing the means of unlimited extension cannot be overated, and even as an investment it is advisable, as it will at any time well repay the interest on the purchase money by the re-sale of any surplus land, on account of the increase in its value which the building of the workshops in the locality will create.

The proposed scheme for supplying Sydney with water from the Nepean would, if carried out, afford an abundant supply to the workshops and running-sheds, in the event of any deficiency being found at any of the sites recommended.

NEWCASTLE.

The present isolation of the Northern lines from those of the South and West renders it necessary that the requirements of Newcastle, in respect to workshop appliances, should be considered in connection with this subject.

As it will doubtless be several years at least before the Northern and Southern lines are connected by railway, and as the present workshops and plant at Honeysuckle Point are quite inadequate to maintain the rolling stock in an efficient manner and at reasonable cost, I recommend that the shops and running-sheds there be at once remodelled, and made adequate to accommodate and repair all the engines and stock required to work that system up to the date at which railway connection shall have been made between it and the Southern lines.

After that date it will probably be best to confine to the Sydney workshops any subsequent additions necessary for carrying on the work; but I would recommend that there be no delay in providing at once at Newcastle whatever is necessary in the meantime to properly work the line, because, even after that connection shall have been made, the shops and plants at Newcastle can, with advantage, be kept fully at work on the lighter repairs, which would otherwise have to be sent to Sydney, by which the cost of transit will be avoided.

The site available at Honeysuckle Point is sufficient to enable suitable shops and shed-room to be provided, without any additional outlay for land.

LOCOMOTIVE DEPÔTS.

In addition to the main repairing and running sheds at Sydney, and those just referred to for Newcastle, suitable accommodation and appliances should be provided without delay at the various locomotive depôts, to enable the work to be conducted economically.

I append a Statement, A, showing the nature and probable extent of the accommodation required for efficiently maintaining and working the locomotive department.

To enable the arrangement of buildings, sidings, &c., to be determined in the way best calculated to secure economy in construction and working, it is recommended that the land available at each of the stations in the list should be surveyed, and plans thereof prepared as early as possible.

The accommodation named in the attached statement is what I estimate to be sufficient to meet the requirements of the traffic during the next four or five years, and which will doubtless be sufficient at several of the stations for many years to come. Care should, however, be taken in laying out the sheds and shops to place them so that any subsequent extensions can be made without alteration of the then existing buildings.

The sheds and sidings required by the traffic department for the accommodation of the carriages and other stock in their charge at the various stations, together with the goods-shed and station accommodation, might with advantage be considered and plotted on the said plans, so that in laying out the locomotive sheds and sidings the requirements of the traffic department may be kept in view, and thus the best and most convenient arrangement of buildings and sidings for carrying on the service, taken as a whole, may be secured.

Although increased accommodation is urgently required at the whole of the depôts named in the accompanying list it is of vital importance that it should be provided without delay at Goulburn, Picton, Penrith, Lithgow, Bathurst, and Singleton, as well as at the more important depôts of Sydney and Newcastle.

The £10,000 already voted for sheds at Penrith, Bathurst, and Goulburn will enable a start to be made at these stations as soon as the necessary plans are prepared.

The providing of accommodation for the workmen employed at outlying stations where houses are not available is deserving of careful consideration as a means of promoting the economy and efficiency of the Service.

In conclusion, I cannot too strongly urge the necessity for early action being taken in this matter, as the present buildings and appliances are quite inadequate to meet the requirements of the railways.

ROBT. H. BURNETT.

This had better be brought up again in, say, a fortnight, when I will submit to Cabinet.—J.L., 18/6/79. Re-submit end of month. Re-submitted.—4/7/79.

No. 18.

Messrs. Hardie & Gorman to The Colonial Secretary.

Sir,

Bell's Chambers, 175, Pitt-street, Sydney, 3 October, 1879.

Adverting to our interview some time since, and also to a representation made to us on account of the Government by Mr. A. H. McCulloch, M.P., we have now the pleasure to submit herein a tracing of the Chisholm Estate at Redfern, containing an area of 62 acres 35 perches of land, on both sides of the railway land, between Eveleigh and Macdonald Town stations.

As you are aware this property is in our hands for sale, and understanding that the Government would entertain the purchase of the whole estate at a fair price, we now beg to submit and place under offer this estate to the Government for the sum of (£100,000) one hundred thousand pounds cash, or a little over sixteen hundred pounds (£1,600) per acre for the land; this offer to remain open for a period of (21) twenty-one days.

In

See 79-9,046, memo. to Engineer for Existing Lines to furnish Mr. Burnett with plans and designs of new buildings already authorized to be carried out at Honeysuckle Point for workshops. Ch.A.G., 4/6/79.

Memo. sent to Mr. Mason to have these surveys put in hand and plans prepared as soon as possible. Ch.A.G., 5/6/79.

13

In submitting this property to the Government, permit us to say that it was with difficulty we secured the consent of our clients to this course, they (as gentlemen of means) rather preferring to take the full advantages by subdividing the property, on our showing of between £2,500 to £3,000 per acre. We may also remark that notwithstanding overtures being made us by speculators for the purchase of the property, no price has been named to anyone excepting the price named to the Government.

We should not have troubled you by submitting the purchase for your consideration, had it not been for the overtures made to us as we understand for the Government, and perhaps we may be forgiven for proffering the remark that the Government would act wisely for purchasing this property previous to further action being taken, which no doubt would enhance considerably its value.

Our clients had always expected a sum equal to £2,000 per acre cash for the land, and it was only by careful showing that we could secure their approval and consent to offer only to the Government at the price hereinbefore named, viz., a little over £1,600 per acre.

As our course is shaped for other action in the event of the Government not purchasing, and further, as this offer is open for twenty-one days, allow us to press for your early consideration and reply.

We have, &c.,
HARDIE & GORMAN.

No. 19.

The Principal Under Secretary to Messrs. Hardie & Gorman.

Gentlemen, Colonial Secretary's Office, Sydney, 10 October, 1879.

I have the honor, by direction of the Colonial Secretary, to acknowledge the due receipt of your letter of the 3rd instant, placing under offer to the Government for a period of twenty-one days the Chisholm Estate at Redfern, containing 62 acres 35 perches, for the sum of £100,000. 21 days.
62a. Or. 35p.
£100,000.

The Colonial Secretary has instituted such inquiries as it was his duty to make as to the value of this property in a transaction transferring the whole for cash without trouble or loss of time to the vendors, and the result of his inquiries does not reach the price you have asked.

I am, however, directed to say that the Government is prepared to purchase the property at £90,000, £90,000. the money to be paid as soon as your clients can complete the conveyance.

I have, &c.,
CRITCHETT WALKER.

No. 20.

Messrs. Hardie & Gorman to The Colonial Secretary.

Sir, Bell's Chambers, 175, Pitt-street, Sydney, 21 October, 1879.
"Calder House Estate, Redfern."

Replying to Mr. Walker's letter of the 10th instant, offering us £90,000 cash for this property, we have now the honor to state that after submitting this offer to our clients (who write us that they have carefully considered it), we are instructed in reply to decline with thanks the offer of £90,000, and further to say the lowest cash price for the whole property of over 62 acres is £100,000 (one hundred thousand pounds sterling). At this price our clients instruct us to ask the Government to reconsider their offer, and to give fourteen days for further deliberation.

We are also justified in saying that when the estate was offered to the Government at £100,000 our clients affixed the very lowest price they were prepared to accept, and which on our showing appeared to them to be a fair price for the estate if sold in "one line," either to the Government or speculators.

Awaiting an early reply.

We have, &c.,
HARDIE & GORMAN.

No. 21.

The Principal Under Secretary to Messrs. Hardie & Gorman.

Gentlemen, Colonial Secretary's Office, Sydney, 31 October, 1879.

I am directed by the Colonial Secretary to say that your letter of the 21st instant, declining to accept the offer of £90,000 for the Chisholm property at Redfern, and placing the said property under offer for fourteen days at £100,000 as the lowest price, has been under the consideration of the Government. £90,000.
£100,000

2. I am to inform you that the Colonial Secretary, on behalf of the Government, agrees to purchase the property as first submitted by you for the sum of £100,000, and that the Crown Solicitor will be instructed to act for the Government in completing the purchase. £100,000.

I have, &c.,
CRITCHETT WALKER.

No. 22.

Messrs. Hardie & Gorman to The Colonial Secretary.

Sir, Bell's Chambers, 175, Pitt-street, Sydney, 31 October, 1879.

We have the honor to acknowledge receipt of Mr. Walker's letter of even date, agreeing to purchase "The Chisholms' Estate, Redfern," for the sum of one hundred thousand pounds (£100,000) cash sterling.

Messrs. Norton and Smith will act as attorneys for our clients.

We have, &c.,
HARDIE & GORMAN.

Minute by the Colonial Secretary.

The Crown Solicitor will take the necessary steps to complete purchase.—H.P., 3/11/79.

The Crown Solicitor, B.C., 3rd November, 1879.—C.W.

Received, 4 November, 1879.—J.W.

APPENDIX A.

Appendix to the Locomotive Engineer's Report on Workshops and Running-sheds, referred to in M.P. 79/2,239.

Running-sheds, &c., required at the various Locomotive Depôts.

SOUTHERN LINES.

Pielon.—Running-sheds to accommodate 6 engines, with water columns and washing-out appliances. At present there is accommodation for only 4 engines, but no water or appliances for washing out the engines.

Mittagong.—Water tanks and columns, for supplying engines with heavy trains. It is specially important that a water supply at this station should be provided without delay (or the Bargo supply increased), because, at present, the engines are wholly dependent on Bargo, where there is only one pump and tank. If anything happened to the Bargo pump, the traffic of the Southern line would be seriously interfered with.

Goulburn.—Running-sheds to accommodate 12 engines, with a suitable workshop and tools to do the principal portion of the lighter repairs of the Southern lines, which are not worth sending to Sydney. At present there is shed accommodation for only 4 engines.

Yass.—Enlarged water supply.

Murrumburrah.—Running-shed accommodation for 6 engines, with water supply and washing-out appliances, with turn-table and enlarged coal stage, &c. At present there is no accommodation for engines.

Wagga Wagga.—Running-shed accommodation for 10 engines, with washing-out appliances, &c. At present there is shed accommodation at North Wagga Wagga for 4 engines.

Albury.—Running-shed accommodation for 8 engines, with water columns, coal stages, and washing-out appliances.

WESTERN LINES.

Penrith.—Running-shed accommodation for 12 engines, with a small tool-shop for light repairs, and enlarged turn-table for the American engines, which have now to be run tender first, as the present tables are too short. At present there is shed accommodation for 6 engines.

Wentworth Falls.—Water-tank and pumps, &c. The supplying of water here is required to relieve Blue Mountain, where the supply is often too precarious to be relied on.

Lithgow.—Running-shed accommodation for 6 engines, with water columns, coal stages, and washing-out appliances, together with enlarged turn-table for the American engines. At present there is no accommodation.

Bathurst.—Running-shed accommodation for 8 engines, with workshop and tools to do the principal portion of the lighter repairs of the Western lines which are not worth sending to Sydney. At present there is shed accommodation for 4 engines.

Orange.—Running-shed accommodation for 4 engines, with water columns, coal-stage, and washing-out appliances. At present there is no shed accommodation.

Dubbo.—Running-shed accommodation for 6 engines, with water columns, coal-stage, and washing-out appliances.

NORTHERN LINES.

Singleton.—Running-shed accommodation for 10 engines. At present there is shed accommodation for 4 engines.

Gunnedah.—Running-shed accommodation for 4 engines, with water columns, coal-stage, and washing-out appliances.

Tamworth.—The present running-shed is sufficiently large for the present traffic, but will doubtless have to be increased when the line is extended to Armidale, as it will then be the base from which a very heavy portion of railway will be worked. The exact accommodation that will then be required can be, however, best determined at a later period, as also the running-shed accommodation, &c., required at Armidale and the intermediate stations. It is, however, very desirable that suitable accommodation should be provided for the drivers and firemen of the engines that rest all night at Tamworth, and who, from not being permanently stationed there, are without houses in the district.—R.H.B.

APPENDIX B.

Appendix to Locomotive Engineer's Report on Workshops and Running-sheds, referred to in M.P. 79/2,239.

In considering the position of the main workshops of the English railways, relatively to that of the principal terminus of the railways to which they severally belong, they may be divided into two distinct groups, viz., those north of London, and those in the metropolitan district, and to the south of it.

Of those north of London there are four main trunk lines, which have their principal terminus in London. Of these four lines three of them, viz., the North-western, the Midland, and the Great Northern, run through mineral districts, which, in the earlier history of these railways, were already, as they are now, centres of great manufacturing industries and population. In the case of these three lines the main workshops have therefore been located away from the principal terminus, London, and are at Crewe, Derby, and Retford, respectively.

But in the case of the fourth line (the Great Eastern), whose main line and branches lie in a non-mineral and non-manufacturing district, the principal workshops are situated in the suburbs of London.

Having no centres of manufacture or of skilled labour within its territory, apart from the metropolis, to determine the position of the workshops, they have been situated in the London district as being, for it, the principal seat of labour, and the one most accessible for the materials used.

With respect to the Southern lines, owing to the districts they serve being almost purely agricultural, and therefore without centres of manufactures or of skilled labour, distinct from that of the metropolis itself, the position of the railway shops has been determined, in the case of these Southern lines, by the same considerations as in the case of the Great Eastern. In the majority of cases (as, for instance, in that of the London and South-western, the London, Chatham, and Dover, and other lines) the workshops are actually within the suburbs of the metropolis itself. The chief exception to this rule is in the case of the Great Western Railway, whose principal workshops are at Swindon, in Wiltshire, that position being more accessible than London to the centres of skilled labour, and the iron manufactures of South Wales and Shropshire; but even in its case there is a large branch repairing and running establishment in the immediate vicinity of the London terminus at Paddington.

In the case of the two important lines in the north of England, which do not extend to London, but which have their principal terminus in Manchester, viz., the Lancashire and Yorkshire, and the Manchester, Sheffield, and Lincolnshire. The workshops of the former are situated within the city of Manchester, and those of the latter within a couple of miles of it. Again in the case of the only other important trunk line in England, viz., the North-eastern, the principal workshops are situated in Gateshead, which is, in fact, part and parcel of the capital town of that district, viz., Newcastle-upon-Tyne.

From the foregoing it will be seen, as has been stated in the body of the report, that, except in the several instances where the site for the workshops has been determined by the pre-existence of centres of iron manufactures and of skilled labour away from the principal terminus, they have been fixed in the immediate vicinity of the metropolis, or principal town of the district served, notwithstanding that the cost of land must have been, as a matter of course, much greater there than if the site had been selected by reference to that consideration alone.

R.H.B.

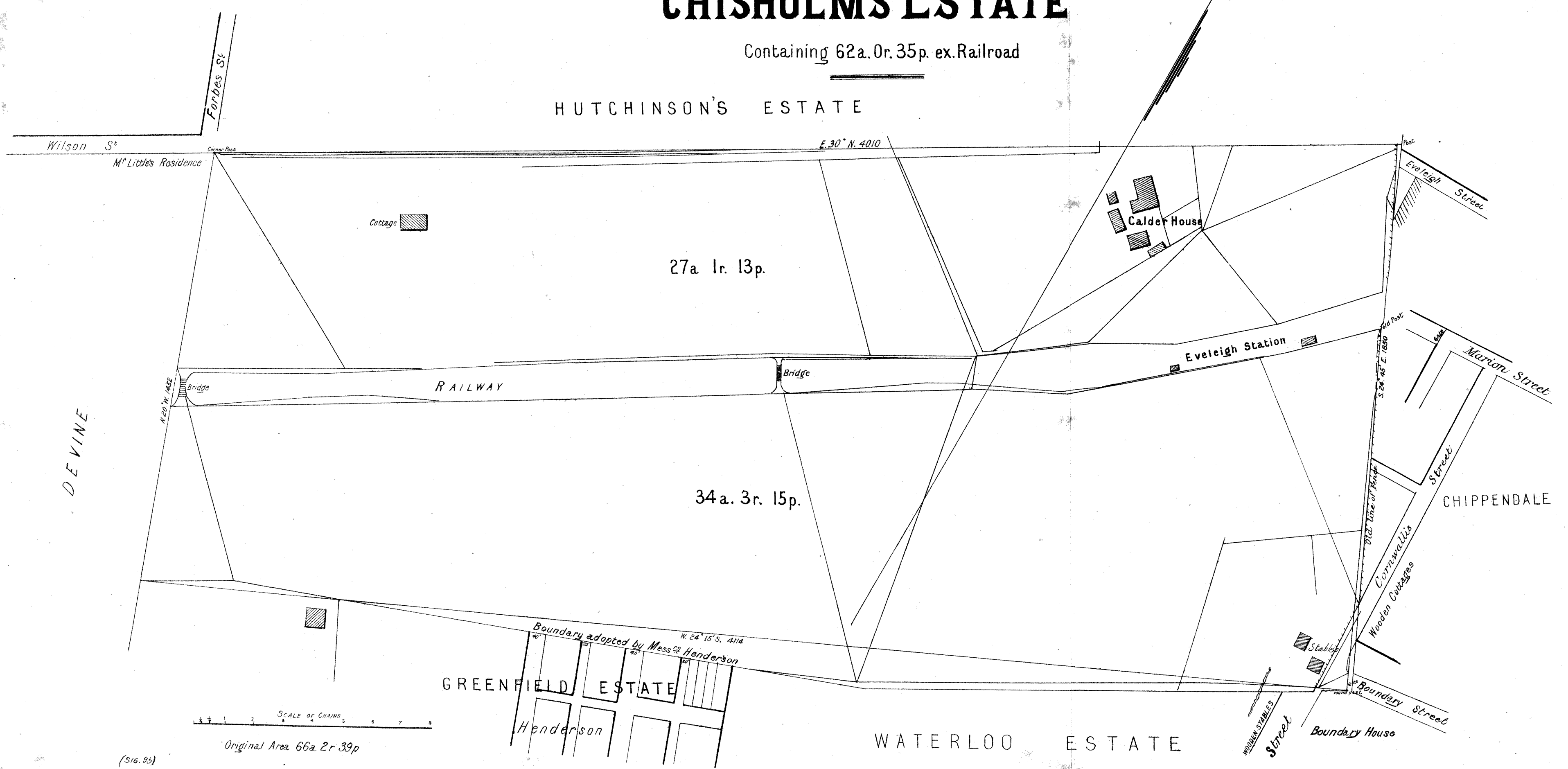
[Plan.]

CALDER HOUSE PROPERTY

CHISHOLM'S ESTATE

Containing 62a. 0r. 35p. ex. Railroad

HUTCHINSON'S ESTATE



SCALE OF CHAINS

Original Area 66a. 2r. 39p

(S16. 95)

1879.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

RAILWAYS.

(SPRINGS FOR ENGINES AND CARRIAGES.)

Ordered by the Legislative Assembly to be printed, 25 November, 1879.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated the 18th February, 1879, That there be laid upon the Table of this House,—

“Copies of all Correspondence between the Government, the Agent General, and others, respecting the Tenders of Osborn & Co., and others, manufacturers for springs for railway engines and carriages.”

(Captain Onslow.)

SCHEDULE.

NO.	PAGE.
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2. Letter from Commissioner to M'Brair & Co.—their request of 5 June, 1877, acceded to. 23 June, 1877	2
3. Letter from Secretary for Public Works to Agent-General, informing him of above circumstance. 25 June, 1877...	2
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5. Letter from M'Brair & Co. to Commissioner, with extracts from letters of Messrs. Osborn's <i>re</i> quality of steel to be used in springs. November, 1877.....	3
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7. Letter from Agent-General with reference to above letter and enclosing specification for springs. 15 March, 1878...	4
8. Minute of Secretary for Public Works, deciding that specifications are to be made on the basis of tests. 26 August, 1878	5
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For exhibit only.

One drawing, showing result of tests.

RAILWAYS.

No. 1.

Messrs. M'Brair & Co. to The Commissioner.

Sir, 70, King-street, Sydney, 5 June, 1877.

We, the undersigned, sole Agents for Messrs. Samuel Osborn & Co., Clyde Steel and Iron Works, Sheffield, who are manufacturers of railway springs, buffers, best cast-steels of all kinds, spring steel, &c., &c., have the honor to bring under your notice that Messrs. Samuel Osborn & Co. are desirous of supplying the New South Wales Government with their goods.

The following is an extract from their letter to us, dated Sheffield, 29 March, 1877, with reference to springs.

"Our present prices are as under, for cash payments, less 2½ %.

No. 2 springs	...	...	...	...	...	24/ per cwt.
No. 5 "	...	...	...	...	...	19/ "
No. 7 "	...	...	...	...	...	18/ "

Volutes, 4½d. per lb.

English spring steel, 3 × 1¼ and over 14/ per cwt., under 3 × 1¼ 15/6 per cwt., exclusive of any packing, but d/d Liverpool. We have just received an order from the North British Railway Company for 100 buffing springs and for 1,000 bearing springs, and we know that both the Midland and Great Western Railway Companies consider our springs better than those of any other maker. We now make between 50 and 60 tons per week.

Mr. William Meikle, Esq., late Superintendent of the Victorian Railways, always indented for Messrs. Samuel Osborn & Co.'s steels, and said that we might use his name as a reference, and we should also be glad to refer you to the A.S.N. Company, Mort's Dry Dock and Engineering Company, Chapman & Co., Atlas Works Company, and many others using our steels, all of whom speak very favourably of it.

We have handed to the Secretary for Government Railways one of Messrs. Samuel Osborn & Co.'s illustrated lists of springs which the above numbers in our quotations refer to.

We beg respectfully to request that Messrs. Samuel Osborn & Co.'s name may be included with those who are called upon to tender; and if they will not have an opportunity of tendering for the springs lately ordered, we are willing to pay the expense of a telegram so that they may be enabled to do so.

We have, &c.,

LAWRENCE M'BRAIR & CO.

Mr. Mason.—J.R., 6/6/77. Seen.—W.M., 11/6/77. Commissioner. What reply is to be given? Applicant requests that the firm of Samuel Osborn & Co. may be added to the list of those firms which are asked to tender.—CH.A.G., 13/6/77. No objection.—J.R., 14/6/77. Inform, and also Agent General.—15/6/77. Messrs. Lawrence M'Brair & Co. and Agent General informed, 26/6/77.

No. 2.

The Commissioner to Messrs. M'Brair & Co.

Gentlemen, Department of Public Works, Railway Branch, Sydney, 23 June, 1877.

In acknowledging the receipt of your letter of the 5th inst., forwarding an illustrated list of railway carriage springs and buffers, from Messrs. S. Osborn & Co., Clyde Steel and Iron Works, Sheffield, and requesting that as this firm are desirous of introducing their goods into this Colony, their names may be added to the list of those firms which are asked to tender, I have the honor to inform you that we shall be glad to receive tenders from Messrs. S. Osborn & Co., when a further supply of springs and buffers are required, and the Agent General in London will be informed.

I have, &c.,

JOHN RAE,

Commissioner for Railways.

No. 3.

The Secretary for Public Works to The Agent General.

Sir, Department of Public Works, Railway Branch, Sydney, 25 June, 1877.

Messrs. Lawrence M'Brair & Co., agents in this Colony for Messrs. S. Osborn & Co., of the Clyde Steel and Iron Works, Sheffield, having brought under the notice of this Government the carriage springs and buffers manufactured by that firm, and expressed a hope that an opportunity may be afforded them of competing for future orders, I have the honor to state that Messrs. Lawrence M'Brair & Co. have been informed that we shall be glad to receive tenders from Messrs. Osborn & Co. when further carriage springs and buffers are required.

I have, &c.,

JAMES HOSKINS,

Secretary for Public Works.

No. 4.

3

No. 4.

Messrs. M'Brair & Co. to The Commissioner.

Sir,

70, King-street, Sydney, 27 June, 1877.

We have the honor to acknowledge receipt of yours dated 23rd instant, referring to permission having been granted to our friends Messrs. Samuel Osborn & Co., manufacturers, of Sheffield, to tender for supply of springs and buffers, and trust that they will have the pleasure of supplying your Government with them.

We have, &c.,

LAWRENCE, M'BRAIR, & CO.

No. 5.

Messrs. M'Brair & Co. to The Commissioner.

Sir,

70, King-street, Sydney, November, 1877.

We beg to call your kind attention to the accompanying letter which we lately received from Messrs. Samuel Osborn & Co., manufacturers, Sheffield, with regard to a specification and form of tender they received from the Agent General of New South Wales for a large quantity of railway springs for your Government; also a copy of letter dated 23rd August, 1877, from the same firm to the Agent General, in which they particularly draw the attention of that gentleman to the expensiveness of the brands of iron required to be used in making the steel as per his specification.

Our friends are desirous that the steel required for making the springs may be left to the manufacturer's judgment, allowing the test to which they may be subjected to be the guarantee of its quality; this would put the manufacturers on a fair footing with each other, and give you a much cheaper and better spring.

Praying that the above may have your esteemed consideration,—

We are, &c.,

LAWRENCE, M'BRAIR, & CO.

Mr. Mason.—J.R., 10/11/77. I see no advantage in this case of specifying the brands of steel to be used, provided that which may be used will stand the required test. If S. Osborn & Co. can supply them much cheaper, I think their springs ought to be tried.—W.M., 12/11/77. Ascertain their prices.—J.R., 14/11/77. They say that if allowed to exercise their judgment as to the steel to be used, their price would be 1½d. per lb. less.—C.H.A.G., 3/12/77. Inform Agent General of Mr. Mason's opinion.—J.R., 13/12/77. Agent General.—20/12/77.

[Enclosure 1 to No. 5.]

EXTRACT of letter from Messrs. Osborn & Co. to Messrs. M'Brair & Co., Sydney.

Dear Sirs,

Clyde Steel and Iron Works, Sheffield, 22 August, 1877.

We yesterday received from the Agent General for New South Wales specification and form of tender for a large lot of springs. We shall make up the tender to-morrow and send you a copy of our prices, &c., by Brindisi. We now however send you a copy of the specification for your information, and we will send by Brindisi a copy of the drawings. You will observe that crucible steel is specified, and that the mixture is also specified. We (as you know) think this very absurd and antiquated. In this instance the tests alone will secure the springs being made of good steel, for no inferior steel will stand these tests; but we can make steel much cheaper than the specified mixtures and quite as good.

If we faithfully adhere to this specification we do not anticipate receiving the order,—we feel quite certain that the brands of iron specified will not be used. It is notorious that specified brands are seldom or never used; this is well known to directors and engineers here, and we are happy to say the practice of specifying certain brands is being given up by some of the leading Railway Companies. The Midland Company abandoned it some time ago, and chiefly on account of representations we made to them. They now specify certain tests, leaving the manufacturer to find out the best and cheapest material; and this is the only way in which manufacturers can be put on an equal footing.

Besides, the rapid development of the steel trade latterly, and the application of steel to varied uses never previously thought of, has proved beyond question that cheap steels can now be used for many purposes (springs included) for which expensive brands were formerly employed, and with better results in every way.

We will write you again by Brindisi.

Yours, &c.,

SAML. OSBORN & CO.

[Enclosure 2 to No. 5.]

Messrs. Osborn & Co. to The Agent General.

Sir,

23 August, 1877.

In compliance with your esteemed invitation of the 20th instant, we now beg to enclose our tender for the supply of springs.

The tender has been made up strictly in accordance with the specification, and especially in regard to the brands of iron to be used in making the steel.

If our prices seem high, it is due to the expensiveness of the brands alluded to; and we take the liberty of saying that if the manufacture of the steel were left to our discretion, we would undertake to supply you with the whole of the springs you require at 1½d. per lb. (= £11 13s. 4d. per ton) less than the several prices quoted. We would further undertake that the springs should stand the tests specified, in every respect, as well as though the more costly materials had been used.

As we have not supplied you with any springs, we may mention that amongst our largest customers are the Great Western Railway Company (Loco. Dept., Swindon), and the Midland Railway (Carriage and Waggon Dept., Derby), and we have no doubt either of these Companies would give you their opinion of our goods. Besides these, we supply the North-eastern, Caledonian, and North British Companies, and all the leading carriage and waggon building firms.

We are anxious to obtain your orders; and assuring you of our careful attention to anything you may place in our hands,—

We are, &c.,

SAMUEL OSBORN & CO.

No. 6:

No. 6.

The Commissioner to The Agent General.

Sir, Department of Public Works, Railway Branch, Sydney, 20 December, 1877.

I have the honor to inform you that I am in receipt of a communication from the Sydney representatives of the firm of Samuel Osborn & Co., of the Clyde Steel and Iron Works, Sheffield, relative to a letter addressed to you by that firm respecting the quality of iron to be used in the manufacture of carriage and waggon springs required by this department, and pointing out that if not restricted to any special description of steel, that they would be enabled to considerably reduce the amount of their tender, and to state that the Engineer for Existing Lines reports that he sees no objection to allow Messrs. Osborn & Co. to exercise their judgment as to the steel to be used in making the springs, provided that it will stand the requisite test, and that if Messrs. Osborn & Co. can supply them at a cheaper rate, their springs might be tried.

I have, &c.,

JOHN SUTHERLAND,
Commissioner for Railways.

No. 7.

The Agent General to The Secretary for Public Works.

Sir, London, 3, Westminster Chambers, Victoria-street, S.W., 15 March, 1878.

In reply to your despatch of the 20th December last, No. 77-7554, relative to a communication which you had received from Messrs. Samuel Osborn & Co., respecting the quality of iron which they would propose to use in the manufacture of carriage and waggon springs, I have the honor to inform you in the first place, that even if, in the tender to which I believe Messrs. Osborn refer, they had been permitted to depart (as they suggest) from the specification (a copy of which I enclose), they would not have taken the order at the price under the specification of the firm to whom the order was given. Messrs T. Turton & Sons was lower than that quoted by Messrs. Osborn, on the conditions that they should exercise their discretion in the manufacture of the steel.

But apart from this consideration, I venture to urge that the dependence on tests only, independently of specified quality of material, may often be misleading, as it may fail to ensure the essential element of durability, which cannot as a rule be ensured by test only, and which therefore to a great degree depends on carefully prescribed and selected quality of material. In confirmation of these views, which have a general application as well as a special reference to the matter in question, I have the honor to refer you to the annexed copy of a letter on the subject from Mr. Fowler, C.E., with the terms of which I entirely agree.

I have, &c.,

WILLIAM FORSTER.

The Under Secretary for Public Works, B.C., 27/4/78. Commissioner for Railways, B.C.,
30 April, 1878.—J.R. Mr. Mason, B.C., 6/5/78.—CH. A.G.

Seen. I am still of the same opinion as expressed in my memo. 12/11/77.—W.M., 8/5/78.
Commissioner.

[Enclosure 1 to No. 7.]

Captain Jopp to Mr. Fowler.

Dear Sir, 3, Westminster Chambers, S.W., 25 February, 1878.

I enclose herewith a copy of a letter dated Sydney, 20 December, 1877, from the Secretary for Public Works, relative to a letter addressed to the Agent General by Samuel Osborn & Co., respecting the quality of iron to be used in the manufacture of springs.

I send you all the papers in connection with the contract, F. 241d., for bearing and draw springs, in which the letter referred to appears, and I am directed by Mr. Forster to request that you will favour him with your opinion on the question now raised.

Yours faithfully,

A. A. JOPP, Captain R.E.,

Secretary.

[Enclosure 2 to No. 7.]

Mr. Fowler to The Agent General.

2, Queen's Square Place, Westminster, S.W., 28 February, 1878.

Sir, Quality of spring steel.

I beg to acknowledge receipt of your letter of the 25th instant, together with copy of communication from the Department of Public Works, Railway Branch, dated Sydney, 20 December, 1877.

With regard to Messrs. Osborn's letter accompanying their tender of August 23, 1877, I may observe that, though Messrs. Osborn & Co. are a most respectable firm and produce excellent work, I think it would not be the interest of the Government to carry out their suggestion.

In the manufacture of springs a great temptation is offered to use cheap materials, which, if not controlled, is often Bessemer steel; and it is by insisting that the best iron for the purpose shall be used that we insure the steel being of the quality required—this course is pursued by the Home Government, and in the Indian railways.

It is also necessary to place all the manufacturers on the same terms, which can only be done by defining the quality of iron from which the steel is to be made, modifying the specification as may be necessary when spring steel is required for special purposes.

Spring steel is a peculiar material, and second rate quality may be made to withstand tests of considerable severity, the difference in the lasting properties becoming manifest only in actual work. Great care is required under our specifications in maintaining the present high standard, and I am unable to concur

concur in the proposal of Messrs. Osborn & Co. to use any material they please in the manufacture. Similar proposals are frequently made by manufacturers. If it were conceded to Messrs. Osborn & Co. it must be conceded to all, and it would inevitably lead to the substitution of an inferior quality of springs.

I return herewith the documents.

I am, &c.,
JOHN FOWLER,
p. J. D. BALDRY.

[Enclosure 3 to No. 7.]

New South Wales Railways.—Specification for Carriage and Waggon Bearing Springs.

THE springs required under the specification are shown in the accompanying drawing.

The plates are to be made of crucible cast steel, produced from a mixture of half Low Moor iron and half Swedish charcoal bar iron, of the brands—

L arrow D, C B over AM conjoined in dotted circle, or harpoon in diamond.

The steel to be thoroughly and uniformly converted before being cast into ingots from small crucibles; the plates, when rolled, to be perfectly sound, and without flaws or defects of any kind whatever.

The whole of the iron in the bolts, clips, and buckles, to be of S. C. Crown or other brand, to be approved in writing by the Engineer.

The manufacturer must, when requested, produce the invoices of the various materials which are being used in the work, or any other documents required, to show that the steel is being made from the specified brands of iron.

The tests to be applied are as described under the different heads.

250 springs for four-wheel carriages, 5 feet 2 inch centres, 10 inch camber.

Each spring to be subjected, during a period of not less than 15 minutes, to such a load as shall bend it 18 inches in the centre from its present form, giving a reverse camber of 8 inches; when the weight is removed, the spring to return to its original form without any set.

20 springs for six-wheel carriages, 4 feet 10½ inches centres, 6½ inches camber.

To be bent as above, during the same period of time, a total amount of 16½ inches, giving a reverse camber of 10 inches without any set.

170 horse box, carriage truck, and centre break van springs, 3 feet 9½ inch centres, 6¼ inch camber.

To be bent as above a total amount of 11 inches, giving a reverse camber of 4¾ inches without set.

110 draw and buffer springs, 5 feet 4 inches outside, 1 foot 5 inches camber.

To be bent as above, a total amount of 17 inches, giving a slight reverse camber without set.

1,450 waggon and break van springs, 2 feet 9 inches centres, 6 inches camber.

To be bent as above, 6 inches, without set.

The tests to be made in the presence of the Inspector, who shall also subject the springs to any other reasonable test which he may be directed by the Engineer to apply, to insure the springs being of the highest quality for strength and endurance.

The ironwork of the springs to be neatly forged and fitted, and after inspection they must receive two coats of Ellam & Jones' anticorrosive paint, to protect them from injury during transit.

Each spring to have the letters N. S. W. G. stamped on the side of the buckle, together with the maker's name and year and month of manufacture.

The contract to be executed in every respect to the satisfaction of the Engineer, and the whole of the work, in its various stages, to be subject to his inspection or that of his assistants, the expense of the tests, &c., being borne by the manufacturer, who shall, when requested, furnish all labour and appliances to assist and afford every facility for testing; but, notwithstanding such tests and inspection, any springs may be rejected on delivery which are in his judgment defective in any respect; and if labour is required for turning over and examining the springs at the port of delivery, the manufacturer is to supply it.

If any questions arise as to the terms of this specification or compliance therewith, the decision of the Engineer is to be final and binding, the said Engineer being Mr. John Fowler, or the Consulting Engineer for the time being of the New South Wales Government.

No. 8.

Minute of Secretary for Public Works.

Seen.—J.S., 27/5/78.

Under Mr. Mason's opinion, I decide that the specifications for springs are for the future to be made on the basis of tests—without stipulation as to the material to be used.—J.S., 26/8/78.

No. 9.

Messrs. M'Brair & Co. to The Commissioner.

Sir,

70, King-street, Sydney, 31 July, 1878.

We beg to refer you to your letter of the 23rd June, 1877, M. R. No. 7443, which in you kindly accede to our request of the 5th June, 1877, asking that Messrs. Samuel Osborn & Co.'s name may be included with those who are called upon to tender for railway springs, buffers, &c.

Messrs.

Messrs. Samuel Osborn & Co. inform us that they were called upon to tender for the first order for springs after your favour above referred to, but there have been one or more orders given out by the Agent-General since for which they were not asked to tender, and they wish us to inquire the reason why they were left out.

We have, &c.,

M'BRAIR BROS. & CO.

Inform that inquiry will be made of the Agent General why they were not asked to tender.—
7/8/78.—CH. A. G. M'Brair & Co., 12/8/78; Agent General, 27/8/78.

No. 10.

The Commissioner to Messrs. M'Brair & Co.

Gentlemen,

Department of Public Works, Railway Branch, Sydney, 12 August, 1878.

Referring to your letter of the 31st ultimo, stating that Messrs. Samuel Osborn & Co., of Sheffield, to whom permission was granted to tender for railway springs, buffers, &c., have informed you that, although they were called upon to tender for the first order for springs, there have been one or more orders given out since by the Agent General for which they were not asked to tender, and requesting, on behalf of Messrs. Samuel Osborn & Co., to be informed why they were left out, I have the honor to inform you that inquiry will be made of the Agent General by the next outgoing mail why this firm was not asked to tender.

I have, &c.,

CHAS. A. GOODCHAP,

Commissioner for Railways.

No. 11.

The Secretary for Public Works to The Agent General.

Sir,

Department of Public Works, Railway Branch, Sydney, 29 August, 1878.

Adverting to my letter of the 25th June, 1877, informing you that there would be no objection to receive tenders from Messrs. Samuel Osborn & Co., of Sheffield, for the supply of carriage springs and buffers, and requesting you to add the name of that firm to the list of those firms which are asked to tender, I have the honor to inform you that Messrs. M'Brair Bros. & Co., who are the agents here for Messrs. S. Osborn & Co., state that they have been informed by the Messrs. Osborn that, although they were called upon to tender for the first order for springs, there have been one or more orders given out for which they were not asked to tender.

I have noted the contents of your letter of the 15th March last, as to the undesirability of departing, as proposed by this firm, from the principles of stipulating for the use of certain material in the construction of springs, and depending on tests to ascertain their value after manufacture.

I may state however, that the Engineer for Existing Lines still adheres to the opinion that it would be more economical to allow manufacturers to use their own processes (patented or otherwise), and that safety would be secured by the strict observance of the test, and I have therefore decided that for the future the specifications are to be made on this basis, and that the firm of Messrs. Osborn & Co. are not to be excluded from the privilege of tendering.

I have, &c.,

JOHN SUTHERLAND,

Secretary for Public Works.

No. 12.

The Agent General to The Secretary for Public Works.

Sir,

3, Westminster Chambers, Victoria-street S.W., 20 December, 1878.

I have the honor to request your consideration of the following suggestions with reference to the instructions contained in your letter No. 787842 of the 29th August last, relative to Messrs. Samuel Osborn & Co., and the supply of carriage and waggon springs.

Before doing so, however, I desire to state that since my receipt, on the 15th August, 1877, of your letter of the 25th June, 1877, informing me that you would be glad if tenders were received from Messrs. Osborn & Co. for carriage springs and buffers, I have on every subsequent occasion included Messrs. Osborn among the firms invited to tender for laminated springs. I also invited them, on one occasion, viz., on the 14th September, 1877, to tender for volute springs and buffers; but they then wrote to me, "We regret we are not in a position to tender for *volute* and *conical* springs; our plant is for the manufacture of *laminated* bearing and buffing springs"; and I have been guided by this intimation on all subsequent occasions. The statement of Messrs. Osborn & Co.'s Sydney agents, Messrs. M'Brair Brothers & Co., who you inform me have intimated to you that I have given out one or more orders for springs for which Messrs. Osborn & Co. have not been asked to tender, is therefore contrary to, and without foundation, in fact, unless it be intended to have reference to orders for which Messrs. Osborn & Co. have themselves informed me that they are not in a position to tender.

It may now be convenient that I should recapitulate the various proceedings throughout in connection with this matter, subsequently to my receipt, on the 15th August, 1877, of your first letters quoted above, of the 25th June, 1877. On my receipt of this letter I at once arranged, as above explained, to include for the future Messrs. Osborn & Co. with the manufacturers to be invited to tender for springs. On the first occasion on which I did so, Messrs. Osborn addressed to me a letter (dated 23rd August, 1877), suggesting that, in place of being compelled to use certain brands of iron prescribed in the specification upon which they were invited to tender, they should be allowed to use their discretion as to the brands to be used. To this proposition I did not accede. Messrs. Osborn's tender, on the specification as it originally stood (and also their alternative tender on the condition that they should use their discretion as to materials), was higher than that of a firm who adhered to the conditions of our specifications, and Messrs. Osborn therefore did not receive the order. My decision in this matter then

apparently

apparently formed the subject of a letter from Messrs. Osborne or their Sydney agents to you; for on the 18th February last I received from you a letter dated 20th December 1877, informing me that the Sydney agents had communicated with you about the quality of iron, in the sense which I have just indicated, and adding that "the Engineer for Existing Lines had reported that he saw no objection to allowing Messrs. Osborne & Co. to exercise their judgment as to the steel to be used in making the springs, provided that it will stand the requisite test, and that if Messrs. Osborne & Co. could supply them at a cheaper rate, their springs might be tried." I communicated your letter, as usual, to our Consulting Engineer; and Mr. Fowler in consequence addressed to me the letter, dated 28th February last, of which a copy was submitted to you under cover of my letter No. 24/78 of the 15th March last, in which he reported as follows:—

"With regard to Messrs. Osborne's letter accompanying their tender of August 23rd, 1877, I may observe that though Messrs. Osborne & Co. are a most respectable firm and produce excellent work, I think it would not be to the interest of the Government to carry out their suggestion.

"In the manufacture of springs a great temptation is offered to use cheap material, which if not controlled is often "Bessemers" steel, and it is by insisting that the best iron for the purpose shall be used that we ensure the steel being of the quality required: this course is pursued by the Home Government and in the Indian railways.

"It is also necessary to place all the manufacturers on the same terms, which can only be done by defining the quality of iron from which the steel is to be made, modifying the specification as may be necessary when spring steel is required for special purposes.

"Spring steel is a peculiar material, and second rate quality may be made to withstand tests of considerable severity; the difference in the lasting properties becoming manifest only in actual work. Great care is required under our specifications in maintaining the present high standard, and I am unable to concur in the proposal of Messrs. Osborne & Co. to use any material they please in the manufacture. Similar proposals are frequently made by manufacturers; if it were conceded to Messrs. Osborne & Co., it must be conceded to all, and it would inevitably lead to the substitution of an inferior quality of springs."

In my above quoted covering letter of 15th March last, I mentioned, in the first place, that Messrs. Osborne's tender, on the condition that they should use their discretion as to material, was higher than that of the firm who took the order under the conditions of using the material prescribed in the specification; and I further urged, apart from this consideration, that "the dependence on tests only, independently of specified quality of material, may often be misleading, as it may fail to insure the essential element of durability, which cannot as a rule be ensured by tests only, and which therefore to a great degree depends on carefully prescribed and selected quality of material."

In reply to the above representations, I have now received from you the letter of the 29th August last now under reply, in which you inform me that you "have noted the contents of my letter of the 15th March last, as to the undesirability of departing, as proposed by Messrs. Osborne & Co., from the principle of stipulating for the use of certain material in the construction of springs, and depending on tests to ascertain their value after manufacture;" but that "the Engineer for Existing Lines still adheres to the opinion that it would be more economical to allow manufacturers to use their own processes (patented or otherwise), and that safety would be insured by the strict observance of the test"; and that you "have therefore decided that for the future the specifications are to be made on this basis, and that the firm of Messrs. Osborne & Co. are not to be excluded from the privilege of tendering."

With regard to Messrs. Osborne's "privilege of tendering" I have already fully explained what has taken place.

With regard to the general question of the nature of our future specifications for springs, I enclose a copy of a letter, dated 6th ultimo, from our Consulting Engineer—to whom on the 31st October I communicated your letter now under reply—in which Mr. Fowler, after confirming what I have already told you about Messrs. Osborne's opportunities of tendering for springs, goes on to say:—"The Minister of Public Works having decided that the specification for steel springs shall in future omit the usual clauses respecting the quality of iron to be used in the manufacture of the steel, all the tenders will be received in future in accordance with those altered conditions."

Having thus recapitulated the various steps which have been taken in this matter, I venture to suggest that, in view of all the circumstances, which perhaps may not have been under notice or fully considered in a collected form, when your letter now under reply was written, it should receive re-consideration by you, in order that, if hereafter you should think it right to modify the opinion you have formed, I may receive such amended instructions as may appear to you to be proper under the circumstances.

I venture to urge that the decision as it now stands is open to at least two objections: (1) that on general principles it is not desirable to compel the Consulting Engineer in this country, to whom you entrust the inspection and approval of your work, to depart from any reasonable rules which he has laid down as essential or important in order to ensure efficiency in the work which he is called upon to pass; and (2) that the departure, in this particular case, from the rules hitherto in force, which Mr. Fowler is now required to take, is one which on its own merits is most undesirable, if not indefensible.

With regard to objection (1), I think it will be conceded that a very wide latitude ought to be given to a Consulting Engineer, in whom we place every confidence, and whose experience in the inspection of railway materials is very extensive, on any point on which he lays such stress as is done by Mr. Fowler in his letter of the 28th February, 1878.

But, whatever may be said upon the first or general aspect of the question—and I only refrain from enlarging on it because I think it is obviously unnecessary that I should trouble you with opinions on what is after all an abstract question, and one on which I think I may reasonably assume that you will agree with me—the matter is at once shown to be of vital importance when, as in objection (2), the particular case at issue is carefully examined and considered.

Your letter seems to adopt the principle that, in endeavouring to ensure the production of a given article required to be manufactured for railway purposes, no provision as to the quality of the materials to be used is necessary, and that entire reliance may be placed on tests. Now I venture to assert that such a principle, whether applied to springs or to almost any other manufactured railway appliance, will not be accepted by any engineer of experience in the inspection of manufactured articles. I believe it to

be

be almost universally admitted that it is most difficult, if not impossible, to devise tests which shall of themselves in all cases ensure the highest standard of durability in the articles examined, and that this can only be done by careful provision as to the nature and quality of the materials from which it is to be manufactured, without which—as well as, in some cases, observation of the process of manufacture—it is most difficult to devise tests which shall be exhaustive, and which shall disclose the fact that bad materials have been used. The defect of bad materials is frequently not disclosed until the test of wear and tear has been applied by time, the effect of which cannot be anticipated by any test at the time of manufacture.

Accordingly, to ensure the durability of the article, it has been found necessary always to fix in the specification the nature and quality of the materials to be used, as well as the manner in which the tests shall be applied.

If this be not done, an article may be produced which will stand severe tests when first used, but which will be liable to break down after a certain lapse of time and use of the article.

And if the above precautions be necessary under ordinary circumstances, I need hardly remind you how important it is, in view of the great difficulty, if not impossibility, of obtaining a proper remedy in the event of articles being found to be imperfect after delivery in the Colony, that we should omit nothing in this country which can in any degree, however small, tend to ensure efficiency. It is in this direction that I have anxiously endeavoured to work ever since the question was forced upon my consideration in the matter of the Park Gate iron; and I need now only again refer to Mr. Fowler's letter of the 28th February, 1878, for proof, as I venture to submit, of the necessity of our being allowed to continue our efforts in this direction in the case at issue.

It is perhaps right that I should add that I write this letter rather on my own behalf, and in the interests of the Colony, than upon any suggestion or urgency of Mr. Fowler, who, after stating his professional opinion in his letter of the 28th February, has now, in his letter of the 6th November, written after perusal of yours now under reply, accepted your decision as to the omission in future of the usual clause respecting quality of iron in specifications for spring steel. I cannot but feel, however, that Mr. Fowler is placed in a most difficult position in being called upon to inspect and pass certain articles without being at the same time permitted to exercise all the precautions which he thinks desirable in order to ensure their efficiency.

I now leave the matter in your hands, in the hope that you will be of opinion that I have submitted sufficient reasons for its reconsideration.

I have, &c.,
WILLIAM FORSTER.

[Enclosure.]

Mr. J. Fowler to The Agent General.

Sir,

2, Queen Square Place, S.W., 6 November, 1878.

I beg to acknowledge receipt of your letter dated 31st October, enclosing copy of letter dated 15th March, addressed to the Secretary of Public Works, Sydney, and also the reply of the Minister, dated 29th August, 1878.

Referring to the allegations of Messrs. Osborne's Agent in Sydney, that one or more orders for springs have been given out in which they were not asked to tender, I have gone through the correspondence, and do not find that Messrs. Osborne have been excluded from the lists of firms recommended to tender for laminated springs in any instance, and Messrs. Osborne are not manufacturers of volute or conical springs.

The Minister of Public Works having decided that specifications for steel springs shall in future omit the usual clauses respecting the quality of iron to be used in the manufacture of the steel, all the tenders will be received in future in accordance with those altered conditions.

I am, &c.,
JOHN FOWLER.

No. 13.

Minute of The Commissioner.

BEFORE this letter is submitted to the Minister it may be forwarded to Mr. Mason, upon whose report Mr. Sutherland decided that the "test principle" was to be depended upon without stipulation as to the material to be used.—CH.A.G., B.C., 6/2/79.

See my reply herewith.—W.M., 12/2/79.

No. 14.

Mr. Mason's Report.

I HAVE carefully read and considered the Agent General's letter, dated 20th December, 1878, and still see no reason whatever to alter the opinion I expressed in my minute, 12/11/78 on the same subject.

As it appears from the papers now before me that the Minister was guided by my opinion in deciding upon the course to be pursued in future in obtaining steel springs on the basis of tests, instead of having the brands of iron specified of which the steel for the springs was to be made, and as the Agent General as well as the Inspecting Engineer offer strong objections to this course, it is necessary I should offer some remarks on those objections.

The opinions expressed in the letters of the Agent General and the Inspecting Engineer are to the effect that springs of a reliable quality cannot be ensured by tests, unless the steel of which they are made be manufactured from certain specified brands of iron.

I do not concur in such opinions, as it would necessarily follow that they could not be made of equal quality from any other composition or mixture of material than those specified.

Now, as Messrs. Osborne & Co. offer to make springs at a less cost, which shall bear the specified tests, if allowed to use their own formulæ of composition, and as may be inferred from their letter of the 22nd August, 1877, that the springs so made give better results in every way, it yet remains to be proved that these springs are not equal in every respect to those manufactured under specified brands of iron.

It

It is a well known fact that owing to the many and various purposes to which steel is now put that manufacturers have been induced to make numerous experiments on the best methods of producing it of the cheapest and best qualities, and are therefore the best able to say which combination of materials gives the best results, and engineers as a rule have to depend upon the experiments, as they seldom or never make them for themselves; and on these grounds I defer to the opinions expressed by established manufacturers who have made such experiments, rather than depend upon the opinion of those who have never made such experiments.

The strongest argument adduced by the Inspecting Engineer is, that by insisting upon the best iron being used in the manufacture of the steel its quality is best insured. True, and this no doubt would be the safest course to adopt if no other composition were known, or if the results from its use were doubtful; but this is not the case, consequently there is no force in such argument, as other compositions which can be produced at a less cost are known, and, according to Messrs. Osborne, have been adopted by some of the leading Railway Companies in England, with the best results, as the following extracts from their letters will show.

"We have proved it to be impossible to make the springs to the New South Wales tests with anything but genuine good crucible steel; but we have also proved that by using our own selected steel we can make the springs to stand a much severer test than any springs they buy are tested to. We are speaking within our knowledge—it is not mere opinion. * * * It is notorious that specified brands are seldom or never used; this is well known to directors and engineers here, and we are happy to say the practice of specifying certain brands is being given up by some of the leading Railway Companies. The Midland Company abandoned it some time ago, and chiefly on account of representations we made to them. They now specify certain tests, leaving the manufacturer to find out the best and cheapest material, and this is the only way which manufacturers can be put on an equal footing. Besides, the rapid development of the steel trade latterly, and the application of steel to varied uses never previously thought of, has proved beyond question that cheap steels can now be used for many purposes (springs included) for which expensive brands were formerly employed, and with better results in every way. * * * We have just received an order from the North British Railway Company for 1,000 bearing and 100 buffing springs, and we know that both the Midland and Great Western Railway Companies consider our springs better than those of any other maker. We now make between 50 and 60 tons per week. Wm. Meikle, Esq., late Superintendent of the Victorian Railways, always indented for Messrs. Samuel Osborn & Co.'s steels, and said that we might use his name as a reference; and we should also be glad to refer you to the A.S.N. Co., Mort's Dry Dock and Engineering Co., Chapman & Co., Atlas Works Co., and many others using our steels, all of whom speak very favourably of it."

Now, as the Inspecting Engineer says that "Messrs. Osborn & Co. are a most respectable firm, and produce excellent work," and as their springs which they say can be supplied at a cheaper rate than those under the specification, and have given satisfaction to leading Railway Companies in England, I think, contrary to the opinion expressed by the Inspecting Engineer, that it would be to the advantage of the Government to give their springs a trial.

The Inspecting Engineer states the course he recommends "is pursued by the Home Government and on the Indian railways," but says nothing about it being adopted by English or other Railway Companies. Railway Companies, unlike Governments, are expected to pay dividends, and in consequence their Directors and Engineers are keenly alive to adopt any improved means of reducing their working expenses; and if this be the case with Companies, I see no reason why Governments should not as a matter of economy adopt the same course.

It has always been my aim to economize working expenses by adopting any improvements, either in design or manufacture, which will give that result with safety.

I believe it is the practice in America of large manufacturing firms of railway appliances to supply articles made under their own specifications, they guaranteeing certain results. I know that this is the case with one large firm in Philadelphia, and I have every reason to believe that it is the general practice.

In these days of experiments improvements are constantly being made in the design and manufacture of every description of articles, and why should Government not reap the advantages of this as well as private Companies?

The Inspecting Engineer says:—"Spring steel is a peculiar material, and second-rate quality may be made to withstand tests of considerable severity, the difference in the lasting properties becoming manifest only in actual work."

I consider it next to impossible that steel springs manufactured to withstand the severe tests described in the Inspecting Engineer's specification could be of second-rate quality; and the correctness of my opinion in this matter, as well as the "lasting" quality of the springs, is borne out by the statements of Messrs. Osborne & Co., and as long as such tests are insisted upon there is no danger that "it would inevitably lead to the substitution of an inferior quality of springs." I contend that by allowing manufacturers to make articles under their own formulæ, subject to well-devised specified tests, would put them on equally as good a footing, if not better, than by adhering to certain prescribed forms of specification, as each manufacturer would then be able to reap the advantage of his experiments, which would also be shared by the purchaser in getting the articles of the desired quality at a lower price.

With reference to the Agent General's objections (1 and 2), I may remark that I was not aware that the "Inspecting" Engineer was also "Consulting" Engineer, or that he was empowered to decide on what specifications articles should be supplied. If this be so, then the Engineer of Existing Lines here loses all control over the expenditure of articles manufactured in England for his department. I have always understood that his duty was only that of inspecting materials during their process of manufacture, so as to ensure their being made in accordance with the specification.

The opinions expressed by the Agent General on professional matters have already been answered in my reply to the objections of the Inspecting Engineer; but the general tenor of his remarks lead distinctly to the conclusion that the quality of springs, or almost any other manufactured railway appliances, cannot be depended upon if left to the discretion of the manufacturer, or made under his own formulæ, subject to specification tests.

It has been clearly proved beyond doubt that there is no absolute certainty or guarantee of always obtaining the best quality of manufactured articles by the most carefully drawn specifications and inspection.

inspection. In proof of this assertion I need only instance the case of the Park Gate iron rails, to which the Agent General has referred, which were obtained under a carefully drawn specification and inspection, the result of which is too well known to have been anything but satisfactory.

Past experience has led me to the conclusion that numerous articles required for railway purposes could be best procured by holding the manufacturer responsible for their quality, and this ought to be done in all such cases where inspection is dispensed with. If this practice were adopted, the cost of inspection during the process of manufacture would at least be saved, whatever other advantages might be derived from the system. In the event of failure in the materials supplied, the Government would have the manufacturer to fall back upon for redress. Under the present system the manufacturer, after he has obtained the Inspecting Engineer's certificate, is free from all responsibility, then from whom shall the Government seek redress?

I submit I have shown that the course I recommended is not only defensible, but a desirable one to adopt, and that I have fully answered all the objections raised on this question, and have shown good and sufficient grounds for the opinion I expressed, and upon which the Minister based his decision in this matter.

Commissioner.

Wm. M.,

12/2/79.

No. 15.

Messrs. M'Brair & Co. to The Commissioner.

Sir,

70, King-street, Sydney, 11 February, 1879.

We have received a letter from Messrs. S. Osborne & Co., Sheffield, stating that all their tenders for springs have been refused by the Agent General and do not know the reason why. They based their quotations strictly adhering to your specifications.

They have been making a number of trials with springs, and say, "We have proved it to be impossible to make the springs to the New South Wales tests with anything but good crucible steel; but we have also proved that by using our own selected steel we can make the springs to stand a much severer test than any springs they buy are tested to. We are speaking within our knowledge—it is not mere opinion."

In a letter accompanying their last tender to the Agent General, they said, "We have taken the liberty of adding thereto our prices for springs of our ordinary make, and such as we regularly supply to the Great Western, Midland, Manchester, Sheffield, and Lincolnshire Companies, and all the leading rolling stock manufacturers, and we guarantee the springs against defective material or workmanship for three years of ordinary wear and tear.

In another letter we have just received from Messrs. S. O. & Co., they say, "Last week we received an order from the Great Western Railway Co. for 1,700 springs, and this week 100 from the Midland Railway Company, and we believe these Companies prefer our springs to those of any other manufacturers."

They ask us to inquire if you will favour them with an order for a few sets of their springs as a trial.

Hoping that you will be pleased to give us a favourable answer,—

We are, &c.,

M'BRAIR, BROS., & CO.,

Sole Agents for Messrs. S. Osborn & Co.

Mr. Mason.—CH. A. G., B.C., 11/2/79.

No. 16.

Minute of Mr. Mason.

I RECOMMEND that the springs obtained under the specification be tested here.—W.M., 14/2/79.—Commissioner.

I agree with Mr. Mason's suggestion that the springs be tested here. I would like to hear from Mr. Mason, however, in what way he proposes that the test should be made.—J.L., 7/3/79. I recommend that they be tested by some competent person not connected with the department.—W.M., 12/3/79. I concur in this. Would Mr. Selfe be a suitable man to perform the test?—J.L., 21/3/79. Mr. Mason.—G.B., B.C., 16/7/79. I consider Mr. Selfe quite competent to make the test.—W.M., 16/7/79. Commissioner. Will Mr. Mason let me know the springs which are referred to for testing.—CH. A. G., 17/7/79. A requisition was sent to Commissioner, 18/7/79, showing the springs required.—W.M., 21/7/79. Commissioner.

No. 17.

Mr. Selfe to The Commissioner.

Sir,

183, Pitt-street, Sydney, 21 July, 1879.

I have received from Mr. Mason, Engineer for Existing Lines, a list of springs and the tests to which they are to be subjected. I have made arrangements to carry out the tests by hydraulic power at the Pacific Foundry, the foot of Drutt-street, if you will be good enough to have the springs delivered there. I will commence the trials immediately, or I can send for the springs if you will forward me the necessary order to get them.

Your obedient servant,

NORMAN SELFE.

Send the springs to the Pacific Foundry, and ask Mr. Selfe to test these springs in the presence of Mr. Mason and Mr. Burnett. Write memo. to Mr. Burnett and Mr. Mason accordingly.—CH. A. G., 22/7/79. Springs sent.—23/7/79.

No. 18.

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No. 18.

The Commissioner to N. Selve, Esq.

Sir,

Department of Public Works, Railway Branch, Sydney, 22 July, 1879.

In reply to your letter of yesterday's date, I have the honor to inform you that the springs for railway carriages and engines have been forwarded to the Pacific Foundry, and to request that you will be good enough to test them in the presence of Mr. Mason and Mr. Burnett, who have been instructed to attend, and with whom you will please communicate and appoint a day for testing the springs in question.

I have, &c.,

CHAS. A. GOODCHAP,
Commissioner for Railways.

No. 19.

Minute of The Commissioner.

Springs.

PARTICULARS of indent must be given, and by what ships they arrived, in order to identify springs.—
CH. A. G., 28/7/79. This has reference to the two springs bearing the name of Cammell, and three of Turton, recently tested by Mr. Selve. Storekeeper must let me have the information by 12 o'clock.—G. B.

Particulars of springs to be tested by Mr. Selve.

One 4-wheel carriage spring, 5 ft. 2 in. centre, 10 in. camber; T. Turton & Sons' indent, 11/5/77; received, ex "Earl Dalhousie," 22/7/78.

One 6-wheel carriage spring, 4 ft. 10½ in. centre, 6½ in. camber; Cammell's indent, 13/5/78; received, ex "Brodie Castle," 20/4/79.

One horse-box, carriage truck, and centre break van spring, 3 ft. 9½ in. centre, 6½ in. camber; Turton & Sons' indent, 13/5/78; received, ex "Earl Dalhousie," 22/7/78.

One draw and buffer spring, 5 ft. 4 in. outside, 1 ft. 5 in. camber; Cammell's indent, 13/5/78; received, ex "Brodie Castle," 20/4/79.

One waggon and break van spring, 2 ft. 9 in. centre, 6 in. camber; Turton & Sons' indent, 11/5/78; received, ex "Earl Dalhousie," 22/7/78.

No. 20.

N. Selve, Esq., to The Commissioner.

Sir,

183, Pitt-street, Sydney, 15 August, 1879.

In accordance with the instructions conveyed in yours of the 22nd ult., 79-12,692, I have applied the tests prescribed by the specification to the five (5) springs forwarded to the Pacific Foundry, and have the honor to forward herewith a tabular statement and full-sized *drawing describing and showing the results obtained. I need only say here that none of the springs fulfilled the conditions required of them.

* Laid on Table as exhibit only.

Mr. Mason witnessed the trials, but Mr. Burnett was unable to attend.

I am, &c.,

NORMAN SELFE.

SPRINGS for Rolling Stock, New South Wales Government Railways—Table showing the results of applying tests required by specifications.

Date of Trial.	Maker's Name.	Description of Spring.	Length of Spring.		Camber.		Deflection to which Springs are to be subjected by Specification.	Duration of Test.	Result of Test.	Remarks.
			By Specification.	As made.	By Specification.	As made.				
August 1..	Turton	Four-wheeled carriages.	5 2	5 2	0 10	0 10½	18 inches, or 8 inches reverse.	15 minutes	Took permanent set of 2 inches.	The trials were all made in a hydraulic press, and the pressure applied gradually. The ends of the springs were held by links, giving them free play.
July 31..	Cammell	Six-wheeled carriages.	4 10½	4 10½	0 6½	0 7½	16½ inches, or 10 in. reverse.	"	Broke third plate from bottom at 2 inches reverse, and again on opposite side at 6½ inches, reverse took permanent set of 4½ inches.	
August 1..	Turton	Horse-box, carriage, truck, and centre brake van.	3 9½	3 9½	0 6½	0 6½	11 inches, or 4½ inches reverse.	"	Took permanent set of 1½ inch.	
August 1..	Cammell	Draw and buffer springs.	5 4	5 3½	1 5	1 5½	17 in. or slightly reverse.	"	Took permanent set of ¾ of an inch.	
August 1..	Turton	Waggon and brake van.	2 9	2 8½	0 6	0 6½	6 inches or straight.	"	Took permanent set of 1¼ inch.	

NORMAN SELFE,

August 15th, 1879.

The Agent General will be written to, asking him to call upon Inspecting Engineer for an explanation of the circumstances under which he approved of the springs referred to.—J.L., 26/8/79.

No. 21.

12.

No. 21.

The Secretary for Public Works to The Agent General.

Sir, Department of Public Works, Railway Branch, Sydney, 29 August, 1879.
I have the honor to inform you that two springs, bearing the name of "Cammell," being portion of indent dated 13/5/78, received ex "Brodie Castle," and three of the name of "Turton," being portion of indent dated 11/5/79, received ex "Earl Dalhousie," were taken indiscriminately from those in stock and subjected to the test prescribed by the specification, but the results, as will be seen from the enclosed copy of Mr. Norman Solfo's (Consulting Engineer) report thereon, show that none of these springs fulfilled the conditions.

As it is presumed that these springs were inspected in accordance with terms of specification before delivery from the manufacturers, I shall be glad if you will have the goodness to call upon the Inspecting Engineer for an explanation of the circumstances under which he approved of the springs referred to.

I have, &c.,

JOHN LACKEY,
Secretary for Public Works.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

RAILWAY RAILS.

(PARTICULARS OF, SHIPPED BY AGENT GENERAL, FROM 1ST JANUARY, 1877, TO 30TH SEPTEMBER, 1879.)

Ordered by the Legislative Assembly to be printed, 4 May, 1880.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated the 20th January, 1880, That there be laid upon the Table of this House,—

“A Return showing the quantity of Rails shipped by the Agent General
“for New South Wales by each vessel, from 1st January, 1877, to the
“30th September, 1879; the rate per ton for freight, and the gross amount
“of freight in each case, with the port of shipment and the port of
“arrival; also, the shipping and insurance charges on each shipment
“given separately.”

(Mr. Roseby, for Mr. Greenwood.)

RETURN of Rails, &c., shipped by Agent General.

Date of Shipment.	Date of Arrival.	Name of Ship.	Port of Shipment.	Port of Arrival.	Particulars of Rails.			Freight.		Shipping charges paid.	Insurance paid.	
					Number.	Weight.		Rate per ton.	Amount paid.			
1877.	1877.				Tons.	c.	q.	lb.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
March 30	June 28	Holmsdale	London	Sydney	678	150	0	3 12	0 15 0	112 14 0	2 4 1	12 14 9
" 16	" 26	Commonwealth	do	do	1,360	300	1	3 16	0 15 0	225 1 5	4 1 6	25 8 3
" 30	July 17	Gilroy	do	do	911	200	7	2 23	0 15 0	150 5 10	2 16 7	17 17 0
" 30	" 17	Silver Eagle	do	do	678	150	0	3 12	0 15 0	112 12 8	2 4 0	13 1 2
" 29	" 11	Seriel Wjnn	do	do	1,130	248	17	2 5	0 15 0	186 13 1	3 7 9	21 7 9
April 6	" 12	Cholula	do	do	897	198	0	1 0	0 15 0	150 0 6	2 16 6	17 8 4
May 9	September 2	Salisbury	do	do	1,362	300	0	0 16	0 15 0	225 0 1	4 0 6	25 15 8
April 13	July 30	Hawkesbury	do	do	678	149	19	1 9	0 15 0	112 9 8	2 4 0	13 7 3
" 18	" 22	Ascalon	do	do	904	199	11	1 3	0 15 0	149 13 5	2 16 5	17 6 4
" 18	August 30	Sir Jamesetja Family	do	do	1,360	299	7	0 17	0 15 0	224 10 4	4 1 4	25 17 4
" 16	" 24	Margaret Herald	do	do	454	99	18	2 26	0 15 0	74 19 1	1 10 6	8 10 3
" 18	July 23	Corona	do	do	1,356	299	0	2 8	0 15 0	224 5 6	4 1 3	25 7 2
May 1	" 30	Ethiopian	do	do	906	199	12	3 25	0 15 0	149 14 9	2 16 6	16 18 2
" 30	" 30	Whampou	do	do	1,819	400	4	3 9	0 15 0	300 3 8	5 6 6	42 14 8
" 30	August 3	Amawa	do	do	1,362	300	1	2 18	0 15 0	225 1 3	4 1 6	25 17 3
June 5	September 15	Patriarch	do	do	1,359	299	8	2 6	0 15 0	224 11 6	4 1 10	25 7 2
May 10	August 13	Rydalmere	do	do	455	99	19	3 26	0 15 0	75 0 0	1 11 6	8 10 3
April 25	September 13	Vancouver	do	do	1,362	300	4	1 16	0 15 0	225 3 3	4 0 6	26 0 4
May 10	October 21	William Duthie	do	do	455	99	19	3 26	0 15 0	75 0 0	1 11 6	8 10 3
" 10	August 7	Hurlaw	do	do	682	149	19	1 9	0 15 0	112 9 5	2 4 0	12 15 9
" 15	September 10	Agnes Rose	do	do	455	100	0	3 25	0 15 0	75 0 9	1 11 6	8 10 3
" 19	" 11	Burker	do	do	1,136	250	0	3 21	0 15 0	187 10 6	3 9 0	21 12 10
" 15	" 10	John Duthie	do	do	455	100	0	3 25	0 15 0	75 0 9	1 11 6	8 10 3
" 19	" 19	County of Anglesen	do	do	1,815	399	16	1 17	0 15 0	299 17 3	5 5 6	34 6 3
" 26	" 26	Carlisle	do	do	455	100	0	3 16	0 15 0	75 0 8	1 11 6	8 10 3
June 21	October 18	Dunbar Castle	do	do	907	199	16	0 18	0 15 0	149 17 3	2 16 6	17 6 4
July 20	November 5	Star of India	do	do	772	170	0	2 25	0 15 0	127 10 6	2 9 0	15 2 9
" 28	" 17	Cape Verde	do	do	772	170	0	2 25	0 15 0	127 10 7	2 9 0	14 15 9
August 29	December 6	Parramatta	do	do	1,138	250	6	0 22	0 15 0	187 14 8	7 10 7	21 18 6
September 20	November 14	Cuzco	do	do	1,136	250	0	1 15	0 15 0	187 10 4	3 9 0	21 16 10
" 14	December 22	Brilliant	do	do	909	200	1	0 22	0 15 0	150 1 11	2 16 6	17 8 4
August 31	" 20	Kirkwood	do	do	1,364	300	4	0 3	0 15 0	225 3 0	5 6 3	26 2 5
September 11	" 5	Pericles	do	do	1,137	250	4	3 11	0 15 0	187 13 8	3 9 1	21 14 10
" 28	November 14	Hankow	do	do	910	200	5	2 18	0 15 0	150 4 3	2 16 6	17 7 9
October 17	December 24	Stad Amsterdam	do	do	1,825	401	12	0 9	0 15 0	301 4 0	5 6 11	33 15 10
" 19	" 24	City of Santiago	do	do	684	150	1	3 2	0 15 0	112 11 4	2 4 0	12 19 6
June 2	September	Brambletye	do	Newcastle	9,939	2,206	3	1 3	1 5 0	2,835 19 5	1 13 10	372 6 5
August 15	November 20	Trowbridge	Antwerp	do	7,322	1,626	17	3 11	1 5 0	1,816 15 0	Nil.	249 11 1
October 5	September 23	Bruckley Castle	London	do	714	154	11	3 20	1 0 6	157 16 6	2 5 3	20 14 5
January 5	November 14	Hankow	do	do	654	138	3	1 1	1 0 8	142 14 7	2 1 6	14 10 8
" 15	"	Earl Dalhousie	do	do	1,151	250	4	3 14	1 1 0	262 15 0	3 9 6	26 0 3
" 15	"	Glenrosa	do	do	813	177	10	3 8	1 1 0	187 6 8	2 11 0	18 3 10
February 2	June 2	Undino	do	do	768	165	7	0 12	1 1 0	173 10 8	2 7 11	17 14 10
" 2	" 16	Portia	do	do	1,268	274	19	2 20	0 15 0	206 4 9	3 15 3	36 13 9
January 25	May 15	Niobe	do	do	1,151	249	11	1 12	1 1 0	266 4 6	3 9 6	23 4 6
" 26	" 13	Caroliannus	do	do	678	147	2	1 24	1 2 2	162 18 0	2 3 9	10 6 2
February 28	June 14	Min-y-don	do	do	1,153	250	0	0 5	0 16 0	200 2 8	3 9 0	20 0 4
" 19	" 7	Lady Belhaven	do	do	692	150	1	1 20	1 1 6	161 14 2	2 4 0	16 5 8
March 2	" 30	Prince Victor	do	do	915	198	17	0 7	0 17 6	174 0 0	2 16 3	19 11 9
" 9	" 30	Van Dieman	do	do	1,415	306	14	2 6	0 18 0	276 1 1	4 2 2	41 2 4
" 6	" 20	Centurion	do	do	689	150	1	2 2	1 1 0	157 10 4	2 4 0	16 4 1

2

"	14	September	1	City of Agm	do	do	478	107 11 3 0	0 17 0	90 12 10	1 12 5	10 18 9
"	18	August	8	Star of the Sea	do	do	1,386	299 13 3 2	0 15 0	224 15 3	4 1 5	29 12 5
May	3	"	30	Nereus	do	do	6,416	1,375 19 3 15	1 5 0	1,720 0 0	.....	169 15 8
June	16	September	11	Raglan Castle	do	do	1,849	400 0 1 4	0 15 0	300 0 3	5 5 6	39 6 2
"	5	"	11	Loch Fergus	do	do	696	150 3 0 9	0 15 0	112 12 4	2 3 0	14 16 8
July	2	October	17	Kenyon	do	do	1,627	350 8 2 1	0 15 0	262 16 4	.....	34 13 7
February	11	June		St. Lawrence	do	Sydney	972	249 7 2 11	0 15 0	187 1 8	3 9 4	22 8 5
March	31	August	27	Samuel Plimsoll	do	do	988	236 11 1 25	0 15 0	177 8 5	2 12 3	21 14 5
"	31	"	27	do	do	do	408	104 7 2 12	0 15 0	78 5 8	2 0 0	9 11 8
"	1878.	"	1878.									
September	25	December	30	Windsor Castle	do	do	761	200 5 1 21	0 15 0	150 4 1	5 4 2	13 12 11
October	31	November	28	Cuzco	do	do	1,240	299 2 3 24	0 15 0	224 7 3	7 12 6	20 11 6
April	18	July	4	Maulsden	Cardiff	Newcastle	644	150 3 0 18	1 5 0	187 14 7	.....	19 14 1
May	16	September		Glaniver	Middlesborough	do	4,740	1,178 0 0 0	1 4 8	1,452 8 11	.....	126 6 9
"	1877.											
October	13	January	20	Strnthon	London	Sydney	910	200 4 3 12	0 15 0	150 3 8	2 16 6	16 9 10
"	12	"	18	Coldingham	do	do	684	150 10 1 11	0 15 0	112 17 9	2 4 2	12 7 4
December	3	February	26	Evelyn	do	do	456	100 7 3 17	0 15 0	75 5 11	1 11 6	8 13 0
November	20	April	1	Cedric the Saxon	do	do	996	219 3 1 26	0 15 0	164 7 8	3 1 3	18 0 10
"	2	February	17	Alexander Duthie	do	do	910	200 5 2 18	0 15 0	150 4 3	2 16 6	16 17 11
October	30	"	20	Tyburnia	do	do	1,371	300 16 3 18	0 15 0	225 12 8	4 0 9	25 19 11
November	2	"	17	Lammermoor	do	do	1,136	250 0 1 13	0 15 0	187 10 3	3 9 0	21 2 5
"	6	"	26	Cross Hill	do	do	1,150	252 7 2 5	0 15 0	189 5 8	3 9 7	21 5 9
December	4	"	26	Lusitania	do	do	1,691	373 5 1 9	0 15 0	279 19 0	4 19 10	31 9 2
"	11	March	9	Northbrook	do	do	22	4 18 2 20	0 15 0	3 14 0	0 7 6	0 8 5
"	1878.											
August	14	November		Chimborazo	do	do	1,205	300 8 2 6	0 15 0	225 6 5	7 13 3	21 10 9
"	27	December	30	Strnthon	do	do	804	200 5 3 18	0 15 0	150 4 5	5 3 1	13 18 2
October	7	"	26	Aconagua	do	do	1,614	400 8 2 15	0 15 0	300 6 6	10 3 3	17 10 5
December	7	"	7	Hereford	do	do	805	200 6 2 6	0 15 0	150 5 0	5 3 2	14 12 1
"	1877.											
September	7	January		Mennoek	Antwerp	Newcastle	4,480	995 1 0 26	1 7 3	1,358 8 10	.....	147 13 1
October		February		Athelstane	do	do	5,113	1,145 4 1 11	1 4 9	1,415 19 6	.....	161 0 4
September	28	March	18	Rialto	London	do	592	130 5 2 18	0 15 0	97 14 3	1 19 0	16 0 0
"	28	January	3	Trevelyan	do	do	910	200 5 2 18	0 15 0	150 4 3	2 16 6	20 19 9
"	1878.											
March	28	July	4	Glamis	do	do	454	100 2 0 1	0 15 0	75 1 6	1 10 6	13 19 3
April	18	"	4	Maulsden	Cardiff	do	8,435	1,856 6 0 10	1 4 8	2,293 15 6	.....	260 2 1
June	3	"	29	Syria	London	do	1,362	300 1 0 8	0 15 0	225 0 10	3 19 0	29 3 3
"	7	November		Caroline	do	do	1,089	239 13 2 25	0 15 0	179 15 6	3 4 0	37 11 9
"	1877.											
September	18	January	8	Polynesian	Liverpool	Sydney	228	50 3 2 16	0 15 0	37 12 9	0 18 0	4 8 11
"	28	"	13	Trafalgar	London	do	908	199 16 2 24	0 15 0	149 17 6	2 16 6	17 6 4
"	28	"	17	Windsor Castle	do	do	682	150 2 0 1	0 15 0	112 11 6	2 4 0	13 0 10
"	28	"	3	Duke of Sutherland	do	do	882	150 2 0 1	0 15 0	112 11 6	2 4 0	13 0 10
November	28	"	19	Whamboa	do	do	1,189	250 8 1 0	0 15 0	172 3 4	3 9 0	22 5 7
December	3	March	31	The Tweed	do	do	910	200 4 2 15	0 13 9	137 13 3	2 16 6	17 7 4
"	21	"	9	Northbrook	do	do	2,024	446 0 2 24	0 15 0	334 10 6	5 18 0	39 0 10
"	20	April	4	Christiana Thompson	do	do	676	148 18 0 16	0 15 0	111 13 7	2 3 9	12 14 9
"	1878.											
January	12	May	2	Juno	do	do	1,600	350 6 0 23	0 15 0	262 14 8	4 14 0	47 14 2
"	3	March		Northam	do	do	454	100 1 1 10	0 15 0	75 1 0	1 11 6	8 18 7
"	1877.											
December	29	April	8	Glangairn	do	do	676	149 1 1 16	0 15 0	111 16 0	2 2 9	13 3 0
"	1878.											
January	12	"	28	Abergeldie	do	do	682	150 7 0 15	0 15 0	112 15 5	2 3 0	13 1 2
"	"	"	28	Strathearn	do	do	1,588	350 2 0 3	0 15 0	262 11 7	4 13 0	30 9 11
"	26	May	3	Golden Fleece	do	do	930	203 11 0 25	0 15 0	152 13 5	2 17 6	17 8 4
"	17	"	11	Dharwar	do	do	910	200 15 2 2	0 15 0	150 11 8	2 15 8	17 15 4

Date of Shipment.	Date of Arrival.	Name of Ship.	Port of Shipment.	Port of Arrival.	Particulars of Rafts.		Freight.		Shipping charges paid.	Insurance paid.
					Number.	Weight.	Rate per ton.	Amount paid.		
1878.	1878.					Tons. c. q. lb.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
January 22	March 31	Chimborazo	London	Sydney	1,596	350 7 1 21	0 15 0	262 15 7	4 14 0	30 14 3
" 18	May 13	Ravenswood	do	do	456	100 1 3 15	0 15 0	75 1 5	1 10 6	8 16 6
" 26	" 13	Erata	do	do	1,366	300 6 0 12	0 15 0	225 4 7	4 1 6	26 11 11
February 6	" 5	Ascalon	do	do	910	199 14 2 3	0 15 0	149 15 10	2 15 6	18 1 3
" 6	" 27	Min-y-don	do	do	796	174 19 1 4	0 15 0	131 4 5	2 10 3	15 7 2
" 5	June 3	Ladstock	Liverpool	do	456	100 5 0 5	0 15 0	75 3 9	1 10 6	8 11 3
1877.	1878.									
October 5	January 1	Rajah	London	do	904	189 14 1 24	0 15 0	142 5 11	2 13 8	16 11 7
March 1	May 15	Harlaw	do	do	684	150 2 2 2	0 15 0	112 14 9	2 3 0	12 9 8
" 25	July 22	Windermere	Liverpool	do	910	200 2 2 0	0 15 0	150 1 11	2 15 6	17 8 10
" 15	" 7	John Nicholson	Cardiff	do	3,185	700 3 0 0	1 5 0	876 17 5	Nil.	94 14 9
April 11	" 29	Shenir	London	do	684	149 19 3 26	0 15 0	112 9 11	2 0 6	12 17 9
" 17	August 1	Candida	Liverpool	do	910	200 2 2 0	0 15 0	150 1 10	2 13 0	17 8 4
" 8	" 5	Bedfordshire	London	do	456	99 19 3 22	0 15 0	74 19 11	1 8 0	8 12 4
March 27	June 20	Nineveh	do	do	705	149 15 0 15	0 15 0	112 6 5	2 3 0	12 9 8
" 27	July 15	Woolahra	do	do	235	49 18 2 10	0 15 0	37 9 0	0 18 0	4 2 5
" 27	June 16	Salamis	do	do	463	99 19 2 16	0 15 0	74 19 9	1 10 6	8 7 2
" 27	April 27	Garonne	do	do	2,221	476 1 0 6	0 15 0	356 10 11	6 4 6	40 11 11
April 2	July 31	Remus	do	do	230	50 0 1 7	0 15 0	37 10 3	0 18 0	4 3 9
March 30	August 19	Assaye	Liverpool	do	456	99 19 3 22	0 15 0	75 0 0	1 6 0	8 18 7
" 30	" 19	do	do	do	908	199 19 0 17	0 15 0	149 19 3	2 12 0	17 8 4
April 8	July 29	Samuel Plimsoll	London	do	1,409	299 5 3 5	0 15 0	224 9 4	3 17 9	25 11 5
" 8	" 29	Shenir	do	do	279	60 11 1 1	0 15 0	45 8 5	0 18 2	5 1 0
" 10	August 22	Wallace Town	do	do	910	199 15 0 27	0 15 0	149 16 5	2 13 0	17 4 4
May 14	September 5	Colombo	do	do	910	200 7 3 0	0 15 0	150 5 10	2 14 0	17 13 6
" 18	June 5	Aconcagua	do	do	1,138	250 7 3 14	0 15 0	187 15 11	3 6 6	22 2 11
April 23	Transhipped at Melbourne.	Cuzco	do	do	2,305	499 17 3 23	0 15 0	374 18 6	6 8 0	42 11 2
" 23	July 26	British General	do	do	1,855	398 17 2 20	0 15 0	299 3 3	5 2 9	34 1 2
May 4	August 15	Patriarch	do	do	1,136	250 2 2 2	0 15 0	187 11 10	3 6 6	22 0 11
" 24	" 19	Smyrna	do	do	1,362	300 2 2 1	0 15 0	225 1 11	3 19 0	26 9 10
" 30	September 7	Cambrian Princess	do	do	454	100 0 3 10	0 15 0	75 0 8	1 5 0	9 9 4
" "	" "	do	do	do	24	5 7 1 12	0 15 0	4 0 6	0 5 0	0 9 6
June 14	" 19	Ann Duthie	do	do	454	100 0 3 10	0 15 0	75 0 8	1 9 0	9 0 9
" 26	" 18	Hawkesbury	do	do	472	104 0 3 0	0 15 0	78 0 6	1 10 0	8 19 5
July 13	October 22	La Hogue	do	do	42	9 5 2 12	0 15 0	6 19 3	0 7 1	0 15 7
August 28	November 27	Leander	do	do	95	20 17 0 10	0 15 0	15 13 1	0 13 5	1 14 11
" 16	February 13	Strathnairn	do	do	796	200 6 2 6	0 10 0	100 2 3	5 3 2	28 10 4
September 3	January 12	A. Ethelred	do	do	800	200 8 1 24	0 15 0	150 6 5	5 3 2	13 18 5
" 18	" 14	Northampton	do	do	1,208	300 2 0 19	0 15 0	225 1 8	7 13 0	21 6 11
October 2	February 1	Francis Thorpe	do	do	201	50 1 0 0	0 15 0	37 10 9	1 8 0	3 13 8
" 14	" 3	Lectura	do	do	609	150 3 0 0	0 15 0	112 12 3	3 18 0	10 8 5
" 16	January 27	Samarkand	do	do	613	150 6 0 21	0 15 0	112 14 8	3 18 2	10 14 1
" 8	March 4	Blair Athol	do	do	800	200 2 0 9	0 15 0	150 1 7	5 3 0	13 18 5
November 9	" 7	Dartford	do	do	1,012	250 13 1 15	0 15 0	187 19 11	6 8 4	17 16 5
" 20	1879.									
" 20	February 12	Colwyn	do	do	1,034	258 10 3 26	0 15 0	193 18 3	6 12 3	18 6 10
October 28	" 21	Lusitania	do	do	1,995	500 2 3 13	0 15 0	375 2 9	12 10 0	35 10 11
November 20	April 3	Cicero	do	do	803	200 0 3 6	0 15 0	150 0 7	5 3 0	14 2 6
" 30	March 17	Cape Verde	do	do	1,407	349 19 1 10	0 15 0	262 9 6	8 18 0	24 16 3
December 6	" 16	Star of the Sea	do	do	838	210 0 2 15	0 15 0	157 10 6	5 8 0	14 11 11
" 6	" 27	Alexander Duthie	do	do	805	200 11 0 2	0 15 0	150 8 2	5 3 4	14 12 1

"	6	April	2	Kosciusko	do	do	1,025	255 15 1 22	0 15 0	191 16 7	6 10 10	18 3 11
"	6	"	4	Clyde	do	do	801	200 11 2 18	0 15 0	150 8 9	5 3 3	14 5 4
"	12	"	2	Abergeldie	do	do	491	100 2 2 16	0 15 0	75 2 0	2 13 0	6 19 3
October	30	February	21	Falcon	do	do	491	99 19 1 22	0 15 0	74 19 7	2 13 0	6 19 3
December	23	"	23	Garonne	do	do	1,013	250 1 0 19	0 15 0	187 10 11	6 8 0	17 17 6
1879.												
January	7	April	14	Ellora	do	do	392	100 2 0 0	0 15 0	75 1 6	2 13 0	7 6 1
1878.												
December	30	June	29	Donniemount	Sunderland	do	1,629	400 10 2 7	0 10 0	200 5 3	10 3 3	60 3 6
1879.												
January	10	"	3	Blair Hoyle	London	do	1,176	300 6 0 0	0 15 0	225 4 6	7 13 2	21 9 1
"	15	May	20	Knight of the Garter	do	do	1,568	400 18 0 0	0 15 0	300 6 0	10 3 3	28 10 9
February	4	June	18	Newark	do	do	819	200 4 0 0	0 15 0	150 3 4	5 3 1	13 18 5
January	25	May	20	Beechdale	do	do	787	200 4 2 16	0 15 0	150 3 6	5 3 1	14 5 0
February	13	"	4	Peterborough	do	do	400	100 7 0 13	0 15 0	75 5 4	2 13 2	6 19 7
"	19	April	20	Chimberazo	do	do	1,588	400 2 3 17	0 15 0	300 2 2	10 3 1	27 15 9
"	25	June	14	Ann Duffie	do	do	593	150 4 3 19	0 15 0	112 13 9	3 18 2	10 9 3
March	4	"	12	Samuel Plimsoll	do	do	1,005	250 3 0 10	0 15 0	187 12 4	6 8 0	17 4 7
"	6	"	18	Norman Court	do	do	799	200 4 0 0	0 15 0	150 3 0	5 3 1	14 4 10
"	17	July	13	City of Corinth	do	do	1,340	300 2 0 19	0 15 0	225 1 7	7 13 1	23 3 1
"	11	June	18	British Statesman	do	do	1,200	300 6 2 16	0 15 0	225 5 0	7 13 2	21 7 9
"	19	July	27	Ettrickdale	do	do	835	200 1 1 22	0 15 0	150 1 1	5 3 0	14 19 8
"	20	June	3	Cuzco	do	do	1,595	400 13 3 12	0 15 0	300 14 2	10 3 6	30 0 6
"	27	August	5	Aumiga	do	do	1,249	300 7 3 19	0 15 0	225 6 0	7 13 3	22 9 9
April	29	July	28	Cambrian Princess	do	do	418	100 3 3 19	0 15 0	75 3 0	2 13 1	7 10 0
May	2	August	3	Patwarch	do	do	392	100 2 0 0	0 15 0	75 1 6	2 13 0	7 9 9
"	8	July	3	Lusitania	do	do	491	100 3 1 3	0 15 0	75 2 6	2 13 1	7 10 0
"	8	August	31	Duchess of Edinburgh	do	do	392	100 2 0 0	0 15 0	75 1 6	2 13 1	7 7 7
"	31	September	17	La Hogue	do	do	315	77 8 0 12	0 15 0	58 1 1	2 1 9	5 6 3
"	23	October	1	Loch Murray	do	do	392	100 2 0 0	0 15 0	75 1 6	2 13 1	6 17 0
"	4	"	15	Duke of Abercorn	do	do	392	100 2 0 0	0 15 0	75 1 6	2 13 1	6 17 0
1878.												
December	30	April	13	Christina Thompson	do	do	911	200 2 0 10	0 15 0	150 1 7	5 3 0	13 18 9
1879.												
January	2	May	2	Bacchus	do	do	1,405	300 6 0 0	0 15 0	225 4 6	7 13 2	20 8 7
"	28	March	19	John Elder	do	do	2,294	510 18 3 1	0 15 0	353 4 1	12 18 6	35 13 1
1878.												
September	25	January	12	Hannibal	do	do	881	217 1 2 8	0 15 0	162 16 6	5 12 6	14 16 7
1879.												
August	27	October	28	Afgban	do	do	1,570	400 3 1 16	0 12 6	250 2 2	10 3 1	22 4 9
"	22	December	9	Candida	Liverpool	do	776	199 15 3 22	0 12 6	124 17 9	5 2 11	10 13 6
"	27	October	28	Northumberland	London	do	578	149 19 1 4	0 12 6	93 14 7	3 18 0	7 13 0
September	10	December	22	Zuleika	do	do	678	150 14 1 27	0 15 0	113 0 11	3 18 4	8 11 0
"	25	November	29	Aconeagua	do	do	814	180 12 0 3	0 15 0	135 9 0	4 13 3	9 13 3
1878.												
October	8	January	14	Esmeralda	Newcastle-on-Tyne	Newcastle, N.S.W.	3,242	712 10 0 24	1 4 9	879 18 5	18 1 3	83 8 9
1879.		1880.										
August	27	January	7	Blengfell	Liverpool	Sydney	866	200 19 1 19	0 12 6	125 12 2	5 3 6	10 14 7
September	3	February	15	Sarah Beil	do	do	528	124 5 2 23	0 15 0	93 4 4	3 5 2	6 12 9
"	22	January	9	Northampton	London	do	451	100 8 1 15	0 15 0	75 6 4	2 13 3	5 13 7
"	20	"	9	Sophocles	do	do	677	150 5 2 6	0 15 0	112 14 2	3 18 2	7 14 6
							221,149	50,156 9 2 4	.....	43,778 6 4	710 4 9	4,918 5 8

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

RAILWAY STATION, LITHGOW.

(FURTHER PAPERS, &c.)

Ordered by the Legislative Assembly to be printed, 1 April, 1880.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated the 9th April, 1879, That there be laid upon the Table of this House,—

“Copies of all Reports, Petitions, Minutes, and other Documents not
“already printed, having reference to the site of a Railway Station in
“Lithgow Valley.”

(Mr. Sutherland.)

SCHEDULE.

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RAILWAY STATION, LITHGOW.

No. 1.

Memo. from Mr. L. J. Windsor to Inspector Higgs.

Memorandum to Inspector Higgs, Wallerawang.

Lithgow, 15 May, 1878.

I BEG to call your attention to the platform here, which is a great deal too short for the purpose for which it is intended. Both mail and passenger trains are greatly delayed in consequence of having to stop the first part of the train to let out passengers that may be there, and then to draw up afterwards to let others out of the other part of the train, also to get luggage out, thus causing great delay.

L. J. WINDSOR.

I must strongly recommend that this platform be made at least twice the length it is at present. It should also be fenced at both ends, to prevent people from falling over and hurting themselves.—E. Higgs, West Inspector, 21/5/78. Manager.

Forwarded for Commissioner's information. I think it is intended to make extensive alterations and improvements at Lithgow.—THOS. CARLISLE, 6/6/78. Commissioner.

Yes. This may await the general plan, which I should be glad to get as early as possible.—CH. A. G., B.C., 16/6/78. Mr. Mason. The platform could be lengthened now without interfering with doubling the line between this place and Lithgow. As I am so short of office assistants, I am unable to say when the plans for the Lithgow Station, &c., arrangements will be completed.—W.M., 19/6/78. Commissioner.

No. 2.

Minute from Traffic Manager to Commissioner.

HAVING visited Bowenfels and the various sidings at Lithgow, for the purpose of ascertaining the additional accommodation required for the more efficient and economical working of the coal traffic, I find that there is much greater difficulty, danger, and expense, in working this traffic than I anticipated, owing to the want of suitable sidings and weighbridge accommodation I have therefore prepared a rough sketch of the requirements which are urgently wanted.

1st. A loop line about 330 yards long, on the northern side of the main line, opposite the Vale of Clwydd siding, also a short siding off the loop, about 80 yards in length, on which a 14-ton weighbridge should be erected.

2nd. A loop line on the northern side of the main line, opposite the Lithgow Valley Company's siding, about 400 yards long, and a siding off same about 80 yards long, with a 14-ton weighbridge as marked on the attached plan.

3rd. The safety siding at the Vale of Clwydd might be extended 100 yards, on a gradient of 1 in 40, and so constructed that in case an engine or waggons running into the siding, the main line would not be blocked or the rolling stock damaged.

4th. A semaphore signal is required at Lithgow. If the additional accommodation proposed be approved of, I would suggest that the work be commenced and completed without delay. The proposed sidings will not touch on either viaduct, and the removal of two or three feet of earth-work might be done by the end of October.

The Commissioner.

THOS. CARLISLE,
17/9/78.

Will Mr. Mason report as to what is being done in the matter of station arrangements and improvements at Lithgow, and how far the arrangements he is to propose will render unnecessary that suggested by Traffic Manager.—CH. A. G., B.C., 22/9/78. Eng. for Existg. Lines.

A plan is now being prepared of proposed additional sidings, station, and station arrangements, at Lithgow, which I hope to submit in about a week.—W.M., 25/9/78. Commissioner. Traffic Manager to see and return at once.—CH. A. G., B.C., 2/10/78. Seen.—THOS. CARLISLE, 4/10/78. Commissioner.

No. 3.

Minute from Engineer for Existing Lines to Commissioner.

Department of Public Works, Railway Branch, Existing Lines,

Engineer's Office, Sydney, 19 October, 1878.

Station arrangements, &c., at Lithgow, G.W.R.

I FORWARD herewith two plans, marked A and B respectively, showing proposed station arrangements and coal sidings at Lithgow Valley, Great Western Railway.

The plan marked A possesses the following advantages over that marked B, viz., a greater length of sidings for conducting the goods traffic and for forming a coal depôt, being situated about the centre of the present coal mines, and could be done more expeditiously and at a less cost in comparison with the accommodation given.

The passenger station would also be central, as the township appears to be extending in that direction, and when built, the Eskbank platform would not be required. Extra land would have to be purchased in both cases for carrying out the work.

The Commissioner.

WM. MASON.

Ask the owners of the land at site marked B at what price they will sell to the Government the land required for station.—J.S., 31/10/78.

No. 4.

Commissioner to T. Brown, Esq.

Sir, Department of Public Works, Railway Branch, Sydney, 31 October, 1878.

I have the honor to inform you that there have been submitted, for the consideration of the Secretary for Public Works, two sites for the proposed Railway Station in the Lithgow Valley,—one on the site of the present Lithgow platform, the other at a point on the other side of the bridge crossing the railway.

It will be necessary to obtain private land for station purposes at both of these places; and with a view to determine the more eligible site, I have the honor to request that you will say whether you are prepared to grant a conveyance of three or four acres of land on the opposite side of the present Lithgow platform, in the same liberal spirit in which you have offered to convey free of cost the land that may be required, should the other site be chosen for the station. If you will not convey such land free, will you inform me of the terms upon which you are willing to sell same for the purpose indicated.

I have, &c.,

C. A. GOODCHAP,

Commissioner for Railways.

No. 5.

Mr. Loneragan and others to The Secretary for Public Works.

Dear Sir,

Lithgow, 21 October, 1878.

We have the honor to address you, asking you to be good enough to appoint a day to receive a deputation representing the commercial interests of this place, relative to the erection of railway station and goods shed.

We have, &c.,

JAS. LONERAGAN.

W. GRAY.

And thirteen others.

Friday next the 1/11/78, at 11 o'clock.—J.S., 24/10/78.

No. 6.

Extract from *Sydney Morning Herald*, 2nd November, 1878.

Deputation.—Requirements at Lithgow.

Messrs. Higgins, P. A. Jennings, Jamieson, John See, Hogg, J. Loneragan, W. Gray, D. Brethaur, T. Loneragan, A. Anderson, W. Ryall, T. Crow, T. Hilton, John Connell, J. Porter, and Henderson waited on the Honorable the Minister for Works yesterday, with reference to the erection of a station at Lithgow. The deputation were accompanied by Messrs. Hurley (Hartley), Dillon, and O'Connor, M's.L.A.

Mr. Hurley introduced the deputation, which he said consisted of gentlemen who represented the various interests in the Valley of Lithgow, and they desired that the Minister would arrive at some definite decision with regard to the station in the town of Lithgow. They were all people who were interested in the various properties in and around Lithgow. He believed himself that the site of the present platform was the best situation for a goods shed and station; but perhaps it might be satisfactory to all parties if the selection of the site were left in the hands of the Engineer-in-Chief and the Inspector of Permanent Ways.

Mr. Higgins read the printed correspondence on the subject, including the promises made by the various Ministers, and pointed out the inconvenience that many gentlemen were subjected to who had erected buildings and purchased land there, and had not at present proper railway accommodation.

Mr. J. Loneragan stated that when he first went to Lithgow there was no mention of any station accommodation being required, but the traffic had increased so much since then that such accommodation was urgently demanded. He himself had laid out £3,000 on the supposition that a passenger and goods station would be erected at the present site, and he had latterly also been thinking of spending more on the erection of stores which he purposed letting. Other people too who were here could certify that they were waiting for the station that had been promised now nearly two years.

Mr. Anderson said if the station were erected on the site of the present platform it would be nearey to Bowenfels, so that the department might reduce the cost, because Mr. Andrew Brown was about the only one who required the Bowenfels Station, and the staff might be removed to the new Lithgow Station, which would then only cause an expense to the department of the cost of the buildings.

Mr. Gray complained of the present accommodation, and said that goods were a good deal knocked about. He had spent £10,000 at Lithgow, and would likely spend £10,000 more if this matter were settled quickly. Besides that he had given two roads to the railway. The way in which men, women, and children were now put together at the platform, sometimes without a light, was not at all pleasant. Any one in the darkness there might be guzzled and robbed in a minute.

Mr. P. A. Jennings said he had not a local knowledge of the place, but he had become the purchaser of some allotments, taking into consideration that railway accommodation would be provided. He had purchased land there in the view of the place becoming populous, and he could enforce no further the arguments that had been used, except by saying that he represented persons who bought land on the strength of the promise made by the Minister that a station would be built on the site of the present platform.

Messrs. J. Loneragan, Gray, and Brethaur having also spoken,

Mr. Sutherland replied:—He said he might as well inform them at once that there was no dispute with reference to the necessity for a station, and that the only difficulty was where to put the station. A few days ago he called for reports, because he would not make himself a party to erecting a station anywhere except with reports approving of it by the proper officers. These reports had come to him a few days since, and stated that land was required at both the places. He had accordingly caused letters to be written

to

to the owners of the two properties, the one at Eskbank, and the other at Lithgow, and he could give no decision until it was seen whether or not the land could be procured. He could not on any account think of giving a hasty decision about a station which was to be a permanent one, and which should be erected in the most suitable position for the population. They had a splendid station at Bowenfels, but there was very little trade doing there now. When it was built it was supposed that it was in the most central situation, and he would have to be careful now with regard to Lithgow not to make another mistake. He had some knowledge of Lithgow, and he believed it was a place where there would be a great deal of traffic, and even now it was greater than Parramatta, except as regarded passengers. He promised them the matter would not be delayed much longer.

Mr. Higgins said he was instructed to say that an acre of land would be given for the station-master's house.

Mr. Sutherland said it was not for the station-master's house that the land was wanted, but for traffic accommodation.

The plans for the two proposals were then examined and suggestions made by the deputation, which Mr. Sutherland promised to consider.

The deputation then retired.

No. 7.

Mr. T. Brown to Commissioner.

Sir,

Eskbank, 4 November, 1878.

I do myself the honor to acknowledge receipt of your letter of the 31st ultimo, and in reply to inform you that I am not prepared to grant a conveyance of three or four acres (or of any land) on the opposite side of the present Lithgow platform, as in case of the choosing of the site at a point on the other side of the bridge crossing the railway.

That when I made the offer to convey, free of cost, the land that might be required at the site near the bridge, I did so in the interest of a large majority of the inhabitants of Lithgow Valley, and with a view of inducing the Government to at once proceed with the work so urgently required. The last mentioned site has been, I am informed, approved of by the railway officials as the more central and as otherwise suitable, and were I now to consent to your proposal I feel that I should be assisting in what would be, if carried out, an act of injustice. I have already conveyed to the Commissioner for Railways for the time being all the lands authorized to be compulsory taken by him, and I am not willing to sell, and I will neither sell nor grant without payment any other land in addition, and thus assist in carrying out the views of interested persons to the injury of the majority.

I have, &c.,

THOMAS BROWN.

No. 8.

Mr. J. Loneragan and others to The Secretary for Public Works.

Sir,

Lithgow, 8 November, 1878.

Referring to the conversation which took place between you and the deputation from Lithgow on the 1st instant, on the subject of additional land for station buildings on the proposed site of the Lithgow platform, we, the undersigned, have the honor to state that we are prepared to provide, free of expense to the Railway Department, the land which may be required for the erection of a goods-shed and approaches thereto on the south side of the line, which we humbly submit is the position which would be the most convenient for the inhabitants and for the requirements of the present and future traffic, and in keeping with all former practice, for we believe we are correct in stating that in no single case on all the lines in New South Wales is the goods-shed not built on the township side of the line (where the township as in this case is all on one side of it); and we are at a loss to understand what object the engineer could have had in placing the shed on the north side (as per proposed plan of station yard shown by you to the deputation), to or from which there is neither exit nor entrance except by level crossing—the use of which at a station where so much business will necessarily be carried on would be a constant source of danger.

We have, &c.,

Jas. Loneragan.	Hy. Porter.
Ed. Burns.	Wm. Gray.
J. J. Ryall.	J. Connell.
T. F. Loneragan.	T. Crow.
D. Breathour.	R. Blackford.

The Commissioner to write and ask for a plan and description of the land offered for this purpose; and Mr. Mason as to position of goods-sheds, &c.—J.S., 11/11/78. Write at once then to Mr. Mason.—Ch. A. G., B.C., 11/11/78.

The goods-sheds have always been placed where they would best suit the general station arrangements and give the most convenience for working the traffic, whether on the township side of the railway or not. When the Western line was made through Lithgow Valley the township of Lithgow was not then in existence, and now that a goods-shed is required it ought to be put in such a position as will suit other part of the station arrangements, and with this in view it was placed on northern side of the line, where it will fairly answer all reasonable purposes. The road approach to the shed is not by level crossing, and will have both entrance and exit as convenient as at any other station.—W.M., 18/11/78. Commissioner.

No. 9.

Commissioner to Mr. J. Loneragan.

Sir, Department of Public Works, Railway Branch, Sydney, 16 November, 1878. Referring to the communication, dated the 8th instant, signed by yourself and nine others interested in the choice of a site for the station arrangements at Lithgow, and offering to convey to this department free of expense the necessary land required on the south side of the line, I have the honor to request that you will be good enough to forward to this office as early as possible a plan and description of the land those interested offer for this purpose, and the area thereof.

I have, &c.,
C. A. GOODCHAP,
Commissioner for Railways.

No. 10.

Messrs. Gray, Loneragan, & Higgins, to Commissioner.

Sir, Sydney, 19 November, 1878. Referring to our conversation this morning respecting the land which may be required for station purposes on the present site of the Lithgow platform, we now beg to hand you a tracing showing the land we are prepared to let you have should you require as much, and we also bind ourselves to convey the same to you when called upon to do so.

We have, &c.,
WILLIAM GRAY,
J. & J. LONERAGAN,
P. HIGGINS,
(For the Lithgow Valley Colliery Co.)

Mr. Mason, for report. Very urgent.—CH. A. G., 19/11/78.

No. 11.

Report of Engineer for Existing Lines.

I FORWARD herewith a tracing of plan showing an arrangement for goods-shed and sidings on the land proposed to be conveyed to the Commissioner for this purpose.

It will be seen from the plan that to get a goods-shed, &c., on this land it will be necessary to remove the site of the present station at A to that at B. This is very objectionable, as the station buildings and platforms would have to be placed in the middle of the existing drainage, which would involve the building of a long culvert to carry off the water in its present course. The goods-shed would be in about six to nine feet of cutting, and a large quantity of excavation would have to be done to form approaches to the shed and sidings. The siding accommodation would be very limited and awkward to work, requiring facing points to be fixed on the down line and a cross-over road into carriage dock. There is also the objection, as previously named, of having the goods shed separated from the general siding arrangements.

Tracing of Mr. Gray's property returned herewith.
Commissioner.

W.M., 27/11/78.

No. 12.

Extract from *Sydney Morning Herald*, 21 November, 1878.

Railway Station at Lithgow.

YESTERDAY afternoon a deputation, consisting of Messrs. J. Loneragan, J. Burns, and W. Gray, waited upon the Hon. Minister for Works in reference to the site for the proposed railway station at Lithgow. The deputation presented to the Minister a petition, very largely signed, from inhabitants of the district interested, praying that the station might be erected at the spot which had been decided upon by a previous Minister for Works. They had forwarded to the Minister a plan and description of the land that was available, some two and a half acres, and more could be had if required. They pointed out that the spot now proposed was in the very centre of population, and that persons had been induced to buy land there and build, on the strength of the promise that the railway station should be at that place. Mr. Sutherland told the deputation that he would look over their petition, but in a matter of this kind he would have to be guided a great deal by the report of his officers. He did not feel himself to be a good judge in this case, as he was interested in land near the site which they proposed, and which would thereby be much enhanced in value. He would get all the information he could and lay the matter before his colleagues in the Cabinet for their advice upon it. The deputation thanked the Minister and retired.

No. 13.

Memorial as to site.

The Honorable the Minister for Works, Sydney.

Sir, We, the undersigned residents and others commercially and locally interested in the prosperity of Lithgow, earnestly request your consideration of this memorial before finally giving your decision upon the locality to be chosen as a site for the proposed railway station in Lithgow Valley.

Your memorialists respectfully beg to premise that it is their misfortune that an impartial consideration of the merits of their case has constantly been endangered by reason of the conflicting interests of a very large number of influential persons; but we beg to point out as a circumstance entitled to much weight—that two Ministers for Works who have held office of late years, and who could not be said to be in any way interested

interested in the site of the proposed station (Messrs. Lackey and Hoskins) at once admitted the reasonableness and fairness of the test proposed on our behalf by Mr. Higgins; the first gentleman sanctioning the erection of the present Lithgow platform (and ordering an account of the traffic between that and the Eskbank platform to be kept, in order to decide the proper site for the station), and the latter gentleman pointedly declining to interfere with that arrangement until a definite result was ascertained.

Your memorialists earnestly direct your attention to the letter written by Mr. P. Higgins, dated 27th February, 1877, to the then Secretary for Public Works, and to the minute of Mr. Lackey thereupon, the terms contained in which, your memorialists submit, constitute a contract as binding upon the Government as upon those for whom Mr. Higgins acted, and which contract cannot be ignored by either party without a direct breach of faith. It is further urged for your consideration that, relying upon the sincerity of Mr. Lackey's minute (which broadly states that he looked upon the proposed test as a means of arriving at a fair settlement of the question in dispute, and therefore to be final in its result), many of your Memorialists, finding the vicinity of the present Lithgow platform to be the business centre of the Valley (and which fact is undeniably borne out by the accounts kept), have expended large sums in the purchase of land in the neighbourhood and in the erection of buildings thereon, and some have so devoted the entire savings of years.

It is respectfully submitted that Mr. Lackey's minute admits of no doubt as to its finality. A direct offer was made to him as Minister for Works by which a thoroughly unbiassed decision could be arrived at—a decision not to rest upon the arguments of interested persons, but upon the simple logic of facts, and accepting the offer he wrote, "This seems to me a *fair settlement* of the question. *Mr. Higgins' offer will therefore be accepted*, with this condition, however, that whichever site is eventually chosen, sufficient land will be provided by the proprietors for a future station-master's residence, say an acre at least."

Your memorialists beg to state that they are prepared to carry out their part of the contract in providing the stipulated quantity of land—even without cost to the Government should such a demand be made—and they now respectfully call upon the Government to keep faith with them. They also desire to intimate that, in the opinion of competent authorities, who have taken into consideration the extensive siding accommodation (amounting to many acres in extent) attached to all the collieries except that of Eskbank (which latter ought to be enlarged at private rather than public expense), the land your memorialists are ready to provide, together with that already in possession of the Government between the fences, is ample for all possible requirements at the proposed station.

Your memorialists regret that they should have to express dissatisfaction with the drawings and plans of the Engineer for Existing Lines lately exhibited to a deputation, which if carried out, no matter what site is chosen, will prove a lasting inconvenience to the public, by reason of the goods shed being placed on the north side of the line, where there is not a single place of business, and to gain access to which at the Lithgow site a dangerous level crossing will have to be made or an expensive bridge be built. Further, your memorialists respectfully submit that the facts ascertained by the six months' trial given, ought in all good faith to be considered final; but the plans lately prepared by Mr. Mason seem to ignore this settlement, and to re-open a dispute which three of your predecessors in office have affirmed should be held as settled. Further, your memorialists are at a loss to understand how anything contained in the minute of Mr. Combes, directing the station to be erected at Lithgow, can be taken as a warrant for the survey of a site in the practically condemned neighbourhood of Eskbank, for your memorialists contend that the proper locality for the station was fairly tested and settled before Mr. Mason was called upon to prepare his plans.

Your memorialists respectfully but strenuously protest against their being shut out from all voice in the matter of the selection of the station site, as it appears they are to be, if they rightly understand the answer given to a deputation which waited on you on the first of November instant, when you stated that communications respecting the area required, according to Mr. Mason's plans, were to be addressed to the proprietors of land in the neighbourhood. For it is the peculiarity of the plans in question that no other land is dealt with than that belonging to Mr. T. Brown, and those interested in leases under him, which peculiarity we are informed by competent authorities arises not so much from all other methods of arrangement being exhausted as from their being apparently ignored. Therefore, as the land in each of the directions pointed out by Mr. Mason is the property of Mr. Brown, we submit that to write to him asking which site he and the lessees under him will part with is virtually to subject our opinions, rights, and interests (after they have been fairly settled and affirmed by contract with the Government) to reversal and denial, at the dictation of the very persons who have been most active in their antagonism to us, and whose pecuniary interests are heavily concerned in denying the justice of our claims.

Your memorialists beg to direct your attention to the fact that, long before any contention arose as to the site for the future station, the existing township began to develop itself on the elevated plateau on which it now stands; that the natural features of the surrounding country point this locality out as the best site for a township; that except a public-house a mile and a half distant, not a single store or place of business exists eastwards of it; and they unhesitatingly affirm that if an inquiry be instituted, it will be found that nearly all, if not the whole, of the general merchandise consumed by the inhabitants of the district is delivered by permission of the Company at the siding of the Lithgow Valley Colliery, which is close to the present platform, and that scarcely anything is delivered at the Eskbank siding, but ores and material for plant in course of construction, which traffic would go there all the same and without the slightest inconvenience to any one concerned if there were no station within 20 miles of it. And further, your memorialists beg to draw special attention to the signatures attached hereto, as comprising more than nine-tenths of those who are in business and directly interested in the general commercial pursuits of Lithgow Valley.

In conclusion, your memorialists pray that since the plans submitted by Mr. Mason show the practicability of erecting a station in the immediate vicinity of the present Lithgow platform, that that site may alone be dealt with, as they conceive the Government is bound by every moral obligation to keep faith in the performance of the contract entered into by Mr. Lackey.

We are, &c.,

[Here follow 116 signatures.]

To be placed with other papers on this subject.—J.S., 22/11/78.

No. 14.

Minute of Secretary for Public Works.

Station accommodation, Lithgow.

THERE has been considerable difficulty in fixing upon the most suitable site for this station and siding accommodation, in consequence of the conflicting interests of those persons at Lithgow, owners of property (coal-mines, &c.) who have erected buildings and made other improvements at the opposite and extreme ends of the township. The Vale of Clwydd Coal-mining and Copper-smelting Company and Brewery, and Messrs. Mort & Company's establishment at the eastern end. Mr. Gray and the Lithgow Valley Coal-mining Company, and Brick and Pipe Manufactory, and the Lithgow Iron Company at the western end (and Brown's Platform) the centre.

The Engineer for Existing Lines has prepared two plans, one showing the station arrangements on the site at the western end of the township (Lithgow Valley Platform), and the other near the bridge over the railway between eastern and western end, which latter site he considers the most suitable, as it gives greater facility for traffic and for forming a coal depôt, it being situated about the centre of the present coal mines, because the work could be done more expeditiously and at less cost in comparison with the accommodation given, and because the township is extending in that direction. See our Court-house and Time Public School, now erecting near the proposed site.

Mr. Thomas Brown, the owner of land at the western end of the township, has declined to sell or give any portion of it to the Department, as he believes that the best interests of the public will be met by the erection of the station at the bridge site, at which place he has offered any land that may be required free of charge.

Persons who are interested in the platform site thereupon offered to the Department, free of charge, land on which it is possible, at considerable expense, to provide a portion of the accommodation required; but Mr. Mason reports that the siding would be very limited and awkward to work, necessitating facing points to be fixed on the down line and a cross-over road into carriage dock; and further, that there is also the objection of having the goods shed separated from the general siding arrangements.

The proposed station at Lithgow platform must always be at the extreme end of the township, and none of the objections urged by Mr. Mason against it apply to the bridge site.

I, therefore, for the reasons above appearing, approve of the acceptance of the land offered by Mr. Thomas Brown to the Department as a site for station buildings, &c., and of the erection of such buildings with as little delay as possible.

The expense to be charged to the vote.

JOHN SUTHERLAND.

29/11/78.

Mr. Mason.—B.C., CH. A.G., 12/12/78. Noted.—W.M., 16/12/78. Commr. Inform Mr. Gray and others—see their offer of land—and also Mr. Thomas Brown. Then ask Mr. Mason to supply plan and description of land required from Mr. Brown.—CH. A.G., 18/12/78. Plan forwarded, 3 January, /79.—W.M., 6/1/79.

No. 15.

Commissioner to T. Brown, Esq.

Sir,

Department of Public Works, Railway Branch, Sydney, 23 December, 1878.

Adverting to your proposal to convey to this Department, free of charge, the land required for the erection of the station arrangements at Lithgow, I have the honor to inform you that it has been decided to erect the station, &c., on the site indicated by you near the bridge, and I have therefore to request that you will at once make the necessary arrangements for conveying the land you promised for the purpose.

I have, &c.,

CHAS. A. GOODCHAP,

Commissioner for Railways.

Commissioner to Mr. W. Gray and others.

Gentlemen,

Department of Public Works, Railway Branch, 23 December, 1878.

Referring to your letter of the 19th ultimo, enclosing a tracing showing the land you are willing to convey to the Department free of charge in the event of the new station arrangements at Lithgow being erected at the end of the town, further from Sydney, I have the honor to inform you that it will not be necessary for me to avail myself of your offer, as it has been decided to erect the station, &c., at the site near the bridge.

I have, &c.,

CHAS. A. GOODCHAP,

Commissioner for Railways.

No. 16.

Mr. T. Brown to Commissioner.

Sir,

Eskbank, 28 December, 1878.

I do myself the honor to acknowledge the receipt of your letter of 23rd instant (only received to-day), and in reply, beg to inform you that the deed of the portion of land intended to be transferred to the Railway Department is now in the office of R. P. Abbott, Esq., solicitor, 117, King-street, Sydney, who will furnish you with abstract of title on application.

I should much like to have the land required by you marked out, so that I could commence to build for the convenience of the general public.

I have, &c.,

THOMAS BROWN.

Mr. Mason, B.C., 30/12/78.—CH. A. G.

No. 17.

No. 17.

Mr. R. P. Abbott to Commissioner.

Sir, King-street, Sydney, 30 December, 1878.
According to instructions received from Mr. Thomas Brown, I do myself the honor to forward a copy grant from the Crown to him of 320 acres of land at Lithgow Valley, portion of which he has agreed to convey for railway purposes. This title has already been dealt with by the Government.

I have, &c.,

R. P. ABBOTT.

If Mr. Mason will furnish a description of the land required, conveyance can be prepared.—
Ch. A. G., 31/12/78. Plan herewith, showing in red colour land required.—W.M., 6/1/79. Commr.,
Sec Mr. Brown's letter of 28/12/78 herewith; forwarded plan to him (to be returned).—Ch. A. G., 8/1/79.

No. 18.

Commissioner to Mr. T. Brown.

Sir, Department of Public Works, Railway Branch, Sydney, 9 January, 1879.
Referring to your letter of the 28th ultimo, I have the honor to forward herewith plan (to be returned) showing the land—coloured red—required for railway purposes at Lithgow Valley, Great Western Railway.

I have, &c.,

CHAS. A. GOODCHAP,

Commissioner for Railways.

No. 19.

Minute by the Secretary for Public Works.

Get me the printed papers in the matter of the Lithgow Station and all papers since, with *précis*.

Railways, 17/1/79.—J.R. Prepare.—Ch. A. G., 17/1/79, Herewith.—G.B., 24/1/79. J.L., 17/1/79.

No. 20.

Précis of case.

Lithgow Station.
ONE of the points advocated as the most desirable position for the new station was at the township of Lithgow, on or near the site of the present Lithgow Platform, and the other was little more than a mile to the eastward of this, near the bridge which crosses the line on the Sydney side of the Eskbank platform.

It would have been necessary to have obtained additional land for the station buildings and yard at either place.

The most suitable land at the point first mentioned belongs to Mr. T. Brown, who refused to either sell or give any portion of it, he being of opinion that Lithgow was not the proper place for the station. A few of the persons chiefly interested in the selection of this part of the Valley offered a piece of land free of charge; but it was awkwardly situated, and would not have afforded sufficient accommodation.

Mr. Brown believed that it would be more generally advantageous to have the station further east, near the bridge, and, conditionally on its being erected at this point, agreed to present the Government with as much land there as may be necessary for the purpose.

The Engineer for Existing Lines, after inspecting both places, and preparing plans of the two stations, reported that the eastern or bridge site was better adapted to the requirements of the traffic. He stated that this position possesses the following advantages over that at Lithgow township:—

“A greater length of sidings for conducting the goods traffic, and for forming a coal dépôt, being situated about the centre of the present coal mines, and could be done more expeditiously and at less cost in comparison with the accommodation given. The passenger station would also be central, as the township appears to be extending in that direction, and when built the Eskbank platform will not be required.”

In regard to the proposed position at Lithgow township, he said that to provide a goods shed, &c., the station buildings and platform would have to be placed in the middle of the drainage, which would be very objectionable and involve the construction of a large culvert; that the goods shed would be in about 6 to 9 feet of cutting; that a large quantity of excavation would have been necessary to form approaches to the sheds and sidings; that the sidings would not only have been limited, but awkward to work, as they would require facing points to the down line, and a cross-over road to the carriage dock, and there would also have been the drawback of the goods shed being separated from the general siding arrangements.

In a minute dated 29th November, 1878, the late Minister for Works, the Hon. J. Sutherland, goes fully into the whole subject, and, after considering all the advantages and disadvantages of the respective positions, decided that the station should be erected on the proposed site near the bridge, and directed that Mr. Brown's offer be accepted and the work carried out.

From attached printed returns it will be seen that the freight for inward and outward goods and mineral traffic at Lithgow, during the six months ending 31st October, 1877, amounted to £5,515, and that during the six months ending 31st December, 1877, the coaching traffic at Lithgow platform exceeded that at Eskbank platform by 779 passengers and £344.

Notwithstanding, however, the large traffic done at Lithgow, the prevailing opinion seems to be that the vicinity of Eskbank is the most suitable and generally convenient position for the station.

At

At the time the Lithgow platform was applied for, there appears to have been an impression in some quarters that the Eskbank platform was to be removed to Lithgow, and several strong protests were made against this being done. The late Mr. Thomas Mort objected to its removal, as he believed the land at Eskbank possesses advantages that will in the course of a few years bring about it a population far in excess of that which will be found in the more westerly portion of the Valley, and that it is at this point that manufactories are more likely to extend. A petition signed by 235 of the inhabitants of the Valley and neighbourhood, opposing the removal of the platform further west, was also sent to the Minister for Works.

In 1877 the Directors of the Vale of Clwydd Coal Company objected to the Bowenfels goods station being removed to Lithgow, the site of Eskbank platform being considered by them a more eligible position, and Mr. D. Williams, on behalf of the Lithgow Valley Iron Company, recommended the site now selected near the bridge.

Among the papers there is also a memorial, signed by 416 persons, approving of the station being erected at the point decided upon. (There is no date to show when this document was received, but from its position in the file it would appear to have been during the last few months.)

It may be added that a Court-house and Public School are being erected in the neighbourhood of the position chosen for the station.

I must have the plans and original papers in this case.—J.L., 24/1/79. All papers and plans herewith.—Ch. A. G., 24/1/79.

No. 21.

Mr. P. Higgins to The Secretary for Public Works.

Sir,

Reform Club, Sydney, 7 February, 1879.

In reversing the directions of two previous Ministers, the Hon. Messrs. Lackey and Hoskins, and the decision of the Hon. E. Combes, as to the Lithgow Railway Station, the ex-Minister, The Hon. Mr. Sutherland, alleges reasons of a nature that will not bear examination and are unsupported by facts. Mr. Sutherland, in deciding the Eskbank site for a station, gives as his reason that it would be nearer the late Mr. Mort's slaughtering establishment, a brewery lately built in the Valley, and the Vale of Clwydd Colliery. I shall deal with each separately.

The slaughtering establishment was erected by Mr. Mort in connection with his project for the export of frozen meat.

It is unnecessary for me to remind you that this scheme has broken down, the place is occupied by a caretaker pending the sale and distribution of the machinery and other effects.

The local brewery is instanced as an institution whose importance ought to turn the scale, but the extreme improbability of a considerable export from that establishment could easily be tested by an inquiry into the character of the article produced there.

As to the Vale of Clwydd Colliery it is difficult to see how the interests of that Company are affected. They have a siding of their own, and by that means are in direct communication with the main line. They can always have their goods delivered (as at present) on their own premises.

Having stated his reasons for overthrowing the action of three preceding Ministers, Mr. Sutherland omits the numerous and forcible claims of the people of the town of Lithgow, whose interests are completely ignored and set aside.

Nothing to an unprejudiced mind could be more fair, more straightforward, or a more honest mode of settling conflicting claims than was adopted in ordering an account of the traffic to be taken for six months, to test in an absolutely practical manner the position the public most approved. The result of this trial has placed the question beyond doubt, and for which I refer you to return No. 8 of the papers in this case, ordered to be printed 24 April, 1878.

Since this time (about two years ago) the town of Lithgow has increased wonderfully in size and population centred itself in close proximity to the site of the station as decided on by Mr. Sutherland's predecessors.

The churches, the Commercial Bank, the telegraph station, the principal stores and private residences, the hotels (four in number), all have grouped themselves in this immediate locality, and the greater number of these have been erected on the faith of the decision arrived at by the Ministers who preceded Mr. Sutherland.

It should form no small element in the consideration of the case, that the interests of those who have bought land and built substantial houses under the idea that the question of the site had been settled, and who really form three-fourths of the population should be completely ignored, and their convenience made subservient to the selfishness of a few individuals (see amongst the papers a petition numerously signed by real property holders in the township in favour of the Lithgow site, dated 30 November, 1878).

They have offered to give the area of land necessary for station buildings free of cost to the Government, and in doing so they have carried out their portion of the contract with Mr. Lackey, see minute No. 10, of the Secretary for Public Works.

The site selected by Mr. Sutherland is not alone inconvenient and opposed to the unanimous wish of the people of Lithgow, but is from its position totally unfit for a railway station.

The platform is intended to abut on to a bridge over the line, which on account of the obstruction of the view would be a sure source of frequent and serious accidents.

A most unsightly view would always present itself from the fact that a coal-pit and copper-smelting works are within a chain of the railway and facing the intended station buildings and platform. These with their concomitants of dust and smoke would make it a most undesirable site.

The land in the neighbourhood is low and swampy and totally unfit for a township.

For these and many other reasons, all of which would be perceptible to a person visiting the respective sites, I hope that you will re-consider the decision of Mr. Sutherland, and order the station buildings to be erected on the site originally fixed upon, and let right be done.

I have, &c.,
P. HIGGINS.

No. 22.

Extract from *Sydney Morning Herald*, 21st March, 1879.

Messrs. Hurley (H.), O'Connor, Dillon, and Barbour, M.L.A.'s, and Messrs. Higgins, Loneragan, Burns, Gray, Wilton, and Jamaeson yesterday afternoon waited on the Hon. the Colonial Secretary with reference to a railway station being erected at Lithgow, and not at Eskbank as had been decided upon by Mr. Sutherland, the late Minister for Public Works.

Mr. Hurley said they had come in order to point out the necessity that existed for building a station at Lithgow. Of those who composed the deputation several gentlemen were personally interested in Lithgow, and others had come to see that justice was done to all parties and not to individuals. He read the documents on the subject, which had been printed, and said that they thought Mr. Mason's opinion had been allowed to obtain too much permanence, and take precedence of every other opinion that had been expressed. All they wished was that Mr. Lackey should maintain the opinion he held some time ago, when he was Minister for Works. If the station were erected at Eskbank a great deal of inconvenience would be caused to the people of Lithgow. They were aware that the Minister had been there himself, and was in possession of facts which would lead him to see that justice was done to all parties.

Mr. Higgins said that there was one thing that Mr. Hurley had forgotten, and that was that Mr. Lackey had stated that Lithgow was the proper place to build a station, but that there was not enough land. Land might be taken possession of by the Government under the powers they possessed, and he was authorized to say that the people would pay the cost of the land.

Mr. Wilton said that it had been stated that the opinion of the Engineer for Existing Lines was that there was not room enough for a station, and that they could not take more land under the powers they possessed. That was a difficulty which was constantly cropping up, and this might be urged as a reason why Government should possess further powers. The land at Eskbank was swampy, and unfit for station purposes.

Mr. Loneragan pointed out that they had a good claim to the notice of the Minister, as they had spent so much money at Lithgow.

Mr. Higgins said they would pledge themselves to pay for all the land that was required on the other side of the line.

Mr. Burns said they had only been asked for 1 acre in the first instance, and now they offered 4 acres.

Sir Henry Parkes said in reply that he really did not know much about the matter, but he did know that most of the buildings were in the position where it was now asked that a station might be erected. He assumed that Mr. Lackey had merely confirmed the action of his predecessor. That was a course which was usually followed unless there was some good reason for taking a different one. They had now represented to him that if the platform were erected in the place where it had been decided to do so it would be a serious affair. As far as he had knowledge, Eskbank was not a place where a station ought to be, but he did not know what he could do beyond getting the case reopened.

In reply to Sir Henry Parkes, Mr. Higgins stated that no tenders had yet been called for the work. They had come, he said, in consequence of the speech made by Mr. Lackey to the effect that though Lithgow was the best place there was not enough land there.

Sir Henry Parkes said that all he thought he could do would be to bring the matter before the Cabinet, with the representations that had been made to him.

Mr. Hurley said that Mr. Sutherland was largely interested in property at Eskbank.

The deputation retired, after having thanked the Minister for his courtesy.

No. 23.

Messrs. J. and T. Loneragan to Commissioner.

Lithgow, 28 March, 1879.

We, the undersigned, undertake to convey to the Railway Department, all that piece of land as herein described free of all or any claim, and we pledge ourselves to execute a legal deed of transfer of said piece of land when called upon to do so.

Land referred to.

From the boundary on the eastern side of Mr. Gray's property to the end or corner on the western end of the Lithgow Valley Company's land. Measures 924 feet, with a depth of 90 feet, the full length of line, and running parallel to the railway fence on the southern or township side.

J. & T. LONERAGAN.

Forward to Mr. Mason to say whether this offer of additional land will enable him to provide the requisite accommodation at the Lithgow site.—CH. A. G., B.C., 29/3/79.

I shall require a plan showing the portion of the land proposed to be conveyed before I can give an opinion on this subject.—W.M., 1/4/79. Commissioner. Write for this at once—a small sketch will do.—CH. A. G., 5/4/79.

No. 24.

Commissioner to Messrs. J. and T. Loneragan.

Department of Public Works, Railway Branch,
Sydney, 9 April, 1879.

Gentlemen,

In reply to your letter of the 28th ultimo, offering to convey to this Department all that piece of land which is described in your letter, free of all or any claim, as a site for the railway station at Lithgow, I have the honor to inform you that a plan showing the position of the land proposed to be conveyed will be required before any decision can be given in the matter. I may mention that a small sketch will be sufficient.

I have, &c.,

CH. A. GOODCHAP,

Commissioner for Railways.

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No. 25.

Mr. J. Loneragan to Commissioner.

Sir,

Lithgow, 17 April, 1879.

Acknowledging receipt of yours of 9th instant, I have the honor to place before you the required plan of the ground available at Lithgow on the township side of line, in length 924 feet and 90 feet, making an area of $3\frac{1}{8}$ acres.

I am desired to inform you I am prepared to convey this land, as shown on plan, to the department for the purposes required.

Your obedient servant,

JAS. LONERAGAN.

No. 26.

Extract from *Sydney Morning Herald*, 5th April, 1879.

Railway station at Eskbank.

MESSRS. D. Williams, Abbott, Farquhar, W. J. Weston, Garratt, Saywell, Way, Wilson, and Schneider, yesterday waited upon the Minister for Works with respect to the railway station at Eskbank.

Mr. Williams produced a plan of the station, which it was intended should be on the eastern side of the bridge, and urged that this was a better site than the one at Lithgow. It had been stated that the site was a swamp, but that was not the case.

Captain Farquhar supported what had been said, contending that the site indicated by Mr. Williams was the most convenient.

Mr. Abbott said a test had been made of the receipts at the two places, which was in favour of the station at Lithgow; but it really amounted to this,—that there was a public-house at Lithgow and there was none at Eskbank, and the whole of the arguments against the site that had been fixed were based on that.

Mr. Saywell pointed out that more coal was raised on the eastern side than there was on the western side. Mr. Lackey, himself believed that the best site was the one the deputation wanted, and the previous Minister thought the same thing.

Mr. Lackey said there had been a few features of the case brought under his notice, to which his attention had not been previously called. So many conflicting opinions had been given that he had gone up himself to inspect the place, and he quite agreed that the test that had been made was not altogether fair, because there were facilities at the one place, with regard to the issue of tickets, that there were not at the other, and there might be something in the reason that the business people were attracted to Lithgow through an hotel being there, where they could transact any business they wanted. These two reasons had been sufficient to show him that the test had not been made on equal terms. It appeared to him that the station at Eskbank would be most suitable, and the Engineer for Existing Lines had informed him that there was greater accommodation available at Eskbank, and that it would be more suitable for the coal trade. He would consider the whole matter, and he hoped that the place that was ultimately decided upon would be the one that would prove most suitable for all requirements.

No. 27.

J. Hurley, Esq., M.P., to The Secretary for Public Works.

Sir,

Sydney, 7 April, 1879.

I beg to give notice that a number of my constituents desire to meet you on Thursday at 11 a.m. at your office, in regard to railway site, Lithgow. If the hour and day is convenient to you, please to send an answer to Mr. John Wilson, Manager, Vale of Clwydd Co., Lithgow, and oblige,—

Yours,

J. HURLEY.

P.S.—The deputation are persons who advocate Eskbank.—J.H.

Write and state that as next Friday will be Good Friday, that I will meet the deputation at the time named.—J.L., 8/4/79.

No. 28.

Extract from *Sydney Morning Herald*, 11th April, 1879.

Deputations,—Railway station at Eskbank.

A DEPUTATION, consisting of Mr. Robinson, Mr. Wilson (Manager of the Vale of Clwydd Colliery), Mr. Pitt (Manager of the Eskbank Colliery), Mr. Schroder, Mr. Moore, Mr. Hutchinson, and Mr. Ebbelwhite, waited upon the Minister for Works (the Hon. John Lackey) yesterday, to urge upon him the desirableness in the public interest of erecting the proposed new railway station at Eskbank, in preference to Lithgow Valley. The deputation was introduced by Mr. John Hurley M.L.A., who said he had come by request for that purpose. He did not intend to say anything himself, but he hoped that whatever might be done eventually would be done in the interests of the future as well as of the present welfare of the Valley.

Several members of the deputation pointed out to the Minister that, on account of the larger number of industries, the larger population, and the probable increase of both, Eskbank was a much more suitable place for a railway station than Lithgow.

Mr. Lackey said the subject was not new to him, for this was the third deputation that had waited upon him in reference to it since he had been in office this time. It was from representations made by people who took an interest in the site of the station in the neighbourhood of Lithgow that he was induced to give instructions for the action proposed by the late Government to be stayed. He found, from representations made, that considerable dissatisfaction existed as to the site on which the proposed permanent station was to be erected, and, as the deputation were aware, representations were urgently made in behalf of both Eskbank and

and Lithgow. He confessed, from the way in which the case was put before him, that he thought the most desirable plan to follow would be to inspect the locality himself, in order to come to what he hoped would be a proper and fair conclusion. He went accordingly with the Traffic Manager and the Engineer for Existing Lines, who had the plans of the proposed alterations and the works which would require to be carried out. From all that he saw, and all the information that he obtained, he formed an opinion in favour of the proposal of the Engineer for Existing Lines, and he was glad now to have the weight of the present deputation in accordance with his opinion. It appeared to him that Eskbank was the most central place, and the site best suited to give proper accommodation for the enormous traffic which must grow up there within the next few years; and he could only say now that he would be very glad to consider carefully the representations made to him, and which would greatly guide him in the decision he should come to. In reply to Mr. Hurley, Mr. Lackey stated that as soon as the site had been determined on the work would be commenced without delay.

No. 29.

Mr. D. Mackie to The Secretary for Public Works.

Sir,

Lithgow Valley, 17 April, 1879.

As Chairman of a public meeting, called by advertisement and held at Lithgow on Saturday, the 12th instant, it was proposed by Mr. F. Raymond—"That this meeting of the residents of Lithgow Valley is of opinion that the Eskbank site for the proposed railway station is the most central, and therefore the most convenient for the inhabitants and the public generally,"—which resolution having been seconded by Mr. G. Hall, was carried unanimously.

A second resolution was proposed by Mr. W. Wilson—"That the foregoing resolution be embodied in an address and conveyed to the Honorable the Minister for Works at Sydney,"—seconded by Mr. G. Donald and carried unanimously.

I have also to inform you that there were about 150 of the residents of Lithgow Valley present at the meeting.

I have, &c.,

DAVID MACKIE,

Chairman.

No. 30.

Memo. by Commissioner.

Lithgow station arrangements.

If a decision has been arrived at in regard to the site for this station, will the Minister be good enough to say whether the work can be proceeded with, as it will be necessary to get a conveyance of the land.

CH. A. G., 3/12/79.

It has been decided to erect the station at the bridge site as recommended by the Engineer for Existing Lines.—J.L., 3/12/79. Mr. Mason.—CH. A. G., B.C. Noted.—W.M., 10/12/79. Commissioner.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

RAILWAYS.

(STATION, ELGIN-STREET, WEST MAITLAND—TENDERS, MINUTES, &c.)

Ordered by the Legislative Assembly to be printed, 11 May, 1880.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 13th April, 1880, That there be laid upon the Table of this House,—

“Copies of all Tenders received for the erection of the new Railway Station at Elgin-street, West Maitland, together with all Minutes, Papers, and Documents having reference to such tenders.”

(*Mr. Cohen.*)

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RAILWAYS.

No. 1.

Notice inviting Tenders.

Department of Public Works, Railway Branch, Sydney, 4 November, 1878.

TENDERS will be received at this office until 11 o'clock on Tuesday, the 4th December next, from persons willing to contract for building a new Passenger Station at West Maitland, Great Northern Railway.

Plan, specification, and form of tender may be seen, and further particulars obtained, at the office of the Engineer for Existing Lines, 45, Phillip-street.

Tenders to be endorsed "Tender for New Station, West Maitland."

The Commissioner does not bind himself to accept the lowest or any tender.

C. A. GOODCHAP,
Commissioner for Railways.

No. 2.

The Under Secretary for Public Works to The Commissioner for Railways.

Sir,

Department of Public Works, Sydney, 3 December, 1878.

The tenders, four in number, for the work specified in the margin are referred to you for report, and you will have the goodness, as early as possible, to return them to me direct for submission to the Minister.

I have, &c.,

JOHN RAE.

Mr. Mason.—G.B., B.C., 5/12/78.

Building Rail-
way Passenger
Station, West
Maitland.

No. 3.

Copies of Tenders.

Great Northern Railway Station—Building Platform and Carriage Docks at West Maitland.

I HEREBY agree to provide all necessary labour, tools, scaffolding, and materials of every description, and to execute the whole of the works required in the construction and erection of a station building, platform, and carriage docks at West Maitland, on the above railway, in strict accordance with the drawings and specification, to the Engineer for Existing Lines, for the sum of seven thousand five hundred and seventy-one pounds sterling.

£7,571.

JAMES PRITCHARD,
West Maitland.

SCHEDULE OF PRICES ABOVE REFERRED TO.		£	s.	d.
Excavations to foundations, earthwork, per cubic yard	...	0	2	6
Do. rock, do.	...	0	12	6
Brickwork, as per specification	...	2	15	0
Masonry, axe-faced, with boasted beds and joints	...	2	5	6
Masonry, clean chiselled, dressed, per foot	...	0	4	0
Do. rubble, plain	...	0	5	0
Do. moulded	...	0	14	6
Countess slates, including battens, as per specification, per square	...	3	16	0
H. W. timber of any scantling, sawn frame and fixed, at per cubic foot	...	0	2	7
Hardwood timber, wrought	...	0	3	6
Wrought cedar, 1 inch, per superficial foot	...	0	1	0
Do. 1½ do. do.	...	0	1	6
Render, float, and set walls, per superficial yard	...	0	2	3
L. P. F. and set ceilings	...	0	3	0
¾ render in cement, gauged, 2 sand to 1 cement, per superficial yard	...	0	3	6
1½ T. & G. Oregon pine flooring boards, at per square	...	2	2	6
Milled lead in gutters, hips, flashings, &c., at per lb.	...	0	0	5½
Painting, four coats, white lead in oil, per superficial yard	...	0	1	6
Varnishing, 2 coats, copal varnish, do.	...	0	1	0
No. 24 gauge galvanized iron, per square	...	2	7	6

Woollahra, 3 December, 1878.

WE, the undersigned, hereby agree to provide the whole of the materials, labour, and all necessary tools, &c., for the construction of a Railway Station at West Maitland, in accordance with the plans and specifications, to the full intent and meaning therein contained, and to complete the same in a workman-like manner to the satisfaction of the Engineer-in-Chief for Existing Railways, for the sum of seven thousand six hundred and fourteen pounds sterling.

£7,614.

GALE & FLEMING,
Builders, &c.,
Woollahra.

SCHEDULE

SCHEDULE OF PRICES.

	£	s.	d.
Earthwork, per cubic yard	0	3	6
Brickwork, do. in lime	2	5	0
Do. do. cement	2	17	0
Stonework, per cubic foot, axed and jointed	0	3	3
Do. do. clean chiselled	0	4	9
Do. do. rubbled	0	5	3
Do. do. moulded	0	10	0
Slates, with battens, per square	0	7	5
Hardwood, sawn, framed, and fixed, per cubic foot, if wrought.			
Plastering, per yard	0	2	3
Ceilings, do.	0	3	0
Cement do.	0	3	3
1½ T. & G. pine flooring, per square	4	0	0
Lead, per lb.	0	0	5
Painting, 4 coats, per yard	0	2	0
Varnishing, 2 coats, per yard	0	1	8
24 gauge G. iron (kangaroo), per sq.	2	5	0

P.S.—Rock excepted ; nature not described, if hard or soft.

Great Northern Railway.—Station Building, Platform, Carriage Docks, at West Maitland.

I HEREBY agree to provide all necessary labour, tools, scaffolding, and materials of every description, and to execute the whole of the works required in the construction and erection of station building, platform, and carriage docks at West Maitland, on the above railway, in strict accordance with the drawings and specification, to the satisfaction of the Engineer for Existing Lines, for the sum of £8,360.

WILLIAM CAINS,
East Maitland.

SCHEDULE OF PRICES ABOVE REFERRED TO.

	£	s.	d.
Excavation to foundations, earthwork, per cubic yard	0	3	0
Do. rock, do.	0	5	0
Brickwork, as per specification, do.	2	5	0
Masonry, axe-faced, with boasted beds and joints, per cubic yard	3	0	0
Do. clean chiselled, dressed, do.	0	5	0
Do. do. rubbled, plain, do.	0	5	6
Do. do. do. moulded, do.	0	10	0
Countess slates, including battens, as per specification, at per square	6	0	0
Hardwood timber of any scantling, sawn, framed, and fixed, at per cubic foot	0	6	0
Do. wrought	0	9	0
Wrought cedar, 1 in., per sup. foot	0	1	6
Do. 1½ in., do.	0	2	0
Render, float, and set wall, per sup. yard	0	3	0
Lath, plaster, and set ceilings, at per sup. yard	0	3	6
¾ render in cement, gauge, 2 sand to 1 cement, per sup. yard	0	4	6
1½ G. & T. Oregon pine flooring boards, at per square	3	10	0
Milled lead in gutter, hips, flashings, at per lb.	0	0	7
Painting, 4 coats, white lead in oil, at per sup. yard	0	3	0
Varnishing, 2 coats copal varnish, do.	0	2	6
No. 24 gauge kangaroo galvanized iron, at per square	4	15	0

To the Commissioner for Railways.

Sir,

Sydney, 2 December, 1878.

I hereby agree to provide all necessary labour, tools, and scaffolding, and material of every description, and to execute the whole of the work required in the construction and erection of station buildings, platform, and carriage dock at West Maitland, on the above railway, in strict accordance with the drawing and specification, to the satisfaction of the Engineer for Existing Lines, for the sum of seven thousand seven hundred pounds sterling.

£7,700.

JOHN M'DONALD,
Werris Creek.

SCHEDULE OF PRICES.

	£	s.	d.
Excavations to foundations, at per cubic yard	0	2	9
Do. rock do.	0	8	0
Brickwork, at per rod	25	0	0
Masonry, axe-faced, with boasted bed and joint, at per foot	0	5	0
Do. clean chiselled dressed, per cubic foot	0	5	6
Do. rubble plain	0	2	0
Do. moulded	0	8	0
Countess slates, including battens, at per square	4	15	0
Hardwood timber of any scantling, sawn, framed, and fixed, at per cubic foot	0	4	6
Do. do. wrought	0	5	0
Wrought cedar, at per 1 inch, per square foot	0	1	6
Do. do. 1½ ,, do.	0	2	0

Render

	£	s.	d.
Render, float, and set wall, per square yard	0	3	0
$\frac{3}{4}$ render in cement	0	5	0
$1\frac{1}{2}$ G. & T. Oregon pine floors, at per square	2	2	0
Milled lead in gutter flashing, &c., per lb.	0	0	5
Painting, 4 coats, in white lead and oil, per yard	0	3	0
Copal varnish do.	0	2	6
No. 24 gauge kangaroo iron, per square	3	12	0

No. 4.

Minute of Mr. Mason.

THE tender of Mr. James Pritchard is the lowest, but I cannot recommend its acceptance, as I consider the price too high, being £901 ls. above the amount of my estimate, besides the tender being informal. I recommend fresh tenders be invited.—W.M., 12/12/78. Commissioner.

Submit notice for fresh tenders. In what respect is the lowest tender informal?—C.A.G., 16/12/78. Mr. Mason.—G.B., B.C., 18/12/78. The tender states "to the Engineer" only, instead of to the satisfaction of the Engineer; the omission of the word satisfaction is important. Notice for fresh tenders herewith.—W.M., 19/12/78. Commissioner. Fresh tenders are invited on the score of the tenders being too high. I think the verbal objection might be otherwise met.—C.A.G.

No. 5.

Notice inviting fresh Tenders.

Department of Public Works, Railway Branch, Sydney, 19 December, 1878.

FRESH tenders will be received at this office until 11 o'clock on Tuesday, the 14th January, 1879, from persons willing to contract for building a new Passenger Station at West Maitland, Great Northern Railway.

Plan, specification, and form of tender may be seen, and further particulars obtained, at the office of the Engineer for Existing Lines, 45, Phillip-street.

Tenders to be endorsed "Tender for new Station, West Maitland."

The Commissioner does not bind himself to accept the lowest or any tender.

C. A. GOODCHAP,

Commissioner for Railways.

No. 6.

The Under Secretary for Public Works to The Commissioner for Railways.

Sir,

Department of Public Works, Sydney, 14 January, 1879.

The tenders, four in number, for the work specified in the margin are referred to you for report, and you will have the goodness, as early as possible, to return them to me direct, for submission to the Minister.

I have, &c.,

JOHN RAE.

Mr. Mason, B.C., 15/1/79.—CH. A. G.

New Passenger Station at West Maitland, Great Northern Railway.

No. 7.

Copies of Tenders.

Great Northern Railway—Station Building, Platform, and Carriage Docks at West Maitland.

I HEREBY agree to provide all necessary labour, tools, scaffolding, and materials of every description, and to execute the whole of the work required in the construction and erection of a station building, platform, and carriage dock at West Maitland, on the above railway, in strict accordance with the drawings and specification, to the satisfaction of the Engineer for Existing Lines, for the sum of seven thousand seven hundred and seventy pounds sterling (£7,770).

JAMES PRITCHARD,

West Maitland.

SCHEDULE OF PRICES ABOVE REFERRED TO.

	£	s.	d.
Excavations to foundations, earthwork, per cubic yard	0	2	6
Do. do. rock, do.	0	12	6
Brickwork, as per specification, do.	2	15	0
Masonry, axe-faced, with boasted beds and joints, per cubic yard	2	5	6
Do. clean chiselled dressed, per cubic foot	0	4	0
Do. do. rubble plain, per cubic foot	0	5	0
Do. do. moulded, do.	0	15	6
Countess slates, including battens, as per specification, per square	3	16	0
Hardwood timber of any scantling, sawn, framed, and fixed, at per cubic foot	0	2	7
Hardwood timber of any scantling, sawn, framed, fixed, and wrought, do.	0	3	6
Wrought cedar, 1 inch, per cubic foot	0	0	9
Do. $1\frac{1}{2}$ " do.	0	1	3
Render, float, and set walls, per superficial yard	0	2	3
L.P. it and set ceilings, do.	0	3	0
$\frac{3}{4}$ render in cement, gauged, 2 sand to 1 cement, do.	0	3	6
$1\frac{1}{2}$ T. and G. Oregon pine flooring boards, at per square	2	2	6
Milled lead in gutters, hips, flashings, &c., at per lb.	0	0	5 $\frac{1}{2}$
Painting, four coats whitelead in oil, per superficial yard	0	1	9
Varnishing, two coats, copal varnish, do.	0	1	2
No. 24 gauge kangaroo galvanized iron, per square	2	7	6

Great

Great Northern Railway.—Station Building, Platform, and Carriage Docks at West Maitland.

I HEREBY agree to provide all necessary labour, tools, scaffolding, and materials of every description, and to execute the whole of the works required in the construction and erection of a station building, platform, and carriage docks at West Maitland, on the above railway, in strict accordance with the drawings and specification, to the satisfaction of the Engineer for Existing Lines, for the sum of £7,795.

WILLIAM CAINS,
East Maitland.

SCHEDULE OF PRICES ABOVE REFERRED TO.

	£	s.	d.
Excavations to foundations, earthwork, per cubic yard	0	2	6
Do. do. rock, do.	0	5	0
Brickwork, as per specification, do.	2	5	0
Masonry, axe-faced, with boasted beds and joints, per cubic yard	3	0	0
Do. clean chisel-dressed, per cubic foot	0	5	0
Do. do. rubble, plain, do.	0	5	6
Do. do. do. and moulded, per cubic foot	0	10	0
Countess slates, including battens, as per specification, at per square	6	0	0
Hardwood timber, of any scantling, sawn, framed, and fixed, at per cubic foot	0	6	0
Do. do. wrought, do.	0	9	0
Wrought cedar, 1 inch, per superficial foot	0	1	6
Do. 1½ inch, do.	0	2	0
Render, float, set wall, at per superficial yard	0	3	0
Lath plaster ceilings and set, do.	0	3	6
¾ rendering in cement, gauged, 2 sand to 1 cement, per superficial yard	0	4	6
1½ G. and T. Oregon pine flooring-boards, per square	3	10	0
Milled lead, in gutters, hips, flashings, &c., at per lb.	0	0	7
Painting, 4 coats white lead in oil, per superficial yard	0	3	0
Varnishing, 2 coats copal varnish do.	0	2	6
No. 24 gauge kangaroo galvanized iron, per square	4	15	0

Great Northern Railway.—Station Building, Platform, and Carriage Docks at West Maitland.

I HEREBY agree to provide all necessary labour, tools, scaffolding, and materials of every description, and to execute the whole of the works required in the construction and erection of a station building and platform and carriage docks at West Maitland, on the above railway, in strict accordance with the drawings and specification, to the satisfaction of the Engineer for Existing Lines, for the sum of seven thousand eight hundred and sixty-five pounds (£7,865) sterling.

HENRY NOAD,
East Maitland.

SCHEDULE OF PRICES ABOVE REFERRED TO.

	£	s.	d.
Excavations to foundations, earthwork, per cubic yard	0	3	0
Do. do. rock do.	0	13	9
Brickwork, as per specification, do.	2	13	0
Masonry, axe-faced, with boasted beds and joints, per cubic yard	2	8	6
Do., clean chiselled, dressed, per cubic foot	0	5	0
Do., do. rubble, plain	0	6	6
Do., do. moulded	0	17	0
Countess slates, including battens, as per specification, per square	3	12	6
Hardwood timber of any scantling, sawn, framed, and fixed, per cubic foot	0	2	4
Do., wrought, per cubic foot	0	3	0
Wrought cedar, 1-inch, per superficial foot	0	0	7
Do., 1½-inch do.	0	1	2
Render, float, and set walls, per superficial yard	0	2	9
L.P.F. and set ceilings, do.	0	3	10
¾ render in cement gauge, two sand to one cement, per superficial yard	0	3	3
1½ T. and G. Oregon pine flooring boards, at per square	2	5	0
Milled lead in gutters, hips, flashings, &c., at per lb.	0	0	7
Painting, four coats, white lead in oil, per superficial yard	0	2	0
Varnishing, two coats, copal varnish, do.	0	1	4
No. 24 gauge kangaroo galvanized iron, per square	2	12	0

Great Northern Railway.—Station Building, Platform, and Carriage Docks at West Maitland.

I HEREBY tender and agree to provide all necessary labour, tools, scaffolding, and materials of every description, and to execute the whole of the works required in the construction and erection of a station building, platform, and carriage dock at West Maitland, on the above railway, in strict accordance with the drawings and specification, to the satisfaction of the Engineer for Existing Lines, for the sum of seven thousand eight hundred and fifty-seven pounds (£7,875) sterling.

JOHN McDONALD,
Werris Creek.

SCHEDULE OF PRICES.

	£	s.	d.
Excavation to foundations, per cube yard	0	2	9
Do. do. rock, do.	0	8	0
Masonry, axe-faced, with boasted bed and joint, per foot	0	4	0
Do. clean chiselled, dressed, per cube foot	0	5	6
Do. rubble, plain, do.	0	2	0
Do. do. moulded do.	0	8	0
Countess slates, including battens, per square	4	15	0
Hardwood timber of any scantling, sawn, framed, and fixed, at per cube foot	0	4	6
Do. wrought, do.	0	5	0
Wrought cedar at per 1 inch per square foot	0	1	6
Do. 1½ do. do.	0	2	0
Render, float, and set wall, per square yard	0	3	0
¾ do. in cement do.	0	5	0
1½ inch T. and G. Oregon pine floor, per square	2	2	0
Milled lead in gutters, flashings, &c., per lb....	0	0	5
Painting, four coats in white lead and oil, per yard...	0	3	0
Copal varnish, do.	0	2	6
No. 24 gauge kangaroo galvanized iron, per square	3	12	0

No. 8.

The Engineer for Existing Lines to The Commissioner for Railways.

Analysis of Tenders:—

James Pritchard... ..	£7,770.
William Cains	7,795.
Henry Noad	7,865.
John M'Donald	7,857.

Mr. James Pritchard's tender is the lowest, but I cannot recommend its acceptance, for the following reasons:—1st. It is £199 above his first tender, and £1,100 1s. in excess of my estimate, in which I allowed 15 per cent. profit in the work. I recommend that the work be carried out by this department, as there seems no probability of obtaining a satisfactory tender,—W.M., 17/1/79.

No. 9.

Memorandum of The Secretary for Public Works.

I CONCUR in recommendation of the Engineer for Existing Lines; at the same time, after so much delay having taken place, caused by the difficulty of obtaining eligible tenders, I think it desirable, in the interest of the public, as well as the department, that the work should be done within the time specified in the contract.—J.L., 20/1/79.

Mr. Mason, B.C., 20/1/79.—Ch. A. G. Noted.—W.M., 22/1/79. Commissioner.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

RAILWAYS.

(ACCIDENT AT PARRAMATTA STATION.)

Ordered by the Legislative Assembly to be printed, 13 January, 1880.

SCHEDULE.

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No. 1.

Inquiry held by Secretary of Railways at Parramatta Station, on 27th December, respecting the accident which occurred at that Station on the 26th December, 1879.

PRESENT:—

D. Vernon, Secretary of Railways.
 W. Mason, Engineer for Existing Lines.
 R. H. Burnett, Locomotive Engineer.
 W. Scott, Locomotive Overseer.

Witnesses examined:—

H. Richardson, Traffic Inspector.
 J. R. Thompson, Station-master, Parramatta.
 W. Price, Head Porter, Parramatta.
 John Winfield, Porter and Signaller, Parramatta.
 George E. Young, Resident of Parramatta.
 Thos. Carlisle, Traffic Manager.
 E. Harrison, Engine-driver.
 Walter Hambly, Engine-fireman.
 W. H. Chandler, Guard.

*Inspector Richardson:—*I was engaged on the Parramatta Station directing the running of the trains during the afternoon of yesterday; I had a printed notice of the running of the specials from Hawkesbury Racecourse, which showed the first one due to leave Blacktown at 5.40 p.m.; I had arranged for this train to run through No. 2 loop-siding at 6.0 p.m., passing a special which I had arranged to leave the platform at 6.5 p.m.; at 5.34 p.m. a telegram was handed to me by Mr. Thompson from the Traffic Manager, Blacktown, saying—"Let us go in front of 5.40 train"; I understood this to refer to the first special from the Racecourse; at the moment I received the telegram the train from Sydney was drawing into the platform; the station-master asked me if he should get the engine round at once, or wait until special alluded to in telegram had passed; I told him that if signals were at "danger" to get engine round at once, which was done immediately; Mr. Thompson, the station-master, then went towards the Sydney end of the platform to see, I believe, the engine brought round and attached in its proper place;

as I turned to go to the opposite end of platform the telegraph operator handed me another telegram from the station-master, Blacktown, which stated that first special had left at 5.30 p.m.; head-porter Price was standing near me at the time, and I said—"Get down to No. 2 points at once, as special has left Blacktown"; he started at once, but before he could get away the up-train was in sight; he ran as hard as he could to get to points, but could not reach them in time; I saw him the whole time; we were standing just at the end of the covered portion of platform; I saw at the rate special was coming on that it would be impossible for Price to reach the points in time to turn it on to No. 2 loop, and I shouted to the passengers who had filled the carriages—"Leave the train at once, or you'll all be killed"; I saw the up-train immediately I had ordered Price to get to the points, and when I saw it it was then as near as I could judge at the "distance" signal; Price started at once, without any hesitation—he did not lose a moment; the train was approaching at a very fast pace, so much so that I at once saw it would be impossible for the man to get to the points in time; the signals were all at "danger"; I had occasion to examine them just before, in connection with getting the engine of the Sydney train round; the "distance" signal is about 727 yards from the end of the platform; the points of No. 2 are distant 45 yards from the end of the platform; the distance from the end of the platform to where Price and I were standing was about 45 yards; the up-train was just coming on to the No. 2 points when I noticed the engine wheels suddenly reversed; the train appeared to me to be running free until this took place; the sudden reversing evidently checked the train; when the engine struck it must have been travelling about 6 or 7 miles an hour; any one approaching from Blacktown would see the distance signal from a distance of 350 yards; I have always looked upon Harrison, the driver of the up-special, as one of our best men, both steady and careful—I have never seen him the worse for drink, and I saw and spoke to him on this occasion; Harrison was evidently very much upset, suffering apparently from the shock to his nerves; when I saw him again, about 45 minutes after the accident had happened, he was entirely different, and appeared to have recovered himself; it was 5.38 p.m. when the collision took place; my attention, after this time, was devoted to working the trains; my orders during the day were given through the station-master, with the exception of the order I gave to porter Price to go to the points; when I threw up my hands I ran towards the end of platform, and was standing just clear of the brake of the train, which was standing at platform.

H. RICHARDSON, 27/12/79.

John R. Thompson:—I am Station-master at Parramatta, and was engaged carrying on the duties of the station yesterday, under Inspector Richardson's supervision; I received a printed notice of the running of the Hawkesbury specials; I received a telegram from Blacktown, which I handed to Mr. Richardson immediately, at 5.36 p.m.; I looked at my watch just after I handed him the telegram; it was arranged that engine of train which had just come in from Sydney should be got round, and this was done; I then went across Nos. 1 and 2 roads towards semaphore, for purpose of giving porter Price a signal when to let the up-special through No. 2 road; I heard Mr. Richardson order Price to go to the points, and this was immediately after I caught sight of the engine approaching from Blacktown; my signals were at "danger"; I don't think more than a minute could have elapsed from the time I saw the engine until the collision took place; when I first saw the approaching engine she was just coming out of the cutting beyond the Park platform; when I left Inspector Richardson and Price we were as near as possible opposite the lamp-room door; I was standing at the semaphore when collision took place; I noticed that the up-special was not pulling up, but coming on; I should say train was travelling about 12 miles an hour over Church-street Bridge; it is not usual to have a man standing at No. 2 points; the points are kept under lock, and a man is only sent to attend to them when a train or engine is expected and has to be let through the loop; I do not consider it necessary to keep a man there on special occasions.

JOHN R. THOMPSON.

William Price, Head Porter, Parramatta:—I remember receiving instructions from Mr. Richardson and the station-master to get the engine of the train which had come in from Sydney shunted round as quickly as possible; I had the engine cut off and run into No. 2 road; the station-master told me to stand by, and he would give me a signal when the No. 2 loop was clear; I was standing on the platform within 2 or 3 yards of Mr. Richardson when I saw the special coming; she was then between the two bridges nearest the station; I then started to run for the points, but the crowd of passengers somewhat interfered with my progress at first; when I got to the end of the platform the up special was just over No. 2 points; I then turned back, and called to the passengers to get out; as far as my knowledge of the traffic of the station serves me, the special was coming in at a greater speed than I have ever seen a train coming in with signals against her; she was coming at a great speed when I first saw her—much quicker than when she got to No. 2 points; the signals were all at "danger"—I examined them before I had the engine shunted; Charles Roberts turned the engine of the train from Sydney into No. 2 points; I think if I had seen the train immediately it came out of the cutting, that I might have reached the points first, but I could not possibly do so as it was, for I didn't see the train until she was between the two bridges.

W. PRICE.

John Winfield:—I am Platform Porter, and in charge of the signals—I was in charge of them yesterday afternoon; the signals were at "danger" at the time of the accident; they were put at "danger" when the No. 8 up Western passenger arrived, and remained at "danger" until after the accident had happened.

JOHN WINFIELD.

George E. Young:—I was standing in the balcony of my house immediately opposite the station when my attention was drawn to Mr. Richardson and the head porter, Price, who threw up their hands, when almost immediately I saw a train approaching coming across the Church-street Bridge at what I considered a very rapid pace; I am constantly in the habit of seeing trains come into Parramatta, but never saw one come at such a pace across the bridge; I ran across to the station, and on my way the collision took place; my attention was particularly drawn to the driver by two or three residents of Parramatta, and my first impression was that he was under the influence of drink, but after seeing the man, and conversing with him this morning, I am satisfied that the impression was an erroneous one, and that the expression on his face which led me to infer that he was not sober is a natural one.

Mr.

Mr. Carlisle :—We arrived at Blacktown at 5:24, left Blacktown at 5:25 p.m., changed engines at Blacktown, and No. 15 engine was attached to the train; before leaving Blacktown I instructed the officer in charge, Mr. Fitzsimmons, to send telegram to Parramatta that special would run in front of the 5:40 p.m. up-suburban, which was in accordance with previous practice; after leaving Blacktown at 5:25 p.m., we ran at about the rate of 40 miles per hour, until we reached the viaduct, about a mile from Parramatta; steam was shut off there and tender brake applied, but rails were slippery, and brakes did not appear to hold; when we reached the Park platform I observed the train standing at station, and no one at the points leading into the No. 2 loop siding; at this time driver and fireman were using every means to pull up; the driver reversed at the Domain platform; as soon as we reached the second bridge from station I observed Mr. Richardson on the platform holding up his hands, but no more could be done to stop our train; driver had whistled for guards' brakes I think about the Domain platform; the train I was on consisted of nine first-class carriages, inclusive of a composite brake; I remember the driver asking me whether I thought there would be any special train at the Domain platform—this was two or three miles back; I consider Harrison, who was driving the train I was with, one of the most careful men in the department; he was, I consider, sober and fit to take charge of a train—there was no sign of intoxication about him; after the accident had occurred, Mr. Fosbery, Inspector General of Police, spoke to me, and said that some people were remarking that the driver was not sober, and wished me to see; I went again on to the engine, but I could detect no sign of intoxication about him, and I instructed him to take his train on to Sydney; Mr. Fosbery himself expressed his opinion that the driver was sober; after train had started for Sydney, Mr. Evans also came and informed me that some people were objecting to his having charge of the train, and suggested that Mr. Driver, M.P., should be requested to see Harrison; Harrison was called off his engine, and Mr. Driver stated that he considered him sober; I then got on the engine and accompanied the train to Sydney; it was as near as possible 5:39 p.m. when we struck the carriages at a speed, I should say, of about 5 miles per hour.

THOS. CARLISLE.

Mr. Carlisle further examined, 28/12/79 :—Left Clarendon at 4:50, engines attached were Nos. 5 and 129; I was not looking out for signals; I do not think that guard's brake was whistled for until after distance signal was passed; before coming to Domain platform I noticed that the fireman and driver were aware of the signal being against them, from the manner in which fireman applied his brake; to the best of my recollection the engine was reversed between the two bridges nearest Parramatta.

Driver Edward Harrison :—I was driver of the up special which left Blacktown at 5:29 p.m. yesterday afternoon; the Traffic Manager was on the engine with myself and fireman; the Traffic Manager asked me to make Parramatta before the 5:40 p.m. up suburban train left; the time to leave Blacktown, according to time-table received from Mr. Cobb, was 5:40 p.m. I told Mr. Carlisle I could do it, and ran accordingly; when within 200 yards from "distance" signal, I saw it "danger"; I was not running prepared to pull at "distance" signal, but at the station; after passing "distance" signal had brakes more tightly screwed on; I also whistled for guard's brake, but found that brakes could not hold the train, on account of the greasy state of the rails from a shower of rain; finding brakes could make no impression on train, I reversed engine and had the sand running; this was between the two bridges nearest the station; this made some, but very little impression on the train; I then noticed a train standing at platform and no one at points; my engine was single-wheeled with brakes on the tender—no brake on engine; in consequence of being requested to make Parramatta by a certain time, I did not approach the "distance" signal at such a speed as to allow me to pull up at it; I did not expect it to be against me, and I understood my train to have been telegraphed on from Blacktown; the Traffic Manager told me that he wanted to make Parramatta, and asked me if I could make it, and I said "Yes;" I have run the same train on previous race occasions, and have always found the station clear for me to run through; from this time until I struck the carriages standing at platform I had the whistle open; when my engine struck I was going at not less than seven miles an hour—not more than eight; I can only say I did all I possibly could to stop my train, and afterwards in assisting to clear the wreck away; I was perfectly sober, having had a glass of beer for dinner at 2 p.m., and nothing after that; I had eight six-wheeled and two smaller four-wheeled carriages, one of which was furnished with a brake; this comprised the whole of the train; I know the rule that requires a driver to stop at the "distance" signal; I shut off steam coming under the overhead bridge, from which the gradient is a descending one to Parramatta station; when I said I could make Parramatta, I calculated upon the station being clear; I looked at my time passing over Domain viaduct and it was then 5:38 p.m.; I have driven the same class of engine before, but not with so heavy a train; I was aware that there were ten vehicles on my train (which amounted to fourteen ordinary vehicles) before leaving Blacktown; I did not reverse before passing Marsden-street bridge because I did not perceive until then that there was a train standing at the platform; I did not consider it necessary to reverse before because I reckoned to be passed through one of the loops; I have often run specials through Parramatta, but have always found some one at the points either to steady or to pass me through the loop; I do not run through Parramatta on an average about three times a month; I did not think it necessary to use every means to stop my train when I first saw the "distance" signal at "danger," as I reckoned upon finding a man at the points; I saw the semaphore at "danger," and thought I could approach that far; it is not my usual practice to bring in a train in this manner, but I considered this to be an exceptional occasion, and that having to pass the 5:40 up at Parramatta the station would be prepared for me.

EDWARD HARRISON.

Harrison further examined, 28 December, 1879 :—Did not whistle for guard's brake until after passing distant signal, as I did not think it necessary; reversing is generally the last expedient a driver uses; I did not reverse before, because I did not think it necessary; I thought I should be able to pull up even after passing the distant signal, and before reaching the main signal.

To Mr. Carlisle: Mr. Carlisle did not say anything to me about the signals—he did not tell me to disregard them; I remember crossing over from my side to the fireman's about the Domain platform, with the object of getting a better view of the station.

Walter Hambly, fireman to Harrison :—I do not know the exact time we left Blacktown yesterday afternoon; I remember the Traffic Manager was on the engine, and before leaving Blacktown he said to Harrison, "Push on Ned—we must get to Parramatta to leave before the 5:40"; coming round the cutting, at about

about 20 or 25 miles per hour, I saw the distant signal against us, when I put the brake on and opened the sand gear; I said, "Wo! Ned," and my mate immediately whistled for guard's brakes; finding brakes took no effect, my driver reversed his engine, when he was between the two bridges nearest the station, and kept the engine in that position until we came to a standstill; we cannot see the distant signal from any great distance, and we did not approach it at any greater speed than from 20 to 25 miles per hour; steam was shut off, I believe, before we came to the overhead bridge, which is the spot at which most men shut off.

WALTER HAMBLY.

William H. Chandler, Guard:—I was guard of the first up special leaving Clarendon platform yesterday afternoon; we left Clarendon at 4:55 p.m., arrived at Blacktown at 5:28 p.m., and left at 5:30 p.m.; we made a very quick run until we came within sight of the distant signal; I had my brake hard on at the time; it is usual to apply the brake at that spot; immediately after passing distant signal the driver whistled for the brake, which was hard on at the time, and I strained it with all my might upon hearing the whistle; the brake was a light one (four wheels), and without sand gear; I used every exertion in working the brake, but it did not seem to check the speed of the train much; I looked at my time after the accident and found it to be 5:39 p.m.; my train was composed of ten vehicles—eight of them six-wheeled and two four-wheeled, one of which made the van.

WM. H. CHANDLER.

Telegrams.

From Station-master, Blacktown, to H. Richardson, Parramatta.
First special just left at 5:30. Your message understood.

Memo. from Traffic Manager, Blacktown, to Station-master, Parramatta.
Let us go in front of 5:40 train.
The above received at Parramatta at 5:33 p.m.—26/12/79.

From Station-master, Parramatta, to Secretary of Railways. December 31/79.
The No. 8 up Western train left this station on Friday last, 26th inst., at 5:33 p.m.

From Station-master, Junction, to Secretary, Redfern. December 31/79.
Western train arrived at 5:40 p.m., and left at 5:43, thirteen minutes late.

No. 2.

Secretary of Railways' Report.

Accident at Parramatta, 26th December, 1879.

I HAVE respectfully to submit for the Minister's information the result of the investigation held respecting the collision which occurred at Parramatta on Friday evening last, the 26th instant, through a special passenger train, which was returning from the Hawkesbury Racecourse, running into a train partially filled with passengers, which was standing at the Parramatta platform.

At the outset I may remark that I was on the spot as soon as possible after receiving information of the accident; as far as lay in my power I saw that everything was done for those who had sustained injuries, and at the same time arranged to hold an inquiry on behalf of the Commissioner on the following morning. This was done, but I did not consider it necessary to employ a shorthand reporter, as it would have tended to make the evidence unnecessarily voluminous and delayed my report to the Minister, which would have been inadvisable in view of the very natural and great anxiety on the part of the public to have information as to the cause of so serious and unfortunate an accident. Mr. Mason, Engineer for Existing Lines,—Mr. Burnett, Locomotive Engineer,—and Mr. Scott, Locomotive Superintendent,—kindly assisted me in conducting the inquiry.

After hearing the evidence of the several witnesses examined, I deemed it necessary that the driver of the Hawkesbury special train should be suspended pending the decision of the Minister, and gave instructions accordingly on Saturday evening.

The particulars of the accident, as elicited at the inquiry, are as follows:—Inspector Richardson was engaged on the 26th in superintending the traffic arrangements between Sydney and Parramatta, and was at the latter station on the afternoon and evening of that day. He had been supplied with a printed notice from the Traffic Manager's office of the times at which the specials would return from the Hawkesbury Racecourse, and according to this notice the first was timed to leave the course at 4:55 p.m., Blacktown at 5:40 p.m., and to pass through Parramatta at 6 p.m., for which Mr. Richardson arranged accordingly.

At 5:34 p.m. a train from Sydney arrived at the Parramatta platform, and about the same time a telegram from the Traffic Manager—who was then at Blacktown with the first return special—was handed to Mr. Richardson, by the station-master (Mr. Thompson), the latter officer says at 5:36 p.m. This telegram said, "Let us go in front of the 5:40 p.m. train." An arrangement was then made between Mr. Richardson and the station-master, and immediately carried out, to uncouple the engine of the train just arrived from Sydney and get it round to the other end of the carriages. It was further arranged that head-porter Price should go to the points leading into the loop through which the special would require to be passed, and open them when signalled to do so by the station-master, who had himself to go over to the semaphore, so that he would be able to see when the engine was clear of the loop, and then signal to Price to open the points for the expected special.

Immediately after these arrangements were made and the three officers named had just separated, another telegram was handed to Inspector Richardson by the telegraph operator; this telegram was from the station-master at Blacktown, and stated that the special left Blacktown at 5:30 p.m. Mr. Richardson therefore at once ordered Price, who was at the time within a few yards of him, to lose no time in getting to the points, as the special had left Blacktown.

It

It is, I think, necessary to remark here, that the Parramatta distant and main signals being at "danger," whatever orders were issued or arrangements made in connection with the reception and passing through of this special train were not given with any other idea than that of avoiding delay to the said train, and to allow of the signals being lowered at the proper time, for while they remained at danger the train, according to all rules of railway working, must be regarded as shut out. It would not, therefore, occur to a railway servant that under such circumstances the question of the safety of a train was involved.

To resume, however: Mr. Richardson had only just read the second telegram and given direction to porter Price, when he caught sight of the train running into the yard at such a speed as to render it, in his opinion, impossible for Price to get to the points in time, and he therefore at once shouted to the passengers, who were crowding into the carriages at the platform, to leave them or they must be killed.

Before Mr. Thompson could get off the platform to proceed to his post at the semaphore, he also caught sight of the special running in rapidly, and before more than another minute had elapsed the accident had taken place—not later, according to both Mr. Richardson and Mr. Thompson, than 5:38 p.m.

In porter Price's case, it would appear that he had not gone many yards in the direction of the points, after getting directions from Mr. Richardson, when, as he states, he too saw the train approaching at a speed he never saw equalled by a train coming into Parramatta. When first he saw the train it was between the Marsden and Church Streets bridges, or about a distance of 200 yards from the points leading into the loop to which Price was going. He states that he ran for the points, considerably impeded at first by the passengers crowding the platform, but he had not got beyond the end of the platform when the train was over the points, and all he could then do was to run back and to do what he could to get the passengers out of the carriages.

I shall now proceed to state the particulars as regards the special train which, according to the printed notice, was timed to leave Blacktown at 5:40 p.m. Having arrived there from the course earlier than was anticipated, the Traffic Manager (who accompanied it) determined to proceed to Parramatta at once and get ahead of the train that leaves that station daily at 5:40 p.m.

Having instructed that a telegram to that effect was to be dispatched to Parramatta, and after asking the driver if he could make Parramatta in time, and receiving a reply in the affirmative, the train left Blacktown at 5:29 or 5:30 p.m.—the driver says the former, but the guard and station-master at Blacktown give the latter; Mr. Carlisle says 5:25 p.m., but this I consider must be an error, because if the train had left Blacktown at 5:25 p.m. and arrived at Parramatta at 5:39 p.m., which Mr. Carlisle states was the case, it could not have run at the speed which he states that it did run, viz., 40 miles per hour, the two statements being inconsistent. I have little doubt that Mr. Carlisle must be mistaken in giving the time as 5:25 p.m.

Upon arriving at the overhead bridge at a distance of $1\frac{1}{4}$ mile from Parramatta, steam was shut off and brakes applied, and, upon sighting the distant signal (which is 770 yards from the station buildings, and can be seen 350 yards from the western side), both driver and fireman observed it to be at danger, and the latter appears to have screwed the brake hard down. The guard's brake had also been put hard on before then, but the brakes, it was perceived, had little effect. There was evidently no pretence of stopping at the distant danger signal, and it was not until after passing it that the guard's brake was whistled for by the driver. This being, however, as I have stated already, hard on, the guard could only strain it again, and subsequently worked it as he states, to the best of his judgment and power. When the train was at a distance of about 200 yards from the loop points the driver states that he reversed his engine, and it was then observed that a train was standing on the platform, that no one was at the points, that Inspector Richardson was making hand signals for the approaching train to stop, and that the danger into which they were running became apparent to those on the engine.

There can be no doubt that from this time the driver left no means untried to stop his train, and attract by whistling, the attention of the station officials to the danger of the position. The speed of the train could not, however, be reduced to less than seven or eight miles an hour when it struck the carriages at the platform. The station officials say at 5:38 p.m., and those on the engine 5:39 p.m.; I prefer to take the former as the more correct time, so that if the train left Blacktown at 5:29 p.m. it took only nine minutes to run $7\frac{1}{2}$ miles. These are the simple facts of the case as revealed by the inquiry, and as I believe they occurred.

From the facts already stated, there appears to me no ground whatever for blaming or reflecting upon the officials at Parramatta. There can be no doubt that in the face of all the danger signals the special train ran into Parramatta at a most unusual and unwarrantable speed, precluding altogether the possibility of any provision being made to avert the consequences of so flagrant a breach of the rules. Apart from porter Price's own positive assertion as to the impossibility of his reaching the points in time to turn the special into the loop, his statement is confirmed by the fact that when Inspector Richardson first caught sight of the train, an immediate and certain impression was made upon his mind that Price had not the remotest chance of reaching them in time, and that an accident was inevitable. That such was the impression made is evident by his (Mr. Richardson's) instant efforts to get the passengers out of the carriages standing at the platform.

The very fact that all the up signals were at danger was, or should have been, all that was required to secure the perfect safety of everything standing in the station-yard. The statement alluded to in the evidence, that on previous race occasions a corresponding train had always run through and found a man at the points is entirely beside the question. On these occasions it was distinctly signalled and authorized to pass through, but on this occasion it was as distinctly signalled not to approach.

With respect to those in charge of the engine the case is very different. The person upon whom the responsibility of the accident principally and directly rests is, in my opinion, driver Harrison, who admits in the most truthful and straightforward manner that the way in which he ran his train into Parramatta was contrary both to the rules and his usual practice.

"Rule 359. When a train or an engine approaches an advanced signal at danger or any other danger signal, the engineman must come steadily so as to stop at the danger signal, and having first ascertained that there is no obstruction, he is immediately to move his train cautiously within the protection of such signal, and draw very slowly on so far as the circumstances will allow. If at a station, the main or station signal, if maintained at danger, must however be approached in strict conformity with rule 360."

"Rule 360. When an engine or train approaches any main or station signal set at danger, the driver must take care to keep his train in command, so as to stop, if necessary, at the outside shunting points of the station; and he must not in any case foul such points or come up to the platform until he has

has ascertained that the line is clear, and that it is perfectly safe for him to do so. The driver must in all cases approach cautiously any station where his view of the line throughout the entire station-ground is obstructed, in consequence of the line being on a curve, gradient, or from any other cause."

"Rule 373. The driver, on receiving the distance danger or any other danger signal when approaching a station or junction, must stop his train outside of that signal; but immediately he has ascertained that the line is clear beyond such signal, he must, if possible, go on very slowly to the station or junction, so as to be perfectly secure from any following engine or train. Should he be compelled to remain outside, the guard, or, in his absence, the fireman, or some other competent person, shall immediately go back 800 yards with a red signal, to stop any coming trains."

"Rule 382. In approaching junctions, and before arriving at stations, the driver must reduce his speed in proper time, so as to have the engine completely under his command, and enable him to stop altogether, if necessary, before arriving at a junction, or before entering a station, and he must at all times be careful to stop exactly at the proper part of the platform; and to do this properly engineers in bringing up their trains are to pay particular attention to the gradients, state of the weather, and condition of the rails, as well as to the length of the train; and these circumstances must have due weight in determining when to shut off steam. If necessary, he must use the signals ordered for the guard to apply his brake."

He confesses that both distant and main signals were against him, and gives as his reasons for running his train within sight of the distant signal at such a speed as not to permit of its being obeyed in the event of its being at danger, his anxiety to meet what he no doubt considered were the wishes of the Traffic Manager, and having been given to understand by the Traffic Manager that his train had been telegraphed out from Blacktown to Parramatta he expected a clear road. Harrison evidently did not expect to have to contend with a danger signal, hence his reasons for not reducing speed to a greater extent than was the case before sighting the distant signal. After passing that signal he still considered that he would, if necessary, be able to pull up his train before reaching the platform, and so did not reverse his engine as soon as he would otherwise have done.

He found also, when too late, that he had not sufficiently calculated for the unusual weight of his train, the limited amount of brake power at his disposal, or the greasy state of the rails. These points should be taken into consideration in fairness to Harrison, although they cannot be accepted as an excuse for his serious error.

While, however, it appears perfectly clear that the principal offender is the driver, the Traffic Manager must to some extent be regarded as having been in charge of the train; and the presence of such an officer is generally supposed to constitute an additional guarantee that the train he accompanies will be safely and properly worked, and that, at all events, his presence will act as a check to anything in the shape of a breach of the rules. Having while at Blacktown determined upon making a change in the running time of the special, every precaution should have been taken to prevent such change from resulting in any harm. It is evident, however, that when the train left Blacktown nothing was known as to whether or not the telegram respecting the altered arrangements had been received at Parramatta, and consequently, it could not have been known whether or not Parramatta would be either ready or able to let the special pass through. Under such circumstances as these, it is much to be regretted that no word of warning or caution was given to the driver which would have had the effect of checking the speed at which he was driving when so close to Parramatta station.

There is another matter also which cannot be overlooked, viz., the amount of brake power attached to the special train. It would only have been prudent, considering the number and weight of the vehicles on the train, to have attached another brake-van and guard; and, seeing the Traffic Manager accompanied the train, it is to be regretted that this also escaped attention.

I see no alternative, notwithstanding his previous very excellent character, than to recommend the dismissal of driver Harrison.

In the Traffic Manager's case, I can only repeat what I have before stated,—it is very much to be regretted that, under all the circumstances of the case, greater prudence was not exercised on his part.

As far as I can ascertain, the following are the names of those who received any injury from the collision:—Joseph Murphy, Enmore; Robert Turkington, St. Peter's; Annie Bradshaw, "Captain Cook Hotel"; Josephine Harris, "Captain Cook Hotel"; Mrs. Gardiner, Abercrombie-street; Mr. Gardiner, Abercrombie-street; Mr. Broughton, Scone; Mr. Frankfort, 619 George-street; Mr. Goldsmith, Vine-street, Eveleigh.

With the exception of two of these cases the injuries are, as far as can be gathered, not of a serious nature, and in the other two cases the injuries, I have every reason to hope, will not prove so grave as was feared.

The consequences of the collision to the rolling stock are as follows:—Two second-class vehicles completely destroyed, one ditto ditto materially injured, one engine very slightly injured.

The total cost of replacing and repairing is estimated at £836.

The witnesses examined at the inquiry were:—Mr. Carlisle, Traffic Manager; engine-driver Edward Harrison; fireman Walter Hambley; guard William H. Chandler, travelled from Blacktown with the special train; inspector Richardson; station-master Thompson; head porter William Price; and porter Winfield; officials at Parramatta; Mr. G. E. Young, resident of Parramatta.

I enclose the notes of evidence which I took at the inquiry.

D. VERNON,
(For Commissioner for Railways).

No. 3.

Minute of Secretary for Public Works.

Railway accident at Parramatta, December 26, 1879.

I HAVE read over carefully the papers in the above case, and cannot help expressing a feeling of deep regret that, on an occasion such as the holiday of the 26th December last, when so many people were seeking recreation on our railways, an accident should have occurred which might have resulted in most terrible death to a large number of passengers; and it is painful to have to come to the conclusion that this was brought about principally by the want of care of the driver of the engine and the Traffic Manager.

Manager. As it was determined at Blacktown to alter the running time of the special, it was the duty of the Traffic Manager to have exercised the greatest possible caution regarding the approach to Parramatta, particularly considering the very short space of time which would elapse between the period of the telegram from Blacktown being dispatched and the time of arrival of the train at Parramatta station, which the evidence shows amounted altogether to only 9 minutes.

This circumstance alone shows the necessity for the most abundant caution, and in the face of the possibility of the telegram not having reached its destination, or from other causes the Parramatta station not being open to receive the special, it does not appear that the Traffic Manager in any way suggested to the engine-driver the necessity of exercising that caution which should have been shown on the occasion. Driver Harrison, who it appears was working under the directions of the Traffic Manager, started from Blacktown at 5.29 p.m., with the view of passing the train arranged to leave the Parramatta station at 5.40 p.m., and to do this, ran at what must have been an unusually rapid pace; he shut off steam on approaching the distant signal, when it was found that the brakes had very little effect upon the velocity of the train. The driver asserts that he had a greater number of carriages than is usual with that engine, also that the rails were greasy from a recent shower; all these, I take it, are contingencies which it was the duty of the driver to be prepared for, especially when travelling at so fast a rate as he must have been travelling some part of the distance between Blacktown and Parramatta, nor does it appear to me at all to palliate the circumstance by stating that he expected the station to be clear. He ought to have regarded the signal, which it was his duty to do.

I regret having to perform the duty of visiting with censure and punishment two officers of the department who, in their respective spheres, have, up to the present time, merited well of the Railway Service, and it is the more to be regretted that in this case they did not exhibit the same care and prudence which they have been remarkable for hitherto. The Traffic Manager, who was on the engine with the driver, should have warned the latter of the necessity for extra caution, with a train heavier than was usual for the engine to work, and in view of the possibility of his telegram not arriving at all, or of the station being closed to them from other causes. All these circumstances ought to have pointed out to the Traffic Manager the necessity of the greatest possible caution. It is, moreover, more than probable that the driver would, in some measure, feel partially relieved of his responsibility by the presence on the engine of the Traffic Manager, and not be found showing the same caution as if on his engine alone, when his responsibility would have been undivided.

Under the circumstances, I feel it to be necessary to express my strong sense of disapprobation of the conduct of the Traffic Manager, Mr. Carlisle, who will be mulcted in the penalty of one month's salary.

Driver Harrison will be, and is hereby, disgraced to the position of third-class fireman.

I avail myself of the opportunity of expressing my warm approval of the conduct of Inspector Richardson, to whose prudence and readiness in giving alarm is due the fact of so many lives having been saved.

J. L.

No. 4.

The Secretary, Railway Department, to The Commissioner.

Parramatta accident papers.

In handing the papers connected with this case to the Commissioner, I think it desirable, in view of the criticisms which have appeared in the public Press, to avail myself of the opportunity of offering a few words of explanation with respect to my action in the matter.

In the *Sydney Morning Herald* of the 29th December, it is stated that a reporter presented himself at the office where the inquiry was being held, and was refused admission, on the ground that the matter was one of no "public interest," &c. As far as I am concerned I can most emphatically pronounce this to be a misstatement, nor do I know that any foundation exists for asserting anything of the kind. I explained to some gentlemen of the Press the purpose of the inquiry, and the reason why it was out of place, as well as out of my power, to make public information which it was my duty to lay before the Minister for Works, from whom, if they would wait upon him, they would be able to obtain all the information they could desire. It is an equally mistaken assertion, so far as my knowledge extends, that any witness was cautioned against communicating any information to the Press, although I am glad to find they had the good sense to act as they did.

The accident being of so serious a kind, I considered that no time should be lost in placing before the Minister such information as would enable him to understand and deal with the case. Hence my reason for holding an immediate investigation.

From personal inquiries made by me on the evening of the accident, the reason and explanation of what had occurred appeared so obvious that I considered it would be a waste of time to hold a more formal and lengthened inquiry than was necessary to make plain the cause of the accident, and upon whom the responsibility lay. Hence the comparatively brief notes of evidence taken down. Each man's statement was, however, carefully read over to him before his signature was attached. I do not hesitate in saying that half a dozen questions were all that were really required to enable a practical man to arrive at a clear and just decision on the subject.

For example, in seeking to determine the cause of the accident, we are met at once by the undisputed fact of the *Parramatta signals being at danger*, which at once relieves that station of all direct responsibility, and fixes it upon those in charge of the special train. Then we have another indisputable fact, that this was the *proper* position for the signals, seeing that trains were arriving and departing in quick succession.

A long and heavy train had left Parramatta for Sydney at 5.33 p.m. (which only reached the Junction at 5.40, and left there at 5.43), while another train had arrived at the platform from Sydney at 5.34. Rule 73 (*vide* book of Rules and Regulations) orders that on double lines signals must be kept at danger for five minutes after an engine or train has proceeded on its journey, and it follows, therefore, that even if the yard could have been cleared, the signals should not have been lowered until 5.38, by which time the accident had happened.

As far as the Parramatta staff is concerned, the only question, therefore, which remains to be answered is—Could anything have been done more than was the case to avert or mitigate the consequences in such an emergency? A very little consideration will, I think, settle this question. An examination of the

the telegraph tapes shows that the instruments could not very well have ceased working before 5:34 p.m. By the time the messages were transferred to paper and delivered in the first instance to the station-master, read and taken by him to Inspector Richardson, it may well have been, as Mr. Thompson states from an examination of his watch it was, 5:36 p.m. Mr. Thompson had consulted and left Mr. Richardson before the other message announcing the departure of the train from Blacktown reached the latter officer's hands, and it must then have been fully 5:37 p.m. After opening and reading the message, and giving porter Price instructions to be off to the points, Mr. Richardson looked up and saw the special sweeping into the yard, by which time the 38th minute past 5 (the time of the collision) must have been half or three-quarters spent.

Porter Price states he did his best, but could not get beyond the end of the platform. The train, when he first caught sight of it, he says, was between the two bridges, and from where Price started he must have had 80 or 90 yards to run, as against about 200 yards which the train had to travel before reaching the points.

It is not difficult to imagine which would win the race.

It has been suggested that if Inspector Richardson had rushed for the points immediately he perceived the train coming, time would have allowed of his reaching them soon enough to turn the special into the loop road. Apart from the fact that a man was already running for these points, Mr. Richardson states that there was no time for doing anything of the kind. He did, in my opinion, a much more sensible thing in warning the passengers and clearing the rear carriages of the train standing at the platform. This he succeeded in accomplishing. Had he attempted the other course and failed, the fate of the passengers, who, unaware of the danger, were pressing into the carriages, would, I fear, have been a terrible one. The propriety of having on holiday occasions a man stationed at the points, as a provision against accidents, has been hinted at, but such an idea is perfectly unreasonable. If accidents are to be anticipated to such an extent as this, and a man is required at one set of points, a man must be stationed at every set, and *signals* being recognized as no proper protection might as well be dispensed with.

Of course, had the officials at Parramatta known that a train was going to break through their signals and rush into the yard at such a rate—that a life and death matter was impending,—why of course a little more might possibly have been accomplished; but they neither knew nor anticipated anything of the kind, and all such speculations are idle. If railway servants are not to be justified in depending upon their signals for protection, no one can say where their responsibility ends.

There can be no difficulty, therefore, in answering the last question.

The staff at Parramatta cannot reasonably be expected to have done more than they did in the sudden emergency, for the bringing about of which they were in no way responsible.

The case as against Parramatta may therefore be dismissed, and the most lengthened inquiry could result in nothing more. The responsibility for what occurred rests clearly with those in charge of the special train, and no one with the slightest knowledge of the rules and necessities for safe and efficient railway working will for a moment dispute that the *driver* is directly and principally responsible for the accident. He is not, like the guard, an employé of the Traffic Manager's staff; he has his own rules, which clearly define his duties and responsibilities, and he is required to take no instructions from either a guard or a Traffic Manager which in his opinion are inconsistent with the proper and safe working of his engine;—the entire control of the train is in his hands (not excluding the guard's brake). Harrison's evidence is straightforward and truthful, but it is perfectly plain that he paid little or no attention to the distant signal, and altogether miscalculated what he could do between that and the main semaphore. I have no hesitation in saying that if Harrison's case were submitted to a Jury composed of twelve of our best drivers they would unanimously pronounce the same verdict in his case as I have done.

Although the presence of a Traffic Manager in no way lessens a driver's own responsibility (which is to the Locomotive Engineer and not to the Traffic Manager), it should certainly have been of greater service to a driver than appears to have been the case in the present instance. A Traffic Manager takes his stand on the engine for the purpose of being able to communicate directly, instead of through the guard to the driver, all information respecting the road in advance of him, &c., and which would be serviceable to him in working his train. In a secondary degree, I fully admit that the Traffic Manager must accept a share of the responsibility for what took place. With regard to the question of brake power,—while I consider another van and guard should have been attached to so heavy a train, their absence in no way relieves the driver.

When a driver takes charge of a train he sees the brake power he has to depend upon, and should be guided accordingly. The Traffic Branch is, however, responsible for the making up of the train, and it would have been better, in my opinion, had another van formed a part of it.

Had the inquiry extended over a month no other verdict could have been arrived at than that the responsibility for the accident rested upon those in charge of the special train, the driver being the principal offender, and the Traffic Manager being also responsible, but in a much lesser degree.

D. VERNON,
10/1/80.

[Plan.]

PLAN

showing locality of accident on Railway

AT

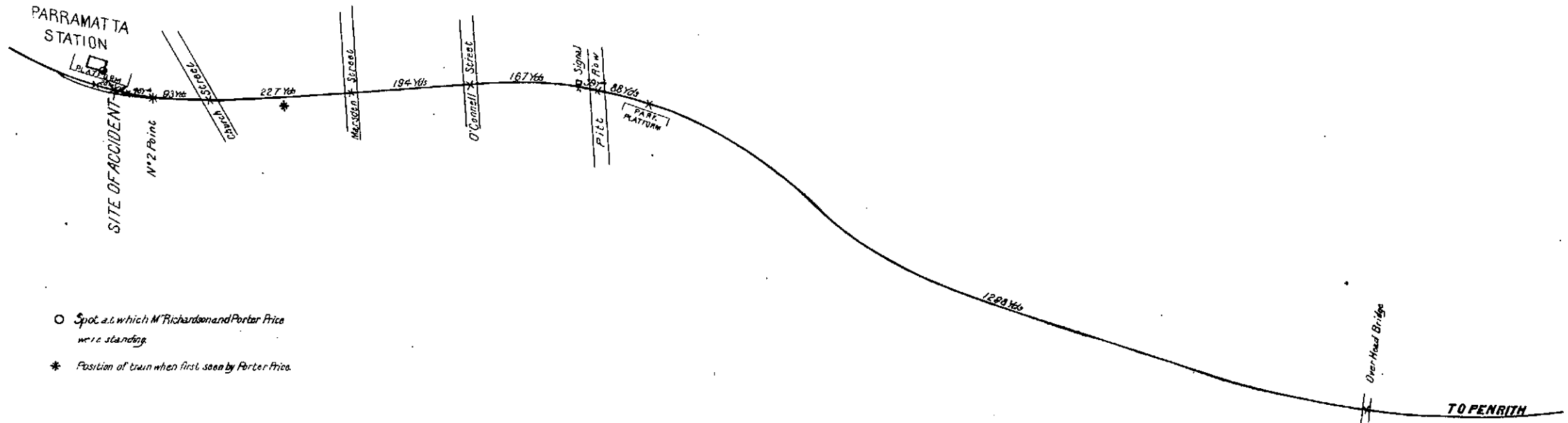
PARRAMATTA STATION,

on 26th Dec^r 1879.

SCALE OF CHAINS



PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.



(Sig 212)

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

RAILWAYS.

(GOODS-SHED, MOSS VALE—CORRESPONDENCE AND PETITIONS.)

Ordered by the Legislative Assembly to be printed, 11 May, 1880.

RETURN to an Order made by the Honorable the Legislative Assembly of New South Wales, dated 11th December, 1879, That there be laid upon the Table of this House,—

“Copies of all Petitions and other Correspondence as to the opening of a
“second approach to the Railway Goods-shed at Moss Vale.”

(Mr. Garrett.)

SCHEDULE.

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RAILWAYS.

No. 1.

The Traffic Inspector to The Traffic Manager.

Extract from Traffic Inspector's Report on Moss Vale, dated 9/6/79.

THERE is a large quantity of heavy timber shipped at this station. The present approach to the siding for loading is not sufficient. There is a space between the goods shed and dock 240 feet by 30 feet requires pitching and ballasting; at present the timber waggons are sinking axle deep all along this place.

There is a bank on the north end of the goods shed 130 feet by 20 feet by 4 feet requires removing. This will give additional room for ten trucks to be discharged or loaded.

The quantity of goods in and out has so much increased that these additional improvements are necessary.
Traffic Manager. A.C.

On personal inquiry and examination of the above station, I found that the alterations, additions, and improvements suggested by Mr. Crawford are necessary.—THOS. CARLISLE, 27/6/79. Commissioner.

In approving of this, I think it would be well to consider the proposal made some time since to obtain a road from the Old South Road to the goods-shed. This would be a great improvement.—J.L., 11/7/79. Mr. Mason, B.C., 18/7/79.—CH. A. G. I will instruct Inspector Lewton to carry out the work recommended by Traffic Manager. Cost will be charged to Schedule G.—W.M., 21/7/79. Commissioner. Traffic Manager to see.—G.B., B.C., 23/7/79. Inspector Crawford to see.—T.C., 24/7/79. Seen.—A.C., 25/7/79. The Commissioner.—T.C., 26/7/79.

No. 2.

Petition from Residents of Burrawang, &c., respecting approach to Moss Vale Railway Goods-shed.

To the Hon. John Lackey, Esq., M.L.A., Minister for Works.

The Petition of the undersigned landholders, principally residents of Burrawang, Robertson, and Kangaroo Valley,—

RESPECTFULLY SHOWETH:—

That for some time past your petitioners have laboured under serious disadvantages through the want of a second approach near the cattle yards to the goods-shed at Moss Vale.

That the traffic with produce from the districts abovenamed to Moss Vale has nearly doubled within the last two years. Hitherto the whole of the produce was brought in by carriers, but now most of it is delivered by farmers themselves, hence there are five vehicles arriving now for one a year or two ago.

That since the establishment of Barrett, Hayter, & Co.'s saw-mills and oatmeal mills at Burrawang there are several teams of bullocks engaged conveying timber, &c., to and from these mills. These drays convey 8 tons at a load, and are drawn by sixteen bullocks. Turning one of these teams round the very sharp turn to the present approach is attended with the greatest difficulty, and through them accidents have nearly occurred to those in buggies or lighter vehicles visiting the station.

Your petitioners would also point out that on the arrival and departure of trains the roadway at the station is often blocked up with buggies, carriages, &c., making it extremely dangerous to have heavy teams passing through them.

That your petitioners are all consignors of produce by railway from Moss Vale, and that nearly three-fourths of the produce goes from the eastern portion of the district; that to get to the goods shed they have at present to travel 26½ chains further down a steep hill and round a sharp turn, making in the return trip a distance of 53 chains more than if an approach to the shed was made direct from the old south road near the railway stockyards, which is only one and a quarter (1¼) chains distant.

Your petitioners therefore humbly pray that on account of the narrowness and inconvenience of the present approach—the increase of traffic to the goods-shed—the shortness of the proposed road—the avoidance thereby of the hill to the present approach—and the very small cost of forming the proposed new roadway—you will be pleased to take these premises into your earnest consideration, and grant their request.

And your petitioners, as in duty bound, will ever pray, &c.

Dated at Burrawang, this 24th June, 1879.

J. CAMPBELL, J.P.

D. MOFFITT, J.P.

And 107 others.

The Commissioner will recollect that I called his attention to this matter (verbally) a few days ago. Perhaps it would be well that the facility were given. I have no doubt it would be a great convenience to the residents of the districts named within, and would give much more direct and easy access to the goods shed.—J.L., 22/7/79.

Will Mr. Mason say what he proposes to do. The Minister's views were expressed on Minute Paper re extra siding at Moss Vale sent to Mr. Mason on 18/7/79.—CH. A. G., B.C., 22/7/79.

I have no proposal to make about this. As far as I can see, this second approach might be dispensed with. It would sever our land and only save a distance of 15 chains, and the estimated cost is £563 13s. It might also prove inconvenient if any further siding accommodation had to be put in on that side of the goods-shed.—W.M., 5/8/79. Commissioner.

The representations made show that the present approach is inadequate, and even dangerous. I should like to have the Traffic Manager's report.—CH. A. G., 14/8/79.

Additional

Additional approach to Moss Vale Goods-shed.

With reference to the enclosed petition for an additional approach to the Moss Vale Goods-shed, I find on inspection that I would not be justified in recommending such a large expenditure without some more substantial benefit resulting either to the department or the public.

On reference to the enclosed plan it will be seen that not more than 250 yards can be saved in the distance by making the proposed road; the gradients in each case will be about the same, say 1 in 20.

As to the danger in turning round the sharp angle of the present approach to the station, this is more imaginary than real, and nothing short of reckless and careless driving could cause accidents. The approach might be improved by removing a small portion of the fence, which could be done by three or four of the permanent way men in a few hours.

The proposed road would be about 6 chains long and half a chain wide, with a gradient of about 1 in 20; there will be about 5 feet of earth to be removed at the deepest part, reduced to nil at 70 or 80 yards.

It is possible that it may be necessary to put in a siding on the eastern side of the yard; if so the proposed road would be in the way.

I think under the circumstances it would not be desirable to incur the large expenditure and possible inconvenience without very careful consideration.

THOS. CARLISLE,
25/8/79.

The Commissioner.

No. 3.

Captain Onslow, M.P., to The Under Secretary for Public Works.

Sir, Camden Park, Menangle, 1 November, 1879.

I am informed that some time ago a petition was sent to the Secretary for Public Works from certain residents at Burrawang, praying that a new road might be opened to the goods-shed at the Moss Vale Railway Station; will you kindly inform me if anything has been done in the matter.

Yours truly,
ARTHUR ONSLOW.

Captain Onslow has called to know what answer he can have to this petition.—D.V., 6/11/79. The Minister, after making full inquiry, does not consider it desirable that the road approach referred to should be made, but steps will be taken to improve the present approach.—CH.A.G., 7/11/79.

Inform Captain Onslow. Mr. Mason, B.C., 8/11/79.—G.B. I should like to know in what respect it is desired to have the existing approach improved.—W.M., 14/11/79. The Commissioner. The approach, as shown in accompanying sketch, is at a very acute angle at point marked A—this is to be rounded off a little.—CH.A.G., 24/11/79. Mr. Mason, B.C. Mr. Lewton to carry out improvement as shown in sketch.—W.M., 28/11/79.

No. 4.

The Commissioner for Railways to Captain Onslow, M.P.

Sir, Department of Public Works, Railway Branch, Sydney, 7 November, 1879.

I have the honor, by direction of the Secretary for Works, to acknowledge the receipt of a petition from the landholders and the residents of Burrawang, Robertson, and Kangaroo Valley, praying for an additional approach to the Moss Vale goods-shed, and to inform you that Mr. Secretary Lackey after making full inquiry does not consider it desirable that the road approach referred to should be made, but instructions will be given to improve the present approach.

I have, &c.,
CH. A. GOODCHAP,
Commissioner for Railways.

No. 5.

Capt. Onslow, M.P., to The Under Secretary for Public Works.

Sir, 26 November, 1879.

I have received the enclosed letter from Mr. Battye, relative to the opening of a second road to the goods-shed, Moss Vale, on which subject I wrote to you some ten days or a fortnight ago. If the Secretary for Works thinks proper to give any reasons, I shall be glad to forward such reasons to my constituents.

Your obedient servant,
ARTHUR ONSLOW.

Railways.—G.H., B.C., 27/11/79.

[Enclosure to No. 5.]

Mr. J. R. Battye to Captain Onslow, M.P.

Burrawang and West Camden Farmers Club and Agricultural Society,
Burrawang, 21 November, 1879.

Dear Sir,

Yours received in reference to the petition for the second approach to the Railway Station, Moss Vale, and beg to state that the petitioners think the Secretary's answer scarcely satisfactory, and they wish you kindly to ask his reasons for considering the second approach not desirable. If they deem his objections reasonable they will let the matter drop, but not otherwise, as it is generally admitted that what is asked for would be a public benefit.

Hoping that you will see the Secretary for Works as soon as convenient to yourself, and thanking you for the interest you have already taken in the matter,—

I am, &c.,
J. R. BATTYE.

Minutes on No. 5.

Let me have the papers relating to the proposed new road to goods-shed, Moss Vale.—J.L., 10/12/79. Commissioner for Railways. Submitted for the Minister's information, as requested by him in his minute of 10/12/79.—CH. A.G., 12/12/79.

No. 6.

No. 6.

Minute of Mr. Secretary Lackey.

Moss Vale.—Additional approach to Station.

I HAVE had several interviews with the Members for the district, who strongly urge the great convenience that it would be to the residents of Burrawang, Robertson, and others in this district if the road approach asked for were made. I have examined the spot myself, and find that the distance of new road is very small, and that the present approach is very inconvenient. Under these circumstances Mr. Mason will be requested to have an outlet from the Moss Vale goods-shed to come out near the entrance to the cattle-yards made. I think where pencil-marked the gradient is not so great. Captain Onslow and Mr. Garrett to be informed. J.L., 7/1/80.

Engineer for Existing Lines.—D.V., 7/1/80. Urgent. Will be carried out as directed.—
W.M., 12/1/80. Comr. Seen.—CH. A. G., 14/1/80.

No. 7.

The Commissioner for Railways to Mr. Garrett, M.P., and Captain Onslow, M.P.

Sir, Department of Public Works, Railway Branch, Sydney, 16 January, 1880.

In reference to your personal representation respecting the additional approach required at the Moss Vale Station, I have the honor by direction of Mr. Secretary Lackey to inform you that the Engineer for Existing Lines has been instructed to have an outlet made from the goods-shed, near the entrance to the cattle-yards, and the work will be carried out without delay.

I have, &c.,

CHAS. A. GOODCHAP,
Commissioner for Railways.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

RAILWAY TRAFFIC.

(WOOL RECEIVED AT SYDNEY STATION FROM 1ST OCTOBER, 1879, TO DATE—WITH NAMES OF CONSIGNEES.)

Ordered by the Legislative Assembly to be printed, 27 January, 1880.

[Laid upon the Table of the Honorable the Legislative Assembly, in pursuance of answer given to Question No. 2 of the Orders of the Day, dated the 27th January, 1880.]

RETURN showing the number of Bales of Wool received daily at Sydney Station from 1st October, 1879, to date, with names of Consignees and Quantity consigned to each.—20/1/1880.

WOOL RETURN.—October, 1879.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total.
W. H. B. & Co.	20	39	44	97	256	48	4	...	1	35	48	20	1	...	23	124	...	29	246	232	209	243	1,719
Bank N.S.W.	13	48	31	49	20	58	83	...	160	...	92	554
McDonald Smith.....	...	48	24	48	48	11	84	12	12	10	6	...	81	17	401
Harrison, J. D.	1	...	1	4	13	47	...	18	70	...	12	37	91	...	57	27	28	33	12	95	...	28	51	101	186	155	1,067
D. Cooper	44	...	...	...	...	...	...	...	...	...	...	...	85	...	...	...	41	...	83	10	4	...	...	...	...	26	...	...	12	395	
Dalton Bros.	45	15	10	...	70
Commercial Bank	22	...	...	10	11	14	...	...	31	...	...	...	...	...	...	57	...	9	98	25	...	...	36	...	31	106	34	125	14	623	
Brown & Co.	29	...	...	133	78	...	...	...	...	...	...	32	...	16	...	...	...	32	46	...	...	34	...	...	29	15	18	...	462	
Mort & Co.	7	...	2	...	36	...	...	29	...	9	48	...	31	35	66	...	51	21	87	69	80	155	...	70	194	30	84	129	1,233	
A. M. L. & F. Co.	113	...	8	325	40	...	136	67	...	...	48	119	10	51	268	...	...	90	136	39	65	50	...	30	148	43	422	214	2,362	
Maiden, H. & C.	91	...	...	...	...	...	...	...	...	...	3	3	...	...	...	...	...	6	...	...	95	...	...	6	...	38	...	14	341	
J. Bridge.....	1	...	...	...	...	...	...	3	3	...	1	2	...	...	...	...	...	11	...	25	...	...	7	...	...	...	53	
Allan & Co.....	29	...	...	...	...	...	...	...	...	...	...	...	36	...	18	22	11	...	29	24	...	...	24	...	12	...	205	
Hon. S. Samuel	40	...	...	43	36	...	...	...	21	...	5	69	19	...	...	21	36	9	11	25	...	...	10	...	43	23	411	
H. Austin.....	68	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	32	20	20	45	...	...	30	29	...	21	265	
Hinchliffe.....	12	8	...	...	...	16	...	...	7	...	...	23	27	...	...	...	...	23	...	47	...	...	38	47	27	...	275	
Flood & Co.....	11	...	...	...	94	...	...	...	...	...	...	...	...	...	15	...	...	...	...	7	93	...	220	
Fraser & Co.....	21	...	20	...	...	...	7	...	32	...	...	...	42	...	40	...	...	...	32	23	48	...	265	
A.J.S. Bank.....	26	...	27	...	...	...	...	12	...	...	34	26	15	22	...	...	...	...	27	21	39	249	
N. Z. L. & M. Co.	43	32	80	64	75	...	83	48	425
Bright Bros.	35	...	...	...	...	...	...	...	...	...	...	...	...	...	...	48	...	...	83	
Dulgetty, B. & Co.	30	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	133	...	164	
Inglis	1	1
H. Moore.....	45	32	77
Lorimer, Rome	70	...	...	...	...	...	...	...	...	...	10	...	...	...	80	
Barden.....	29	...	...	...	...	...	...	...	...	...	...	...	27	...	56	
Montefiore, J. & Co.	4	9	33	...	30	...	76
Richardson & W.	12	12
Griffiths & W.	12	12
F. L. Barker	3	3	6

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WOOL RETURN.—October, 1879—continued.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total.	
Dangar, Geddye	27	17	...	10	...	54
Pitt, Son, & B.	13	...	...	...	...	...	13	
Talbot & Co.	7	...	...	...	...	...	7	
Thompson	62	...	...	...	...	62	
Geddes	2	...	...	2	4	
R. G. Higgins	6	...	...	...	...	6	
Buckland	9	...	...	...	...	9	
Goldsbrough	41	...	41	
T. & W. Willis	4	12	...	16	
A.S.N. Co.
Total	33	199	68	338	...	20	490	500	...	316	295	...	154	493	146	115	347	847	...	239	576	611	263	508	668	...	477	1151	786	1626	1018	12,284	

CHARLES PAULL,
22/1/80.

WOOL RETURN.—November, 1879.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	Total.		
W. H. B. & Co.	121	...	91	101	227	185	1	197	...	...	100	215	183	206	214	...	100	43	...	194	19	222	...	52	61	79	136	86	57	...	2,890
Bank N. S. W.	63	20	60	...	20	61	68	128	13	126	7	44	94	59	...	48	70	54	73	...	1,008	
M'Donald Smith	17	...	34	64	20	...	12	5	...	...	12	...	15	...	5	...	...	55	...	...	...	...	...	...	...	...	...	13	28	...	302
Harrison J. & D.	16	...	112	250	191	130	177	189	...	...	177	101	240	209	207	...	135	107	139	213	203	137	...	275	159	162	221	168	597	...	4,515
D. Cooper .....	...	...	...	22	...	...	...	...	...	...	16	...	...	...	...	...	...	...	...	...	20	45	...	...	...	...	...	3	...	...	106
Dalton Bros.	49	...	...	...	...	25	...	3	...	...	41	11	2	...	...	...	...	...	6	5	...	7	...	16	6	1	16	18	12	...	218
Com. Bank .....	...	...	26	126	67	31	197	9	...	...	50	72	112	43	4	...	42	67	97	53	58	83	...	125	73	60	58	102	130	...	1,685
Brown & Co. ....	...	...	141	11	58	17	10	...	...	...	41	49	101	11	11	...	11	11	...	...	...	5	...	10	...	10	10	10	10	...	527
Mort & Co.	126	...	77	281	302	152	220	235	...	...	231	277	292	319	430	...	337	313	251	282	142	334	...	705	446	286	254	362	587	...	7,241
A. M. L. & F. Co.	17	...	160	148	31	334	124	178	...	...	88	226	67	453	49	...	294	132	27	153	...	137	...	143	148	140	213	75	148	...	3,485
Maiden H. & Co. ....	...	...	59	...	57	124	29	183	...	...	241	213	147	170	147	...	42	284	61	52	154	19	...	105	488	201	34	58	29	...	2,897
J. Bridge	2	...	10	7	3	41	...	20	...	...	13	50	53	28	15	...	33	38	58	14	22	20	...	63	34	19	4	11	52	...	610
Allan & Co.	15	...	79	...	...	...	15	...	...	...	15	64	16	...	10	...	...	...	...	...	4	...	31	...	28	...	...	...	...	...	277
Hon. S. Samuel	23	...	14	20	45	11	...	...	...	...	32	16	30	42	...	...	19	19	...	28	10	1	...	33	22	38	21	6	12	...	442
H. Austin	64	...	57	16	72	...	89	12	...	...	45	121	22	...	...	...	9	27	126	83	...	...	...	33	35	...	41	...	56	...	937
Hinchcliffe .....	...	...	...	50	10	15	17	8	...	...	37	...	57	4	8	...	35	31	71	76	64	40	...	30	72	...	13	93	53	...	784
Flood & Co. ....	...	...	...	...	...	...	...	...	...	...	...	...	60	...	...	...	84	...	...	...	...	...	...	15	...	...	...	...	...	...	159
Fraser & Co. ....	...	...	39	...	...	34	...	14	...	...	...	18	70	...	55	...	...	...	...	...	24	38	...	...	26	64	...	50	...	...	519
A. J. S. Bank	12	...	...	16	25	39	52	21	...	...	92	60	10	6	50	...	18	25	19	70	15	83	...	71	37	33	34	34	24	...	846
N. Z. L. & M. A. Co.	32	...	...	67	99	52	7	19	...	...	18	45	49	79	32	...	...	...	55	110	1	81	...	34	71	160	21	18	132	...	1,182
Bright Bros.	51	54	105	
Dalgetty B. ....	...	...	...	14	145	39	...	54	...	...	52	26	231	61	...	...	8	18	243	...	23	84	...	70	45	9	...	7	15	...	1,144
H. Moore .....	...	...	75	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	24	...	...	12	...	...	...	...	...	73	...	...	184
Lorimer Rome .....	...	...	...	5	28	149	...	36	...	...	25	...	...	...	...	...	37	30	...	...	10	131	...	32	49	19	...	71	126	...	748
Montefiore J. & Co.	15	...	62	56	93	...	46	7	...	...	...	...	18	...	...	...	...	22	50	20	...	17	...	16	169	71	39	12	74	...	787
Richardson & W. ....	...	...	...	...	...	19	...	...	...	...	26	...	...	...	...	...	...	...	3	2	...	6	...	38	...	46	...	41	5	...	186
F. L. Barker .....	...	...	3	...	5	...	...	...	...	...	25	...	8	...	...	...	2	...	...	...	...	...	...	...	...	...	18	...	8	...	69
Dangar Geddye	17	17	17	...	16	12	17	112	
Talbot	59	17	43	...	29	...	24	16	...	188
Thompson	21	50	...	25	190	

WOOL RETURN.—November, 1879—continued.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	Total.
Geddes												1																			1
R. G. Higgins													40							11	30										81
Haigh	29			13		19							6	20	16																291
Pitt Son & B.	13					2	35							2																	52
M'Minn & Co.			2																												2
Woods & Co.			2																												2
G. H. Clough			10				10					10								10							10	10			60
J. D. V. Lamb			28		24																										258
W. Sloane				12		65																									161
Lamb & Co.				43																40											98
P. N. Trebeck					130												10									34	21				184
City Bank																					6							7	24		27
Cunningham & Co.					9																	12									13
D. Cohen & Co.						13																									70
G. R. Dibbs					41							29																			363
Gilfillan & Co.							12				37	56								99				26	30			47	56		49
H. Beit								14					14	11							10										38
A. H. M'Culloch											35																		3		78
C. J. Buckland												35						43													27
Shortland & Co.												17														10					6
F. Ebsworth												6																			54
E. Vickery															34																1
Caird Patterson																															270
Gilchrist Watt & Co.																		72	142						13	43					113
G. A. Vider																					21							24	44		2
Campbell & Co.																					2										69
Exhibition																						15							54		1
Scholes																						1									3
Inglis																						3									2
Sullivan & S.																						2									32
Mercantile Bank																															103
King & Co.																								54		49					66
Louoragan																											42	24			20
Total	568		1003	1472	1671	1616	1080	1342			1362	1875	1989	1710	1556		1336	1404	1593	1530	884	1730		2131	2225	1638	1222	1523	2480		36940

WOOL RETURN.—December, 1879.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total.	
W. H. B. & Co.	154	69	100	146	118	45		77	11	74	26		104			47	44	126	23			59	180	170						60	104	49	1786
Bank N.S.W.	66	27	52	57		63		48	59	30	27	21			20			13	18	8			76	15						33	88	16	737
McDonald Smith	20	20	18	13		20					218				11				30														363
Harrison, J. & D.	74	261	319	261	380	155		201		278	165	169	253		416	20	162	116	180	376		291	443	213						245	318	167	5463
D. Cooper			99	22					26			8	18	18		23		2			47		7	8								278	
Dalton Bros.		19	28	18				23	23		17	2			9		3		17			13	8	8						5	20	19	232
Coml. Bank		223	284	82	187	67		124	116	167	52	205	101		14	85	92		88	56		67	87	95					61	61	83	2397	

WOOL RETURN.—December, 1879—continued.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total.		
Brown & Co.	32	10	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	40	7	...	...	...	...	...	...	...	89	
Mort & Co.	178	412	434	254	804	255	...	400	749	370	444	275	514	...	463	505	460	234	300	359	...	307	559	275	...	...	...	343	281	149	9324	
A. M. L. & F. Co.	139	20	239	147	107	194	...	129	84	11	47	30	140	...	94	107	...	47	30	58	...	...	2	84	...	...	...	...	207	26	1942	
Maiden, H. & Co.	7	54	101	157	152	121	...	32	13	125	49	46	32	...	...	95	38	52	94	13	...	144	58	45	...	...	...	5	6	57	1496	
J. Bridge	9	58	95	23	34	9	...	18	94	20	32	1	38	...	7	44	38	37	18	50	...	35	16	61	...	...	...	14	...	...	751	
Allan & Co.	...	10	...	...	...	...	...	...	18	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	28
Hon. S. Samuel	...	129	39	28	50	...	...	24	34	35	34	20	14	...	10	23	18	13	30	29	...	...	46	15	...	...	...	...	84	18	693	
H. Austin	...	68	25	96	42	45	...	25	94	28	49	...	13	...	5	21	26	77	6	71	...	...	...	22	...	...	...	...	56	78	847	
Hinchcliffe	...	88	75	71	81	42	...	53	187	35	54	53	109	...	10	109	92	109	35	67	...	37	87	25	...	...	...	1	104	26	1550	
Flood & Co.	...	...	...	...	23	...	...	...	7	...	...	...	...	...	...	120	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	150
Frazer & Co.	10	10	24	22	...	11	...	3	25	24	...	...	...	...	...	...	32	...	...	21	...	...	...	...	...	...	...	...	...	...	...	182
A.J.S. Bank	34	16	...	31	...	...	...	64	76	39	...	...	10	...	25	40	134	21	...	...	...	3	6	16	...	...	...	...	20	...	535	
N.Z.L. & M. Co.	...	...	85	54	100	50	...	...	75	94	60	127	169	...	...	40	17	...	49	74	...	52	76	...	...	...	...	18	...	...	1140	
Bright Bros.	...	...	...	52	...	...	...	...	...	...	...	...	...	...	...	21	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	73
Dalgetty B. & Co.	41	58	50	146	...	...	...	4	91	...	36	...	31	...	39	...	16	...	...	52	...	134	40	150	...	...	...	23	24	19	954	
Ship Cairnbulg	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	64
Lorimer, Rome	117	220	...	...	91	105	...	24	28	54	...	...	135	...	118	...	31	...	...	56	...	86	24	31	...	...	...	102	103	44	1369	
Caird, Patterson	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	36	...	...	...	...	...	...	...	36
Montefiore, Joseph	...	22	37	43	...	65	...	24	27	65	...	16	69	...	50	...	...	...	55	...	...	36	...	8	...	...	...	87	47	...	651	
Clough	10	...	37	10	...	12	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	32
Gilchrist, Watt, & Co.	81	58	...	11	21	44	...	42	73	109	26	...	35	...	50	...	151	25	...	...	48	64	49	...	...	...	...	...	46	...	933	
F. L. Barker	1	10	...	...	6	...	...	23	...	...	...	34	17	...	1	...	...	...	35	22	...	...	8	38	...	...	...	8	...	...	209	
Lamb & Co.	11	54	27	11	...	14	...	...	...	2	...	...	6	...	...	10	...	...	...	...	...	6	...	5	...	...	...	...	...	7	...	153
G. R. Dibbs	60	1	...	...	12	28	...	...	103	...	...	30	...	...	120	...	51	...	50	28	...	...	41	96	...	...	...	12	...	158	790	
P. N. Trebeck	...	20	...	...	50	23	...	30	...	24	...	...	...	...	...	25	...	...	...	78	...	...	57	...	...	...	...	10	...	...	317	
McCulloch	...	23	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	23
Thompson	...	56	...	...	...	...	...	...	...	21	...	...	...	...	...	18	...	...	...	...	...	16	16	...	...	...	...	...	...	...	...	127
Campbell	...	25	...	...	4	22	...	...	38	...	...	...	...	...	...	49	...	...	...	...	...	25	8	...	...	...	...	...	...	...	...	171
King	...	28	...	...	4	...	...	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	30
Richardson & W.	...	22	3	20	34	...	...	20	...	18	19	...	32	...	27	...	16	27	...	8	...	...	24	...	...	...	...	...	15	...	...	269
Montgomery	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	17
Haigh & Son	...	...	52	40	28	...	...	...	24	...	...	40	...	...	13	4	...	...	...	9	...	...	46	...	...	...	...	...	39	21	...	316
Loneragan	5	13	18	
Talbot	...	...	...	138	22	...	...	...	...	22	...	28	...	...	...	41	20	...	...	7	...	72	...	...	...	...	...	31	...	...	...	381
City Bank	11	31	22	...	14	6	87	
Duralk	6	6	
Garling	3	3	
Buckland	5	5	
Glasson	3	3	
Geddes	2	2	
Young & Lark	77	2	30	13	3	125	
Waring	14	14	
Sloane	46	31	77	
Wonson	3	6	14	2	23	
Saddington	25	4	31	
T. Leonard	30	30
Cohen	20	20
H. Moore	5	117	122	
Exhibition	2	2
McNamarra	59	59
Oswald Bloxsome	13	13
Total	1044	2092	2191	1964	2386	1401	...	1395	2400	1722	1145	1156	1878	...	1527	1403	1566	927	1030	1528	...	1508	1897	1563	1161	1637	1017	37538		

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WOOL RETURN.—From 1st to 20th January, 1880.

	2	3	5	6	7	8	9	10	12	13	14	15	16	17	19	20	Total.
Wright H. & Co.	10	28	98	66	3	...	106	...	40	130	11	2	3	22	38	39	596
Bank N. S. W.	30	...	...	...	71	18	10	...	13	7	...	5	...	37	23	36	250
M'Donald ....	...	...	...	...	...	104	...	...	...	8	...	...	...	...	...	...	104
Harrison J. & Co.	90	36	121	27	125	24	99	164	7	34	57	9	50	89	32	36	900
D. Cooper ....	...	...	...	...	...	...	...	...	45	20	...	22	...	...	3	42	132
Dalton Bros.	3	...	...	14	...	...	...	...	...	...	...	...	...	...	2	...	19
Commercial Bank	26	144	39	32	8	124	115	140	16	198	159	90	...	105	...	14	1219
Mori & Co.	302	218	120	272	163	117	97	68	130	309	135	79	55	166	243	131	2605
A. M. L. & F. Co.	89	31	...	114	...	103	26	...	...	...	...	163	20	37	18	...	601
Maiden, Hill	49	...	12	26	...	91	12	12	13	5	34	10	1	...	15	164	444
J. Bridge	15	...	7	10	2	5	1	...	26	...	...	11	...	...	1	5	83
Allan & Co. ....	...	...	...	...	...	...	...	...	...	...	...	...	...	35	...	...	35
Hon. Saul Samuel.	51	32	37	19	42	46	33	39	27	24	50	34	...	34	16	16	500
H. Austin ....	...	...	...	...	...	...	...	...	10	12	...	18	...	...	8	...	48
A. Hinchliffe	103	...	...	150	8	10	103	...	69	...	8	...	...	...	27	2	480
Flood ....	...	...	84	...	...	22	...	...	...	10	12	4	...	...	...	...	132
Frazer ....	...	...	...	...	...	...	...	...	11	...	...	...	...	...	...	...	11
A. J. S. Bank	4	...	...	9	9	...	18	20	...	...	21	...	...	...	4	...	93
New Zealand L. Co. ....	...	...	...	...	110	76	...	41	10	26	...	1	6	...	21	...	291
Dalgetty & Co. ....	...	108	...	...	43	...	38	99	...	...	13	...	...	...	...	19	320
H. Moore ....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Lorimer R. & Co.	70	...	24	105	66	34	44	...	12	24	...	48	...	...	...	24	451
Montefiore J. & Co.	37	...	...	6	18	...	29	...	11	...	8	...	...	5	...	...	114
Richardson & W. ....	...	...	...	18	...	2	...	...	...	...	...	1	...	...	...	...	21
F. L. Barker	8	1	...	...	...	...	19	...	...	16	79	...	...	82	...	4	209
Talbot & Co. ....	...	...	...	...	...	...	12	2	...	...	...	...	...	...	...	...	14
H. Haigh	40	40	28	20	22	18	15	...	...	37	17	...	7	32	...	22	298
W. Sloane ....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	30	5	35
P. N. Trobeck ....	...	...	...	4	...	59	...	...	9	...	...	...	...	...	...	...	72
City Bank ....	...	...	...	...	...	...	115	...	...	...	...	...	...	...	30	...	145
G. R. Dibbs ....	...	...	25	...	...	...	...	76	...	...	...	25	48	36	...	39	249
A. H. McCulloch ....	...	12	...	...	...	15	...	...	...	...	...	123	59	...	...	32	241
Presscott. ....	...	...	...	...	4	...	...	...	...	...	...	...	...	...	...	...	7
W. Inglis ....	...	...	...	...	7	...	...	...	...	...	...	...	...	...	...	...	7
Gilchrist, Watt & Co.	20	...	78	...	49	...	2	...	...	...	12	...	...	5	...	...	166
Thompson ....	...	...	...	...	...	...	40	...	...	...	...	...	...	...	...	...	40
Campbell ....	...	...	...	...	...	...	...	...	...	...	...	...	24	...	...	...	24
Bloxcombe	43	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	43
Mercantile Bank ....	...	24	...	...	...	...	...	...	...	...	...	...	...	...	...	...	24
Lamb ....	...	...	11	...	...	...	...	...	...	...	...	...	...	...	...	...	11
Total.....	990	674	684	892	750	868	934	670	440	869	616	645	308	650	511	630	11031

CHAS. PAULL.
22/1/80.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MR. DANIELS, RAILWAY TRIAL SURVEYOR.

(DISMISSAL OF—CORRESPONDENCE.)

Ordered by the Legislative Assembly to be printed, 11 May, 1880.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated the 30th April, 1880, That there be laid upon the Table of this House,—

“Copies of all Correspondence in reference to the dismissal of Trial-Surveyor Daniels from the Department of Engineer-in-Chief for “Railways.”

(Mr. Hurley, Hartley.)

SCHEDULE.

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MR. DANIELS, RAILWAY TRIAL SURVEYOR.

No. 1.

Mr. A. M. Daniels to The Engineer-in-Chief for Railways.

Sir, Railway Survey Camp, Doyle's Receiving House, near Bungendore, 18 July, 1879.
In forwarding to you by this post my account books, I have the honor to explain that the cheques numbered 303, 304, 305, 308, and 309, and deposited with me after payment by the men in whose favour they were drawn, were lost or stolen in transmission through the post. Payment of them was stopped, and cheque No. 138,310, drawn in favour of myself, substituted.

The bank pass-book, if not returned to your office, is still in the hands of the bank, forwarded on the 24th ult.

I have, &c.,

A. MANNING DANIELS.

No. 2.

The Chief Clerk to Mr. A. M. Daniels.

29 July, 1879.

REFERRING to your letter of the 18th inst., relative to certain cheques lost in course of post, I have to request you to forward your private cheque to cover the Public Account cheque, No. 138,310, amounting to £35 9s.

Your Public account must be drawn upon for men's wages and contingent expenses only. Any other claim must be submitted for consideration to the Engineer-in-Chief, and dealt with upon its merits in due course.

W. H. QUODLING.

Books returned under separate cover.

No. 3.

Mr. A. M. Daniels to The Engineer-in-Chief for Railways.

Sir, Railway Survey Camp, near Tarago, 2 August, 1879.

I have the honor to acknowledge receipt of memorandum No. 79/781, dated the 29th of July, 1879, in which the Chief Clerk, referring to my letter to you of the 18th ult., requests me to forward my private cheque to cover the Public Account cheque No. 138,310, amounting to £35 9s.

The second paragraph of the memorandum states: "Your Public Account must be drawn upon for men's wages and contingent expenses only. Any other claim must be submitted for consideration to the Engineer-in-Chief, and dealt with upon its merits in due course."

As I have not drawn upon my public account for other than the objects specified, and have no claim to prefer, I can only conclude that the memorandum quoted was written under some misapprehension of the facts of the case as stated in my letter of the 18th ult.

I am not aware of any circumstance that could be added to the explanation to which I beg to refer you as accounting fully for the item of £35 9s. drawn in my own favour upon cheque No. 138,310 on my public account.

I am, &c.,

A. MANNING DANIELS.

Minute by Engineer-in-Chief for Railways.

From Mr. Daniels' letters it appears that he paid the wages of his men for the month of June by cheques from his public account, and afterwards the men deposited these cheques with him for, I presume, safe keeping. Mr. Daniels afterwards sent these cheques through the Post-office, and they appear to have been lost. He then draws another cheque from his public account to reimburse himself for the loss of the former cheques. In fact Mr. Daniels becomes banker for his men, and then expects the Government to pay his losses. If Mr. Daniels had left the cheques in possession of the men he would have had no occasion to draw a second cheque, and not having done so he must be responsible for the loss, should the first cheques be presented.—J.W., 11/8/79.

Copy of Engineer-in-Chief's memo. to be forwarded to Mr. Daniels.—W.H.Q., 11/8/79.

No. 4.

The Chief Clerk to Mr. A. M. Daniels.

12 August, 1879.

WITH reference to your letter of the 2nd instant, relative to lost cheques, I enclose herewith a copy of the minute made thereon by the Engineer-in-Chief, and have to request a prompt compliance with my memo. 79/781 of the 29th ult.

W. H. QUODLING.

No. 5.

Mr. A. M. Daniels to The Engineer-in-Chief for Railways.

Sir, Railway Survey Camp, Tarago, via Goulburn, 16 August, 1879.

I have the honor to acknowledge the receipt of copy of the minute made by you upon my letter of the 2nd instant, in reply to the Chief Clerk's memorandum, No 79/781. In reply to that minute, I beg to draw your attention to the fact that the original cheques, being crossed to the credit of my account with

with the Bank of Australasia, were unnegotiable, and that therefore the second cheque was merely a duplicate of the first, which remained and must remain unpaid, seeing that their loss was advertised, and payment of them stopped at the Bank of New South Wales.

It is now more than two months since these cheques were stolen, and any probability, if indeed it ever existed, of their being presented is now infinitesimal.

Had the first cheques been cashed before my second was presented and honored, you would have been perfectly justified in charging me with having drawn "another cheque from my public account;" as it is, the latter cheque was simply a duplicate—a second of exchange, the first unpaid.

Your repeated charge, that I have sought to reimburse myself for private losses at the expense of the Government, has been made, I feel sure, without due reflection upon its gravity, and I need scarcely request you to take an early opportunity of withdrawing it.

I have never sought nor do I propose to evade any responsibility in this matter as between the Government and myself, but I must hold myself at liberty to contest any liability towards a person who has to prove that he became honestly possessed of my property.

In any event the Government can sustain no loss, as any action the holder might take would be against me, the drawer, either directly or indirectly through the Bank, which is instructed by me to refuse payment.

I am, &c.,

A. MANNING DANIELS.

Minute on No. 5.

Mr. Daniels appears to me so painfully obtuse on this matter that it is hardly wise to reply to his letter. In the first place, Mr. Daniels had no right to pay his men with crossed cheques; nor had he any right to take these cheques into his possession. Having received these cheques and lost them, he had no right to draw a second cheque from his public account to reimburse himself for the loss of the cheques which he had himself taken possession of from the men. Mr. Daniels must carry out the instructions conveyed to him by memo. No. 781, of the 29th July last. I may add that Mr. Daniels is forgetting his position in writing to me, requesting that I will withdraw some remark made by me in my memo. of the 11th instant.—J. W., 19/8/79. Copy sent to Mr. Daniels.—19/8/79.

No. 6.

The Chief Clerk to Mr. A. M. Daniels.

19 August, 1879.

I FORWARD herewith for your information a copy of the Engineer-in-Chief's minute upon your letter of the 16th instant, having reference to the loss of cheques drawn upon your public account.

W. H. QUODLING.

No. 7.

Mr. A. M. Daniels to The Engineer-in-Chief for Railways.

Sir,

Railway Survey Camp, near Tarago, 23 August, 1879.

I have the honor to acknowledge receipt of copy of the minute made by you upon my letter of the 16th instant.

The terms upon which that minute is couched do not permit me to reply to it in detail; I therefore forward by this mail a copy of the correspondence to the Honorable the Commissioner for Railways, requesting him at the same time to cause an inquiry to be held upon the subject of the correspondence.

I am, &c.,

A. MANNING DANIELS.

No. 8.

The Engineer-in-Chief for Railways to The Assistant Engineer for Trial Surveys.

Mr. Palmer,—

26 August, 1879.

When Mr. Daniels has completed the survey upon which he is now employed, and formed a junction with Mr. Stephens, I have to request that you will instruct him to break up his camp, dismiss his chainmen, and report himself in Sydney.

In the meantime, I shall be glad if you will prepare for me a short report upon the manner in which he has discharged his duties during the time he has been in this department.

JOHN WHITTON.

No. 9.

The Assistant Engineer for Trial Surveys to Mr. A. M. Daniels.

26 August, 1879.

I AM directed by the Engineer-in-Chief to instruct you to break up your camp, and report yourself in Sydney as soon as you have completed your present length of trial survey to a junction with Mr. Stephens' work from Goulburn. You will then discharge all men engaged in the district, and bring to Sydney only such as you may have taken up with you.

HERBERT PALMER.

No. 10.

Mr. A. M. Daniels to The Engineer-in-Chief for Railways.

Sir,

Railway Camp, Tarago, *via* Goulburn, 28 August, 1879.

I have the honor to acknowledge receipt of Mr. Palmer's memorandum, No. 79/877, and to inform you that, in replying to a letter of the Honorable the Commissioner for Railways, received by the same mail, I have to-day tendered to him the resignation of my appointment.

I am, &c.,

A. MANNING DANIELS.

No. 11.

No. 11.

The Assistant Engineer for Trial Surveys to The Engineer-in-Chief for Railways.

1 September, 1879.

In accordance with the instructions contained in your memo. 79/872, I have directed Mr. Daniels to break up his party and to return to Sydney on completing his present survey to a junction with Mr. Stephens' work, and I submit the following report upon the nature of the work completed by Mr. Daniels since he has been in the department, and the manner in which he has discharged his duties.

Mr. Daniels' first employment was on the Suburban trial surveys; he commenced work on the 25th June, 1877, at Randwick, and was engaged until the 18th of February, 1878, at Randwick, Waverley, and the Glebe. All the details of this work were carried out under my supervision, and with the exception of the rate of progress I was satisfied with the manner in which the work was performed.

The next survey entrusted to Mr. Daniels was from Bungendore to Queanbeyan. This he commenced on the 25th of February, 1878, and completed on the 8th of the following October. The result of this work was by no means satisfactory, and the letter book contains complaints written by me to Mr. Daniels, both as to the very slow rate of progress and the waste of time spent in staking out an impracticable line, where a few traverses and cross levels would have given similar information in far less time.

Mr. Daniels then spent the last three weeks of October in exploring, and the following three months (to January 31st, 1879) in making a trial survey of an utterly impracticable route, from Queanbeyan towards Michelago. I had then to recall Mr. Daniels, and on the earliest opportunity visited the district, and in two days thoroughly examined the possible exits from Queanbeyan southwards, and started Mr. Randall on the survey of a route which has given a very good section. Mr. Daniels was next employed from February to the middle of June in making a trial survey from Bungendore to the Queanbeyan River, *via* Molonglo Station, to join Mr. Warren's survey, *via* Bworah Creek, to Michelago, and since that date he has been working from Bungendore to meet Mr. Stephens' trial line from Goulburn and Tarago.

On the two surveys last mentioned Mr. Daniel's progress and work generally has been much more satisfactory.

HERBERT PALMER.

No. 12.

The Chief Clerk to Mr. A. M. Daniels.

28 August, 1879.

I AM directed by the Engineer-in-Chief to ask whether it has been your practice to pay your chainmen by crossed cheques, and if so to request you will be good enough to explain why you have adopted this method.

W. H. QUODLING.

No. 13.

Mr. A. M. Daniels to The Commissioner for Railways.

Sir,

Railway Camp Tarago, *via* Goulburn, 30 August, 1879.

I have the honor to acknowledge the receipt of memo. No. 79/888 from the office of the Engineer-in-Chief, asking whether it has been my practice to pay my chainmen by crossed cheques, and, if so, why I have adopted the practice.

In connection with that inquiry, I subjoin a copy of declaration made by my chainmen on the method of their monthly payments.

I have, &c.,

A. MANNING DANIELS.

Inform Mr. Daniels that he must address his letters to the head of his Department.—CH. A. G., 1/9/79. Mr. Daniels informed. Mr. Whitton.—B. C. CH. A. G., 1/9/79. This reply of Mr. Daniels to the question asked in memo. 79/888 from my office is not only impertinent but insolent.—J. W., 23/9/79.

Railway Camp, near Tarago, 30 August, 1879.

We the undersigned, hereby declare that since we have been engaged on Mr. Daniels camp, he always tendered us our pay in open public officers' pay cheques.

HUGH O. BLACKWELL,
HENRY SMITH,
J. C. HUNTER,
JONAS NELSON,
GEORGE INNES.

Witness,

W. H. O. M. Wood, Government Surveyor.

No. 14.

The Commissioner for Railways to Mr. A. M. Daniels.

Sir,

Department of Public Works, Railway Branch, Sydney, 1 September, 1879.

In reply to your letter of the 30th ultimo, I have the honor to inform you that you should address your communications to the head of your Department.

I have, &c.,

CH. A. GOODCHAP,
Commissioner for Railways.

No. 15.

No. 15.

Mr. A. M. Daniels to The Commissioner for Railways.

Sir, Railway Camp, near Tarago, *via* Goulburn, 23 August, 1879.

I have the honor to forward to you with this, copies of a correspondence with the Engineer-in-Chief, the last of which from myself to the Engineer-in-Chief goes by this mail; and to request the favour of your attention to it.

The tenor of the last minute of the Engineer-in-Chief is such that, had the subject matter been other than a money question, I should not have hesitated a moment to resign the appointment I hold as railway trial surveyor.

But since the Engineer-in-Chief has felt it his duty to charge me with re-imbursing myself for private losses at the expense of the Government, and considers my request that he should withdraw that charge as made in forgetfulness of my position, I can only refer the matter to you as his immediate superior, and I beg you to institute an inquiry into the facts which led to the correspondence.

Either the charge of the Engineer-in-Chief is just, in which case I should be unfit to be entrusted longer with my present duties, or it is unjust, and, in fairness to my good name, should be unequivocally withdrawn.

I regret that the arbitrary tone adopted by the Engineer-in-Chief has made it impossible for me to explain this question satisfactorily with him, and forced me to request you to cause an inquiry to be held as soon as you conveniently can into the charge made against me by the Engineer-in-Chief.

I have, &c.,

A. MANNING DANIELS.

No. 16.

The Secretary for Railways to Mr. A. M. Daniels.

Sir, Department of Public Works, Railway Branch, Sydney, 25 August, 1879.

I have the honor, by direction of the Commissioner for Railways, to acknowledge the receipt of your letter of the 23rd instant, in which you request that an inquiry may be instituted with reference to a correspondence that has taken place between yourself and the Engineer-in-Chief on the subject of your public account, and I am to enclose herein a copy of a minute which the Commissioner has written after perusing the correspondence alluded to.

I have, &c.,

DONALD VERNON,

Per G.B.,

Secretary.

"Inform Mr. Daniels that having perused the correspondence, I can see no reason for instituting an inquiry. There can be no question that having drawn against his public account for the wages of his men, he could not again draw upon that account for the same service without first obtaining special authority to do so, and he should have without demur at once complied with the request made in the Chief Clerk's letter of 29th July, 1879, and covered the amount of his second cheque on the Public Account by forwarding his private cheque, leaving the adjustment of the account to subsequent arrangement under competent authority. I do not place upon the minute of the Engineer-in-Chief the same construction as Mr. Daniels has done; in fact, if Mr. Whitton conveyed the imputation which Mr. Daniels supposes he does, he would have accompanied it with a direction for his suspension, for, as Mr. Daniels himself admits, if it were true he would be unfit to be entrusted any longer with his present duties. Mr. Whitton's minute conveys nothing more than an intimation that Mr. Daniels had unwittingly pursued an improper course, in which decision I concur, and I think he would do well to place himself in a proper position towards the head of his department by offering an apology for his conduct, and at once observing the directions given to him.—CH.A.G., 25/8/79."

No. 17.

Mr. A. M. Daniels to The Commissioner for Railways.

Sir, Railway Camp, Tarago, *via* Goulburn, 28 August, 1879.

I have the honor to acknowledge receipt of the Secretary's letter of the 25th instant in reply to mine of the 23rd to you, and of the copy of your minute on the letter enclosed therewith.

I am glad to learn from that minute that you do not understand the Chief Engineer to charge me with appropriating Government money to the amount of the cheque in question; although, as you concur in his censure as construed by you, viz., that I had pursued an improper course; in drawing out of my public account money that belonged to myself in order to prevent it falling into the hands of a thief, I am only partially benefitted by your interpretation of the Chief Engineer's minute.

It is with regret that, in the face of you declining to hold an inquiry into this matter, I find it impossible to place myself in a proper position towards the head of the department in the way you suggest, for the following reasons, viz. :—

That upon my monthly vouchers, duly certified, the corresponding amount is paid to my credit with the Government bank, and becomes my property to be dealt with as indicated in the vouchers.

That the signatures of the various claimants on my pay sheets acquits me of all responsibility as far as regards the sums set against their names credited to me.

That the Government has no further claim upon me in respect of such sums so dealt with.

That having fulfilled these conditions I have not laid myself open to any censure or claim on the part of the head of the department.

That the position taken up by the Chief Engineer in his minute on my letter of the 16th inst. proves that I have no justice and less courtesy to expect at his hands.

For these reasons I must respectfully decline to comply with the memo. No. 79/781 or again approach the Chief Engineer on this subject.

In my previous letter to you of the 23rd, I stated that the tenor of the last minute of the Engineer-in-Chief is such that, had the subject matter of the correspondence been other than a money question, I would

not

not have hesitated a moment to resign. But the imputation conveyed, as it appeared to me, being withdrawn in your letter of the 25th inst., I have now the honor to tender to you my resignation, which I beg you to accept at the earliest moment compatible with the interests of the department. In furtherance of this wish, I may mention that I can conclude the work upon which I am actually engaged from this camp in about ten days, and that there remains only a short distance, under 10 miles I believe, from that to Mr. Stephens' work.

In conclusion, I beg to thank you for your prompt and courteous reply to my letter of the 23rd instant.

I have, &c.,

A. MANNING DANIELS.

No. 18.

The Commissioner for Railways to Mr. A. M. Daniels.

Sir,

Department of Public Works, Railway Branch, Sydney, 1 September, 1879.

In reply to your letter of the 28th ultimo, I have the honor to inform you that you should have tendered your resignation as a Trial Surveyor to the Engineer-in-Chief for Railways. I have therefore forwarded your letter to him, and should he recommend it, your resignation will be accepted.

I have, &c.,

CH. A. GOODCHAP,
Commissioner for Railways.

No. 19.

Telegram from Mr. A. M. Daniels to Engineer-in-Chief for Railways.

Bungendore, 12 September, 1879.

I HAVE finished work at present camp; await acceptance of resignation.

A. M. DANIELS.

[Reply.] Carry out instructions to connect with Mr. Stephens.—J.W.

No. 20.

Telegram from Mr. A. M. Daniels to Engineer-in-Chief for Railways.

12 September, 1879.

I REPEAT my resignation, unless minute upon which I resigned is withdrawn.

A. M. DANIELS.

[Reply.] Am I to understand that you refuse to carry out my instructions.—J.W.

Minutes on No. 20.

The enclosed telegram is from Mr. Daniels. Has he finished the work upon which he was engaged, and met Mr. Stephens? If so, have his plan and section been received by you, and are they satisfactory?—J.W., 12th September, 1879.

My last instructions to Mr. Daniels were to complete the trial survey, upon which he was engaged to a junction with Mr. Stephens, and then to return to Sydney and report himself at this office. Mr. Daniels' report in his August journal states that the survey of his length was nearly completed, and that the plotting of the plan and section of the length would be completed by the middle of the following week. Mr. Daniels, however, says nothing about joining Mr. Stephens, and Mr. Stephens' journal makes no mention of joining Mr. Daniels.—H. PALMER.

No. 21.

Telegram from Mr. A. M. Daniels to Engineer-in-Chief.

Bungendore.

WILL act on instructions if minute is withdrawn, otherwise I refer resignation to Minister for Works.

DANIELS.

Minutes on No. 21.

As Mr. Daniels refuses to carry out my instructions, I recommend that he be dismissed from the Department.—J.W., 15/9/79.

I saw the Minister on this matter to-day, and he approved of Mr. Daniels' dismissal.—J.W., 15/9/79.

No. 22.

The Engineer-in-Chief for Railways to Mr. A. M. Daniels.

15 September, 1879.

As you have refused to carry out my orders, the Minister for Works has approved of your immediate dismissal from the Service, and you are hereby dismissed accordingly.

Discharge your men and forward to this office all plans, books, and other Government property in your possession.

JOHN WHITTON.

No. 23.

Mr. A. M. Daniels to The Engineer-in-Chief for Railways.

Sir,

Railway Camp, Tarago, 17 September, 1879.

I have the honor to acknowledge receipt of your memorandum dated 15th instant, which reached me late yesterday evening. In that memorandum, dated eighteen days after my resignation, you inform

7

inform me that I am dismissed the Service for having refused to carry out your orders. I shall protest against that step upon my arrival in Sydney, and now beg to inform you that I have to-day paid off my men, and enclose pay vouchers under separate cover.

Yours, &c.,
A. MANNING DANIELS.

No. 24.

Mr. A. M. Daniels to The Engineer-in-Chief for Railways.

Sir,

Tarago, via Goulburn, 19 September, 1879.
I beg to advise you that by to-day's post I forward to your office one roll, containing plan and section of trial line from Bungendore to Fairy Meadow, and tracings of work at the Queanbeyan River; and one packet, containing three field books, eleven level books, and two unused level books.

Yours, &c.,
A. MANNING DANIELS.

No. 25.

The Chief Clerk to Mr. A. M. Daniels.

30 September, 1879.

You will oblige by forwarding to this office, as soon as possible, your public account book, cheque books, and bank pass book.

W. H. QUODLING.

No. 26.

Mr. A. M. Daniels to The Engineer-in-Chief for Railways.

Sir,

"Imperial Hotel," Wynyard Square, 2 October, 1879.

Referring to the Chief Clerk's memo., No. 79/992, requesting me to forward to your office my public account, cheque, and bank pass books, I beg to inform you that up to the present I have received no intimation of the payment to the credit of my public account of the sum of twenty-three pounds five shillings (£23 5s.) for men's wages for the early part of September, and have therefore still those cheques to draw and enter in the account books.

On this account I did not forward the books with my plans from Tarago as I should otherwise have done.

I have, &c.,
A. MANNING DANIELS.

No. 27.

Mr. A. M. Daniels to The Minister for Works.

Sir,

Petersham, 14 October, 1879.

The Engineer-in-Chief for Railways having forwarded to me a memorandum in which he informs me that I am dismissed the Service with your approval, for refusing to carry out his orders, I have the honor to enclose to you with this, copies of the correspondence which led up to that memorandum, and to beg your attention to an act which I cannot believe would have received your sanction had you been in possession of the particulars of the case.

These are briefly as follows:—

On the 12th of June last I received at my camp at Molonglo, notice of the payment into my public account of the amount of my May wages voucher, and paid my men as usual in public account cheques. Three of these were returned to me in deposit by three of the men, as well as another cheque from the previous month's pay, which, together with one in my own favour for rations, &c., I closely crossed "to the credit of A. M. Daniels with the Bank of Australasia," and posted to that Bank.

Not getting advice of receipt in the ordinary course, I inquired of the Bank and learned that the letter had miscarried. I immediately telegraphed to the Bank of New South Wales stopping payment of the lost cheques, advertised their loss three times in the *Sydney Morning Herald*, drew the public cheque No. 138,310, for £35 9s. (the value of the lost cheques) in my own favour, and paid it into my private bank. This transaction was entered in full in my public account books, and explained when I remitted them to the office on the 18th July.

On the 29th July the Chief Clerk returned my book initialed with memorandum No. 79/781, in which he requested me to forward my private cheque to cover the public account cheque No. 138,310, value, £35 9s., and inferred that I had drawn upon my public account for other than mens' wages and contingencies.

In reply to that memorandum under date August 2nd, I expressed my belief that the Chief Clerk had misapprehended the case as put in my letter of the 18th July, to which I referred the Chief Engineer in explanation of the transaction.

In a minute made upon that letter, the Chief Engineer apparently under the impression that the lost cheques were negotiable, alludes to me as drawing another cheque from my public account to reimburse myself for the loss of the former cheques, and as expecting the Government to pay my losses incurred while acting as banker for my men. Under date 16th August, I again attempted to make it clear to the Chief Engineer that I had only drawn out of my public account money to which I was fully entitled, accepted for myself all responsibility should the stolen cheques be presented, and requesting him to withdraw his statement that I was seeking to reimburse myself at the expense of the Government.

To Mr. Whitton's minute upon that letter commencing with an insult, and ending with an injury, I declined to reply, and on the 23rd October forwarded copies of the correspondence to the Commissioner for Railways, at the same time requesting him to cause an inquiry to be held into the origin of the correspondence as the money question involved precluded me from resigning at once, as I should otherwise do

do. The Commissioner did not accede to my request for an inquiry, but virtually withdrew the Chief Engineer's charge, although agreeing with the latter that I had acted inadvisedly in drawing the second cheque upon my public account without special authority.

Upon receipt of that letter, I forwarded on the 28th August, my resignation to the Commissioner, with a request to be relieved of my duties at the earliest moment compatible with the interests of the department, and stating that I expected to conclude the work from my then camp in about ten days. My resignation was forwarded by the Commissioner to the Chief Engineer, by whom it has been to this day ignored.

In my progress report for August, I again mentioned that I expected to finish work from that camp early in September, and on 12th September having finished up as far as I could work from that camp, and still having received no reply to my resignation, I telegraphed to the Chief Engineer. Copies of this telegram with several that followed will be found on page 13.

Late in the evening of the 16th September, nineteen days after sending in my resignation, I received notice of my dismissal from the Service for refusing to carry out the orders of the Chief Engineer, and instructions to pay off my men.

Under these circumstances I beg to submit to your consideration the following points.

That in drawing the cheque which originated this correspondence, I acted in perfect good faith and entered the transaction in my account books.

That the statement of the Engineer-in-Chief that I drew a second cheque from my public account is calculated to mislead, the amount having been only drawn out once.

That as the amounts of my vouchers *only* are paid to my credit it is impossible I should draw for *more* than those amounts.

That the Chief Engineer is in no way justified in his remarks "that I sought to reimburse myself at the expense of the Government, that I had no right to pay my men with crossed cheques, nor any right to take these cheques into my possession."

That in receiving in deposit the men's pay I acted quite as much in the interest of the department as in that of the men, and cannot therefore be said to have acted unwisely in so doing.

That putting aside the abuse bestowed upon me by the Chief Engineer in his minute on my letter of the 16th August, the position taken up by him in his concluding paragraph is quite sufficient grounds for my resignation.

That though the want of courtesy and harsh treatment of the Chief Engineer would have justified me in retiring at once from my position in the department, I continued to carry on the work to a point where it could be taken up by another without detriment to the interests of the Service.

That my resignation forwarded by the Commissioner for Railways to the Chief Engineer was entirely ignored by the latter.

And that my dismissal from the department eighteen days after I had resigned, on the grounds that I had refused to obey orders, especially in the absence of any agreement as to notice between the Chief Engineer and myself, is unjust and calculated to affect me prejudicially.

For these reasons I beg you will do me the justice to cancel my dismissal and accept my resignation, and give instructions for the payment of my last month's vouchers still outstanding.

I have, &c.,

A. MANNING DANIELS.

P.S.—Since the above was written, I have received notice of the payment into my public account of the amount of mens' wages to the 17th September.—A.M.D.

Has the Engineer-in-Chief any observations to make in reference to this cause?—J.L., 23/10/79.

No. 28.

Engineer-in-Chief for Railways to The Minister for Works.

29 October, 1878.

Mr. M. A. Daniels—Protest against Dismissal.

THE Minister having referred to me the accompanying papers from Mr. Daniels for any remarks I may desire to offer upon them, I will take up the various points submitted by Mr. Daniels in his letter of the 14th October, 1879.

1. "That in drawing the cheque which originated this correspondence I acted in perfect good faith and entered the transaction in my account books."

No one has ever stated that Mr. Daniels did not act in good faith, nor that the transaction was not entered in his account books, but I did say that he had acted very improperly and unwisely.

2. "That the statement of the Engineer-in-Chief that I drew a second cheque from my public account is calculated to mislead, the amount having been only drawn out once."

I never stated that the amount for men's wages had been drawn out twice, but I said that after Mr. Daniels had drawn once from his public account for his men's wages, and having paid the men and received their signatures to the vouchers the Government transaction was complete. That taking the cheques from the men and afterwards crossing them, as appears by the correspondence, to forward through the post was an entirely private transaction with which this department had nothing to do and could not recognize. These cheques having been lost in passing through the Post Office, as stated by Mr. Daniels, he had no right whatever to draw a second cheque to reimburse himself for the loss. Had these cheques not been handed to Mr. Daniels, but been lost by the men or by storekeepers to whom they might have been paid, would Mr. Daniels have been justified in drawing a second cheque to reimburse them? If not, how can the accident of his position justify so objectionable a course?

3. "That as the amounts of my vouchers only are paid to my credit, it is impossible I should draw for more than those amounts."

I see no reason whatever why Mr. Daniels could not draw for any amount he pleased, but those cheques only would be paid for which funds had been provided. Lost cheques or duplicates, however, might be paid out of subsequent credits before the proper cheques could be presented.

4. "That the Chief Engineer is in no way justified in his remarks that I sought to reimburse myself at the expense of the Government—'That I had no right to pay my men with crossed cheques nor any right to take these cheques into my possession.'"

This

This has been partly replied to in No. 2. Mr. Daniels left it to be inferred that he had paid his men by crossed cheques, and on the question being directly asked he intentionally evaded it.

5. "That in receiving on deposit the men's pay I acted quite as much in the interest of the department as in that of the men, and cannot therefore be said to have acted unwisely in so doing."

Receiving the cheques from the men was an entirely private transaction, under what arrangements I am unable to say, and was no part of his public duty, and therefore his public account should not have been used to replace the cheques when lost except under special authority. I fail to see that the men derive any benefit from the course pursued by Mr. Daniels, and certainly the department does not; but I can see how it might be made a source of considerable profit to the surveyor.

6. "That putting aside the abuse bestowed upon me by the Chief Engineer in his minute on my letter of the 16th August, the position taken up by him in his concluding paragraph is quite sufficient grounds for my resignation."

Requires no reply.

7. "That though the want of courtesy and harsh treatment of the Chief Engineer would have justified me in retiring at once from my position in the department, I continued to carry on the work to a point, where it could be taken up by another without detriment to the interests of the service."

I can hardly understand what particular attention Mr. Daniels thought himself entitled to. He had instructions to carry on his work to meet Mr. Stephens, which he refused to do.

8. "That my resignation, forwarded by the Commissioner for Railways to the Chief Engineer, was utterly ignored by the latter."

Mr. Daniels never forwarded his resignation to me; but had he done so I should have declined to accept it until he had completed the work he was ordered to perform.

9. "And that my dismissal from the department eighteen days after I had resigned, on the grounds that I refused to obey orders, especially in the absence of any agreement as to notice between the Chief Engineer and myself, is unjust and calculated to affect me prejudicially."

Mr. Daniels had no right to assume that his resignation would be accepted at any moment it might be convenient to himself to leave the department, as by doing so it might have seriously interfered with the work he had in hand.

The system of paying men's wages from a public account was adopted to prevent the surveyors paying by private cheques, which when lost or destroyed the wages so paid went to the credit of the surveyor. It was also done to prevent any excuse by the surveyor for dealing with the money belonging to the men in any way whatever, and also that the department might know when and how the men's wages were paid.

Mr. Daniels has frustrated this intention by collecting the public cheques and paying them into his private account in the Bank of Australasia, and although the vouchers are signed by the men there is nothing to show how they are eventually paid the value of the cheques drawn in their favour from the public account.

I acted in Mr. Daniel's case as I should in that of any other officer who refused to carry out my instructions, and I consider that he was very properly dismissed for insubordinate conduct.

JOHN WHITTON.

Mr. Daniels to be informed that I cannot see my way to take any further action in this case.—J.L.

No. 29.

Acting Under Secretary for Works to Mr. M. A. Daniels.

Sir,

Department of Public Works, Sydney, 3 December, 1879.

In reply to your letter of the 14th October, remonstrating against your having been dismissed from your appointment as a Railway Trial Surveyor, and requesting that your resignation may be accepted, I am directed to inform you that the Secretary for Public Works cannot see his way to interfere in the matter.

I have, &c.,

GERALD HALLIGAN,
Acting Under Secretary.

No. 30.

Reply to Parliamentary Question.

Parliamentary Question—Tuesday, 2nd December, 1879—Mr. Hurley (*Hartley*).

Question respecting Mr. Daniel's Dismissal:—

Mr. Hurley (*Hartley*),—Was Railway Trial Surveyor Daniels dismissed eighteen days after he had resigned his appointment, and upon what grounds?

Mr. Lackey answered,—Yes; for refusing to carry out the instructions of the Engineer-in-Chief for Railways.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

RAILWAY EXTENSION—BLAYNEY TO MURRUMBURRAH.

(PETITION FROM RESIDENTS OF COWRA.)

Received by the Legislative Assembly, 4 February, 1880.

To the Legislative Assembly of New South Wales.

The Petition of the undersigned Residents of the Town and District of Cowra,—

RESPECTFULLY SHOWETH :—

That on the completion of the Western and Southern Railway extensions in progress, the traffic will be so enormously increased as to necessitate the provision of further railway accommodation.

That the necessary accommodation can only be provided either by doubling the lines to Goulburn and Bathurst respectively, or by constructing the line herein advocated.

That the former project would be utterly unproductive, as no new country would be opened up or fresh traffic obtained by it, and would be very costly, while the line herein suggested would afford a large increased revenue.

That the proposed line would traverse for its whole length about 100 miles of country of great richness and fertility, quite equal to any yet opened up by railway extension in any part of the Colony.

That the goods and passenger traffic to and from the districts interested is considerable, and that the proposed line in its operations would largely increase this traffic, and therefore become a highly profitable portion of the railway system of the country.

That the proposed line is on the direct route from Blayney to Murrumburrah.

That the various towns and districts along the proposed route would be largely benefited and improved by having railway communication with the metropolis, and that an immense quantity of rich land thus opened up would thereby be rendered available for the settlement of a large agricultural population.

That the vast deposits of iron, and particularly copper, with which the country between Murrumburrah and Blayney is known to abound, while now unproductive and undeveloped, owing to the want of a cheap and ready mode of transit, would, by railway communication, be rendered not only a source of local wealth but would afford a handsome revenue to the Railway Department.

That from the known level character of the route indicated, your Petitioners respectfully submit that no engineering difficulties would be encountered, and the cost of construction will be considerably below the average.

In support of the foregoing statements the following statistics have been compiled from authentic sources in connection with the districts interested :—(1878) one thousand eight hundred and seventy-eight : population, (21,500) twenty-one thousand five hundred ; sheep, (1,246,008) one million two hundred and forty-six thousand and eight ; cattle, (51,838) fifty-one thousand eight hundred and thirty-eight ; horses, (19,038) nineteen thousand and thirty-eight ; swine, (4,126) four thousand one hundred and twenty-six. Acres under cultivation, (37,340) thirty-seven thousand three hundred and forty ; acres enclosed not cultivated, (825,233) eight hundred and twenty-five thousand two hundred and thirty-three ; acres unenclosed, (292,244) two hundred and ninety-two thousand two hundred and forty-four ; total acreage of holdings, (2,097,717) two millions ninety-seven thousand seven hundred and seventeen ; wheat, (354,943) three hundred and fifty-four thousand nine hundred and forty-three ; bushels oats, (43,264) forty-three thousand two hundred and sixty-four ; maize, (52,420) fifty-two thousand four hundred and twenty ; bushels barley, (8,234) eight thousand two hundred and thirty-four ; hay, (9,500) nine thousand five hundred tons ; potatoes, (5,000) five thousand tons ; wine, (4,000) four thousand gallons.

Your Petitioners therefore humbly pray that your Honorable House will take the foregoing facts into your favourable consideration.

And your Petitioners, as in duty bound, will ever pray, &c.

[Here follow 882 signatures.]

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

RAILWAY EXTENSION FROM HAY TO MENINDIE OR
WILCANNIA.

(PETITION FROM INHABITANTS OF NEW SOUTH WALES.)

Received by the Legislative Assembly, 14 April, 1880.

To the Legislative Assembly of New South Wales, in Parliament assembled.

The humble Petition of the undersigned Inhabitants of New South Wales,—

HUMBLY SHOWETH :—

That your Honorable House having wisely made provision for the construction of a railway from Juneë *via* Narrandera to Hay, it is highly desirable that the line referred to should be extended as speedily as possible, from Hay to Menindie or Wilcannia, on the river Darling.

The distance from Hay to Menindie is about two hundred and eight miles, and the country being almost a dead level presents no engineering difficulties, and the projected line could therefore be constructed for less than three thousand pounds per mile. It would place an immense area of New South Wales in direct railway communication with Port Jackson, and secure the sending to that port, as the place of shipment, the wool of fourteen millions of sheep, which wool is at present sent either to Victoria or South Australia. This result can be confidently predicted, because the wool could be conveyed by rail from Menindie or Wilcannia to Sydney at a lower rate than it can be carried to either Melbourne or Adelaide, even although its freight per railway was charged for at a rate which would allow a profit of eight pounds per cent. per annum on the cost of the projected line.

A great impetus would be given to the trade of Sydney by this immense quantity of wool being sent yearly to Port Jackson, because as the wool-growers invariably purchase their station supplies at the sea-port where they dispose of their wool, a large and lucrative trade, at present lost to the Colony, would be secured by our own merchants, and profitable employment for our railways in conveying supplies and passengers to Menindie or Wilcannia.

Your Petitioners therefore pray that your Honorable House will take into your consideration the desirability of extending the projected line of railway from Juneë to Hay, to Menindie or Wilcannia.

And your Petitioners as in duty bound, will ever pray, &c.

[Here follow 613 signatures.]

1879-80.

—
LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

—
SITE FOR RAILWAY PASSENGER STATION, ALBURY.

(PETITION FROM PROPERTY-HOLDERS, RATEPAYERS, AND RESIDENTS OF ALBURY.)

—
Received by the Legislative Assembly, 19 May, 1880.
 —

To the Honorable the Speaker and the Honorable Members of the Legislative Assembly of New South Wales.

A Petition having been sent to your Honorable House praying for the removal of the Railway Passenger Station at this town from the site chosen by the Government facing Smollett-street, to a site facing Dean-street,—

Now this Petition of the undersigned property-holders, ratepayers, and residents of Albury,—

RESPECTFULLY SHOWETH:—

1. That the site chosen by the Government is in every way more eligible than that proposed to be substituted,—
 - (a.) Because the situation is more central.
 - (b.) The ground is more elevated.
 - (c.) The proposed alteration would cause an additional depth of from 8 to 10 feet for foundations, and an extensive embankment to bring the adjacent ground to the level of the line.
 - (d.) The proposed alteration would shorten the "straight run" approaching the station and therefore make it dangerous to life and property.
 - (e.) The goods and passenger stations if the proposed alteration be adopted would be brought into too close proximity, and render them inconvenient and dangerous both to the employés and the general public.
2. The Petition for the alteration has been got up by a few persons who have property in Dean-street, and are consulting the individual interests, rather than those of the public in general.
3. Any change now would occasion a large additional outlay for fresh surveys, plans, specifications, &c., for the station buildings, and delay the completion thereof for at least six months.
4. The site at present fixed upon is most suitable to the majority of the residents of the Town and District, and if at any time the line should be connected with that of Victoria it will be found especially convenient for that purpose.
5. Your Petitioners respectfully pray that the present site may be adhered to.
6. And as in duty bound, will ever pray.

[Here follow 164 signatures.]

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MRS. SARAH ROBINSON.

(PETITION OF.)

Received by the Legislative Assembly, 14 May, 1880.

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

The humble Petition of Sarah, the widow of the late Edward Robinson, of Petersham,—

MOST RESPECTFULLY SHOWETH :—

That Petitioner's late husband was in the employ of the Government as foreman painter at the Railway Workshops, Redfern, for the period of seventeen years prior to his death—which resulted from his being crushed between the buffers of two railway carriages or trucks at the Redfern Terminus on the thirty-first day of August, A.D. 1876.

That Petitioner was thus left with eight children totally unprovided for, and none of whom were in a position to obtain a livelihood by reason chiefly of their tender age.

That a Petition was presented to your Honorable House by John McElhone, Esquire, a Member of your Honorable House, in which the matter of the accident which occasioned the death of her late husband was fully set forth, and the aid of your Honorable House prayed for to enable Petitioner to bring up her family.

That in answer to the prayer of that Petition your Honorable House agreed to the sum of two hundred and fifty pounds being awarded Petitioner, which said sum Petitioner received.

That Petitioner has expended the said sum in her endeavour to bring up her fatherless children respectably, and has likewise exhausted all her otherwise slender means, and is in necessitous circumstances.

Petitioner therefore prays that in view of the circumstances attending the death of her deceased husband, and his long service in the Government employ, as well as the indigent position to which she is reduced, your Honorable House will again take her case into your favourable consideration, and afford her such relief as you in your wisdom shall deem fit, or the exigencies of the case require.

And your Petitioner, as in duty bound, will ever pray.

Signed at Sydney, this twelfth day of May, A.D. 1880.

SARAH ROBINSON.

1879.

—
LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

JOADJA CREEK RAILWAY BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
17 *December*, 1879.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

—
1879.

1879.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 22. WEDNESDAY, 3 DECEMBER, 1879.

8. JOADJA CREEK RAILWAY BILL (*Formal Motion*):—Mr. Garrett moved, pursuant to Notice,—
 (1.) That the Joadja Creek Railway Bill be referred to a Select Committee for inquiry and report.
 (2.) That such Committee consist of Mr. Lackey, Captain Onslow, Mr. Greenwood, Mr. Thompson, Mr. Teece, Mr. Copeland, and the Mover.
 Question put and passed.
-

VOTES No. 30. WEDNESDAY, 17 DECEMBER, 1879.

22. JOADJA CREEK RAILWAY BILL:—Mr. Garrett, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 3rd December, 1879; together with a copy of the Bill, as amended and agreed to in the Committee.
 Ordered to be printed.

* * * * *

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1879.

JOADJA CREEK RAILWAY BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on the 3rd December, 1879,—“*the Joadja Creek Railway Bill*,”—beg to report to your Honorable House:—

That they have examined the Witnesses named in the List* (whose evidence * See List, page 5. will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the Clauses and Schedule of the Bill, in which it was deemed necessary to make certain Amendments.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

THOS. GARRETT,
Chairman.

No. 3 Committee Room,
Sydney, 17th December, 1879.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 11 DECEMBER, 1879.

MEMBERS PRESENT :—

Mr. Garrett, | Captain Onslow.

In the absence of a quorum, the meeting called for this day lapsed.

FRIDAY, 12 DECEMBER, 1879.

MEMBERS PRESENT :—

Mr. Garrett, | Captain Onslow,
Mr. Copeland.

Mr. Garrett called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, *read* by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present :—George Knox, Esq. (*Counsel for the Promoters*).

James Walter Fell, Esq., called in and examined.

Witness *produced* Plan showing the proposed route of the Railway,

Witness withdrew.

John de Villiers Lamb, Esq., called in and examined.

Witness *produced* Certificate of Registration of the Company referred to in the Preamble, and *handed in* a certified copy of the same, which was ordered to be appended (*see Appendix*).

Room cleared.

Committee deliberated.

[Adjourned to Wednesday next, at *Eleven o'clock*.]

WEDNESDAY, 17 DECEMBER, 1879.

MEMBERS PRESENT :—

Mr. Garrett in the Chair.

Mr. Thompson, | Mr. Teece,
Captain Onslow.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Parties called in and informed.

Clause 1 read, amended,* and agreed to.

Clause 2 read and agreed to.

Clause 3 read, amended,* and agreed to.

Clauses 4 to 15 read and agreed to.

Clause 16 read, amended,* and agreed to.

Clauses 17 to 42 read and agreed to.

Schedule read and *omitted*, and new Schedule* inserted.

Chairman to report the Bill with Amendments to the House.

* See Schedule of Amendments

SCHEDULE OF AMENDMENTS.

- Page 2, Clause 1, lines 1 to 8. *Omit* “and passing through certain waste lands of the Crown thence
“through lands supposed to be the property of Denis Manion John Manion Edward
“Cahill Archibald Sharp Matthew Butler the representatives of the late Edward Butler
“deceased the representatives of the late — Breen deceased De la Motte J. de V. Lamb Michael
“Egan Manion Robert Snowden Alfred Welby William Davies — Cripps and — Hines
“respectively.” *Insert* “in the line described in the Schedule to this Act”
“ Clause 1, lines 8 & 9. *Omit* “at a point near Gibraltar Tunnel”
“ ” 3, line 61. *Omit* “locomotives and”
“ 6, ” 16, ” 20. *Omit* “hand of such party” *insert* “common seal of the said Company and
“under the hand of such person or persons respectively”

Page 10. *Omit* Schedule and *insert* the following new Schedule:—

DESCRIPTION OF TRAMWAY.

Commencing at the south-east angle of J. de V. Lamb's portion number seventy in the parish of Joadja county of Camden Thence in a south-easterly direction about one (1) mile through Crown Lands Thence north-easterly through Crown Lands about one mile forty (40) chains to west boundary of Manion's portion one hundred and one Thence in a north-easterly direction through Manion's portion one hundred and one about twenty-six chains Thence in a north-easterly direction through Crown Lands about one mile twenty chains Thence south-easterly through Crown lands about eight chains to Manion's portion forty-four parish of Berrima Thence south-easterly through Manion's portion forty-four about twenty chains Thence easterly through Crown lands about fifteen (15) chains Thence north-easterly through Crown lands about sixteen (16) chains to west boundary of Cahill's portion number sixty-five (65) Thence north-easterly across the north-west corner of Cahill's portion number sixty-five about five chains Thence north-easterly through Crown lands about one mile sixty-four (64) chains to Wanganderry Road Thence easterly across Wanganderry Road Thence continued easterly through Crown lands about fifty chains Thence south-easterly through Crown lands about twenty (20) chains to west boundary of A. Sharpe's portion number one hundred and thirty-six Thence easterly through A. Sharpe's portion number one hundred and thirty-six about forty (40) chains Thence north-easterly across one-chain road to west boundary of Butler's (Trustees) portion number one hundred and thirty-five Thence north-easterly through Butler's (Trustees) portion one hundred and thirty-five (135) about eight chains Thence easterly and south-easterly still through Butler's (Trustees) portion one hundred and thirty-five about thirty (30) chains Thence south-east across one-chain road to west boundary of M. Butler's (Trustees) Woodlands Estate Thence through Butler's (Trustees) Woodlands Estate south-easterly about twenty chains Thence north-easterly through Woodlands Estate about 30 chains Thence easterly through Woodlands Estate about thirty-five (35) chains to west boundary of Breen's land Thence easterly through Breen's about twenty-six (26) chains Thence easterly through Breen's about forty (40) chains Thence easterly through Breen's about thirteen (13) chains to west boundary of C. Loseby's portion number twenty-two parish of Jellora Thence south-easterly through C. Loseby's portion number twenty-two about seventeen (17) chains to west boundary of J. de V. Lamb's portion number twenty-one Thence south-easterly through J. De V. Lamb's portion number twenty-one about ten (10) chains to west boundary of Thompson's portion number twenty-four Thence south-easterly through Thompson's portion number twenty-four about seventeen chains to west boundary of Fitzroy village reserve Thence south-easterly and southerly through village reserve about thirty (30) chains to Main Southern Road Thence south-easterly across Main Southern Road about eight (8) chains to west boundary of J. de V. Lamb's (late R. Snowden's) land parish of Berrima Thence easterly through J. de V. Lamb's about twenty-one chains to west boundary of Quarry Reserve Thence easterly across Quarry Reserve about seven (7) chains to west boundary of Welby's portion number one Thence south-easterly and southerly through Welby's portion number one about fifty chains to south boundary of Welby's portion number one Thence south-easterly through village reserve about sixteen (16) chains to west boundary of J. de V. Lamb's portions numbers 18 and 19 thence easterly through J. de V. Lamb's portions numbers 18 and 19 about five (5) chains where it crosses Gibber Gonyah Creek thence through block number 29 of Cripp's subdivision parish of Mittagong easterly about three chains thence easterly along reserve between John-street and Hind's property about sixteen (16) chains thence easterly along said reserve belonging to Thomas Chalder's about eighteen chains where it crosses street connecting with Bowral Road thence north-easterly through portion number 61 Fitzroy Bessemer Steel Hematite Iron and Coal Company (Limited) about twenty-two (22) chains thence easterly and south-easterly through portion number 67 Fitzroy Bessemer Steel Hematite Iron and Coal Company (Limited) about thirty chains to a point on the Great Southern Railway about thirty chains north-east of Mittagong Railway Station being a total distance of about fifteen (15) miles more or less.

LIST OF WITNESSES.

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Fell, James Walter, Esq.	7
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1879.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

JOADJA CREEK RAILWAY BILL.

FRIDAY, 12 DECEMBER, 1879.

Present :—

MR. COPELAND, | MR. GARBETT,
CAPT. ONSLOW.
THOMAS GARRETT, ESQ., IN THE CHAIR.

George Knox, Esq., appeared as Counsel for the Promoters of the Bill.

James Walter Fell, Esq., examined :—

1. *Mr. Knox.*] You are the Manager of the Australian Kerosene Oil and Mineral Company? Yes.
2. Do you know certain large tracts of land situate on and near Joadja Creek, in the parish of Joadja, in the county of Camden, occupied by the Company? I do.
3. Do these lands contain valuable deposits of coal and kerosene mineral? Yes.
4. To what extent? We have a proved seam of upwards of a million and a half tons of kerosene mineral, besides very large quantities of common coal, and there are other seams which contain many more millions of tons of common coal besides the boghead mineral.
5. What is the extent of the land occupied by the Company? The land occupied under various conditions is 1,944 acres.
6. What works have the Company erected there? Apart from the tram originally laid down, there have been expensive works for the manufacture of kerosene; a large stationary engine has been erected for winding the mineral out of the valley.
7. A very large sum has been expended? Yes, I think upwards of £30,000 has been sunk in plant *in situ*.
8. What is the length of the tramway you have made? Two miles through the Company's own land, and seven miles through Crown land principally held under lease, and two small portions through private land.
9. That is 9 miles altogether? Yes.
10. The proposed railway is 16 miles in length? Yes, 16 miles in all, that is including this 9 miles.
11. That is 7 miles in addition? Yes.
12. Part of this is part of the proposed railway? Yes, that is the 7 miles of railway covered by this Bill. (*The witness produced a plan.*)
13. Is that a correct plan of the proposed line of railway? Yes.
14. *Chairman.*] What is the gauge of your proposed railway? 3 feet 6.
15. And of the tramway? 3 feet 6 throughout.
16. *Mr. Knox.*] What amount do you estimate the works will turn out? Do you refer to the oil works?
17. Yes. The present plant is capable of producing 200,000 gallons a year of burning oil, 100,000 gallons of lubricating oil, and 80 tons of solid paraffine.

J. W. Fell,
Esq.
12 Dec., 1879.

- J. W. Fell, Esq. -
12 Dec., 1879.
18. *Chairman.*] What would be the total tonnage of that? Upwards of 1,500 tons for oil, but there is a large quantity of mineral used for gas, making besides perhaps from ten to fifteen thousand tons annually.
19. *Capt. Onslow.*] Is there also a quantity of other coal? Yes.
20. *Chairman.*] Can you give us a reasonable estimate of the total tonnage by which the Government line would be benefited? Upwards of 20,000 tons to begin with.
21. *Mr. Knox.*] You see on the plan before the Committee, and in the Bill, the names of a number of persons mentioned through whose land the railway passes? Yes.
22. Have you personally made arrangements with some of these persons on behalf of the Company? Yes, I have arranged with John Manion, with Edward Cahill, with Archibald Sharp, Matthew Butler, the representatives of the late Edward Butler, deceased, with the representatives of the late Mr. Breen, and others.
23. These are the names of some of the persons mentioned in the first clause? Yes.
24. Have you arranged with all the parties whose names are mentioned there? We have not dealt with the Fitzroy Iron Company, as some of the proprietors are in England, but we are assured of their consent.
25. Without this railway, is it at all practicable for the Company either to carry on their operations with any success, or to carry their coals, shale, and other produce to market? No, it cannot be done. In fact, during the wet season last winter, it was a physical impossibility to take our produce over the roads—it could not have been done if we had paid £100 a ton for it.

John de Villiers Lamb, Esq., examined:—

- J. de V. Lamb, Esq.
12 Dec., 1879.
26. *Mr. Knox.*] You are Chairman of the Australian Kerosene Oil and Mineral Company? I am.
27. Do you produce the certificate of Registration of the Company? I do. (*The witness produced the same, and handed in certified copy. See Appendix.*)
28. That Company is possessed, or you as trustee for that Company are possessed of large tracts of land on Joadja Creek, in the parish of Joadja? Yes.
29. What is generally the extent of the land in your possession? 1,944 acres held as freehold, leasehold, and as mineral conditional purchases.
30. Have large sums of money been expended by the Company upon this property? Yes.
31. Can you state roughly to what extent? Upon the works, tramway, and locomotive, about £56,000.
32. *Chairman.*] That is upon the works and tramway? Upon the tramway, the opening of the mine, engines, and locomotive.
33. *Mr. Knox.*] At present you have contracts for the supply of quantities of shale and oil, have you not? Yes, both shale and oil.
34. Can you form any idea of the consumption of the oil in the Colony? I estimate the consumption of the oil in the Colony at about 2,000,000 gallons annually.
35. And there is an export trade also? Yes, the shale is largely exported.
36. It is also used for gas manufacture here? Yes.
37. In fact you have a contract with the Gas Company for the supply of some of it? Yes, we have a contract for 1881 and 1882; we have not for 1880.
38. Is the Company desirous of constructing the railway proposed by this Bill? Yes, in fact we cannot carry on our operations without it. Last winter, although we had a large number of horses, they were almost useless to us, owing to the state of the roads.
39. The Company employ a large number of men upon their works? Yes.
40. I believe there is a school there, is there not? We were in treaty to have one put up. I am not sure whether it is yet erected.
41. There is almost a township there, is there not? Yes, there is a large number of people there.
42. There is no proper means of communicating with the place at present? No.
43. The Schedule attached to the Bill before the Committee mentions the names of a number of private individuals through whose land the proposed line of railway must pass; have you been in treaty with all those persons? With every one of them.
44. Have any of them threatened or shown any opposition whatever? None whatever.
45. From many of them you have bought the land? Yes.
46. Most of them? Yes; and we have the approval of others to pass through their lands. The Fitzroy Company have granted it as far as they could give it, but there is some difficulty in the way. They have, however, accepted notice, and have intimated that they would put no obstacle in the way.
47. From some you have an express consent to the provisions of the Bill? Yes.
48. *Chairman.*] It is absolutely necessary for your purposes that you should be connected with the Great Southern Railway? Yes.
49. That is your real purpose in submitting the Bill? Yes.
50. Have you submitted your connection to the railway authorities? Yes; we are entitled by the Railway Act to connect with them. I saw the Commissioner for Railways, and he pointed out to me the clause under which he said he could not prevent us from joining the line. The only thing necessary for us was to submit it for his approval.
51. He did not express any objection? No; on the contrary, it would add a valuable feeder to the railway.
52. Was that his opinion? Yes.
53. He did not point out any practical objection? No; he is ready to put down a loop line whenever we give him notice.
54. And they are consenting parties as far as he is concerned? They are quite.
55. I see the third clause gives the public the right to use your line upon certain terms? Yes, we wish to fix the maximum rate at 3d. per ton per mile after the first 5 miles, and 2s. per ton for that distance and under.
56. Have you a clause prepared for that? I think it is not. I think it is usual on all railways that there should be a fixed minimum rate.
57. Of course you are willing to take the Bill with any conditions the Committee may impose? I suppose we cannot help ourselves.
58. *Mr. Copeland.*] What is the number of men you have employed upon the mine at present? Including the miners? I suppose between sixty and seventy men.

59. What is the average out-put of shale and coal? We have turned out I think up to the present time about 15,000 tons. We are not working coal. J. de V. Lamb, Esq.
60. What is the average tonnage per week? About 70 tons a day.
61. What is the value of the shale? The last contract we made was with the Gas Company. That was the lowest price at which we have sold—40s. a ton; but we have entered into a two years' contract with them. 12 Dec., 1879.
62. What is the cost at present of bringing the shale from the mine to the Gas Company? The miner's charge comes to about 7s. 7d.
63. *Chairman.*] Do you know what rate per ton the railway people charge? £2 a truck—about 6s. 8d. a ton.
64. *Mr. Copeland.*] 1d. a mile, but then you have to pay the cost of carriage from the railway to the Gas Company's Works? Yes.
65. Will they take an unlimited quantity from you? 1,500 tons a year.
66. Are you exporting any? Yes; We shipped 986 tons to Liverpool, and we had a report upon it that it was satisfactory. That was 75s., and we paid freight at 27s. 6d. a ton.
67. Have you any knowledge of the average quantity of this shale contained in the land per acre? 2,400 tons per acre.
68. That is averaging the seam at how thick? 18 to 21 inches. It is estimated that a cubic foot contains 84 lbs.
69. How many acres have you? The out-crop extends over 700 acres. We calculate there is about a million and a half tons of shale, and nearly two million tons of common coal; but there are many other seams of common coal which have not been tested or proved yet.
70. You observe that the third clause of the Bill before the Committee provides that the public who may use this railway shall provide their own locomotive? Yes.
71. That does not appear to be the case in other Railway Bills? I am not aware of that.
72. Does the opening of the railway to the public, as stated by the third clause, refer to goods traffic merely, or also to passenger traffic? We have no convenience for passenger traffic, and there is no population beyond our own people.

JOADJA CREEK RAILWAY BILL. ^z

APPENDIX.

New South Wales } *[To the Evidence of John de Villiers Lamb, Esq., 12 December, 1879.]* [Certified copy.]
to wit. }

IN the matter of "The Australian Kerosene Oil and Mineral Company, Limited," and in the matter of the Company's Act.

I CERTIFY that the Company styled "The Australian Kerosene Oil and Mineral Company, Limited," is incorporated, and that the said Company is a limited Company.

Dated at Sydney, this seventeenth day of October, in the year of our Lord one thousand eight hundred and seventy-eight.

E. G. WARD, (L.S.)
Registrar General,
Acting as Registrar of Joint Stock Companies.

WE certify that the writing contained above is a true copy of the original certificate of incorporation, the same having been examined and compared therewith by us, this sixteenth day of December, A.D. 1879.

HENRY E. JONES, } Clerks to S. C. BROWN,
GEO. HELLINGS, } Solicitor, Sydney

1879.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

STEAM TRAMWAYS.

(PETITION—CHAIRMAN OF SYDNEY TRAMWAY AND OMNIBUS COMPANY.)

Received by the Legislative Assembly, 18 November, 1879.

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

The humble Petition of the undersigned Omnibus Proprietors in the City of Sydney and Suburbs,—
RESPECTFULLY SHOWETH:—

That your Petitioners have for many years carried on the business of carriers of and for the public by means of omnibuses.

That they have invested large sums of money in the purchase of plant, horses, and land to carry on the said business.

That the said business has been recognized by and carried on under the control of the State, in accordance with an Act of Parliament to that effect.

That hitherto they have met satisfactorily the wants and requirements of the public in regard to safety, regularity, and cheapness of transit, and are now in a position to meet all probable demands in that respect.

That therefore your Petitioners learn with concern and apprehension that the Government have determined to propose to Parliament a scheme to carry out a system of steam tramways in the city and suburbs of Sydney, by which your Petitioners' business as public carriers will be entirely destroyed.

That your Petitioners most earnestly protest against the proposed action of the Government, as an uncalled for interference with private interests and enterprise.

Your Petitioners therefore humbly pray your Honorable House to take the foregoing into your favourable consideration, and grant to your Petitioners such relief as to your Honorable House may seem meet.

And your Petitioners, as in duty bound, will ever pray, &c.

Dated this fourteenth day of November, in the year of our Lord one thousand eight hundred and seventy-nine.

Signed and sealed, on behalf of the Sydney Tramway and Omnibus Company, Limited,

(L.S.)

By order,

JOHN YOUNG,
Chairman.

1879.

—

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

—

STEAM TRAMWAYS.

(PETITION—MAYORS OF SUBURBAN BOROUGHS.)

—

Received by the Legislative Assembly, 25 November, 1879.

—

To the Honorable the Speaker and the Members of the Legislative Assembly, in Parliament assembled.

The humble Petitioner of the undersigned Mayors of the Suburban Boroughs,—

RESPECTFULLY SHOWETH:—

That your Petitioners are convinced that the adoption of a system of steam tramways in order to afford means of communication between Sydney and the suburbs thereof is highly desirable, and that such a system would afford great conveniences to the residents of Sydney and such of the suburbs as cannot be connected with Sydney by means of the railway, and would at very reasonable charges pay a large return on the expenses of construction and maintenance.

That the system of steam tramways is in successful operation in most of the cities of Europe and America.

That your Petitioners have learned that it is intended to introduce into your Honorable House a Bill for the purpose of granting to a private Company, called "The Sydney Tramway and Omnibus Company (Limited)," the sole right to construct, maintain, use, and work lines of tramway to and from Sydney and the suburbs.

That your Petitioners have had experience of the manner in which the omnibus traffic to and from the city of Sydney and its suburbs has been managed by the several Omnibus Companies, and that such experience has been exceedingly unsatisfactory, and such as to convince your Petitioners of the great inconvenience which would result to your Petitioners and the public if the said Bill should be passed into law.

That your Petitioners desire respectfully to urge upon your Honorable House that a system of tramway communication from and to the city of Sydney and the rapidly rising suburbs thereof is of too important a character to be entrusted to private enterprise, and that such a system should be under the direct authority and control of the Government of the Colony, inasmuch as (besides other reasons) it is more than probable that a private Company would only construct and work such lines as in its opinion would be immediately and individually payable, whereas the Government would run the various lines more equitably and as a whole.

Your Petitioners therefore earnestly pray that your Honorable House will not grant to any private Company the right to construct or maintain tramways as above mentioned, but that your Honorable House will support and pass into law a measure for the construction and maintenance of a system of tramways which shall be under the direct authority and control of the Government of the Colony.

And your Petitioners, as in duty bound, will ever pray, &c.

[Here follow 20 signatures.]

—

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

TRAMWAYS EXTENSION BILL.

(MESSAGE No. 22.)

Ordered by the Legislative Assembly to be printed, 25 February, 1880.

AUGUSTUS LOFTUS,
Governor.

Message No. 22.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the Bill to authorize the construction and maintenance of Tramways along certain streets and highways in the City and Suburbs of Sydney and elsewhere.

Government House,
Sydney, 25 February, 1880.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

TRAMWAYS EXTENSION BILL.

(MESSAGE No. 26.)

Ordered by the Legislative Assembly to be printed, 10 March, 1880.

AUGUSTUS LOFTUS,

Governor.

Message No. 26.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the construction and maintenance of Tramways along the streets and highways in the City and Suburbs of Sydney and elsewhere, mentioned in the first Schedule of a Bill now before the Assembly to authorize the construction of Tramways, and the construction and maintenance of any other Tramways which may hereafter be made under the provisions of the said Bill, and to meet any other necessary expenses connected therewith.

Government House,

Sydney, 10 March, 1880.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

TRAMWAYS EXTENSION BILL.

(PETITION AGAINST—DIRECTORS OF THE SYDNEY TRAMWAY AND OMNIBUS COMPANY.)

Received by the Legislative Assembly, 2 March, 1880.

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

The humble Petition of the undersigned Omnibus Proprietors in the City of Sydney and Suburbs,—

RESPECTFULLY SHOWETH:—

That your Petitioners presented to your Honorable House a humble Petition, on the eighteenth day of November last, setting out the effect of a measure then proposed, but now before your Honorable House, authorizing the Government to construct and work certain lines of Tramway on and over the streets of the City of Sydney and Suburbs, would be to seriously damage the interests of your Petitioners, who have been hitherto engaged in carrying on the business of Omnibus Proprietors within the said City and Suburbs.

That your Petitioners would respectfully draw the attention of your Honorable House to the allegations and prayer of their former Petition.

And further, your Petitioners would humbly pray your Honorable House to grant them permission to appear at the Bar of your Honorable House, by Counsel learned in the law, and so to be heard in support of the allegations and prayer of your Petitioners' former Petition, and otherwise in defence of the interests of your Petitioners, as proposed to be affected by the Bill alluded to hereinbefore, prior to the said Bill receiving the final sanction of your Honorable House.

And your Petitioners, as in duty bound, will ever pray, &c.

Dated this 2nd day of March, in the year of our Lord one thousand eight hundred and eighty.

Signed, and the Seal of the Sydney Tramway and Omnibus Company "Limited" affixed hereto by

WM. SHENSTONE, Secretary.

In the presence of—

JOHN WOODS, }
 WILLIAM CAIN, } Directors.
 A. W. GILLES, }

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

TRAMWAYS.

(LINE FROM REDFERN TO HUNTER-STREET—REPORT OF COMMISSIONER FOR RAILWAYS.)

Ordered by the Legislative Assembly to be printed, 3 March, 1880.

Commissioner's Report on state of Line—Wear and tear of Rolling Stock—
Revenue and Expenditure and net results, for the period 28th September to
31st December, 1879.

State of Line—inspected 24th February, 1880.

THE Tramway has been opened for traffic for five months and one week.

The weight of our own traffic over the line has amounted to 360,000 tons.

The weight of ordinary street traffic that has passed over it cannot be computed, but it must have been very great; during the wool season an immense quantity of wool was hauled along the line.

Notwithstanding this unexampled traffic on a street tramway, the rails and road wear beyond expectation. Some of the rails show no signs whatever of wear. A proportion (not a large proportion) give indications of wear, but still there has been no necessity for relaying a single rail, and there is no immediate prospect of such necessity. The Engineer states—"I do not anticipate having to relay any of the rails for some time to come, and then only a few."

The annual depreciation will not exceed 20 per cent., and £1,200 a year will be deducted from the net revenue to meet the cost of relaying.

The paved way gives no indication whatever of wear, nor is it likely to do so for some years.

Rolling Stock.

The number of motors is four; they have run to the present time 21,550 miles, or an average of 5,386 miles for each motor; they are all in good working order; the expense of keeping them so is estimated at £480 per annum, and an amount equal to 10 per cent. per annum on their capital cost should be written off for depreciation; this will amount to £75 a year for each motor.

Cars.

The number of cars is eight—two horse cars and six for steam traction, imported from America. Although these latter have been built very light, and subjected repeatedly to more than twice the load they were constructed to carry, they have stood the strain remarkably well. The wheels, which are of chilled cast-iron, show no perceptible signs of wear, and the same brake-shoes have done their work continuously without any renewals.

The cost of keeping them in repair will be £25 each per annum, and it is proposed to write off for depreciation 16 per cent. per annum of their capital cost, equal to £80 a year for each car.

The total amount therefore to be deducted from the net revenue each year for depreciation, and to provide a fund for renewals will be as under:—

Rails, fastenings, &c., &c.	... ..	£1,200
Steam motors...	... ..	300
Cars ... ..	... ..	480
Total...	... ..	<u>£1,980</u>

Revenue and Expenditure.

The Revenue and Expenditure from 28th September to 31st December 1879 show as under:—

Receipts	£4,168
Expenditure	1,825
Net profits...	<u>£2,343</u>
From which deduct depreciation for three months as above	495
Balance...	<u>£1,848</u>

The capital expenditure has been £22,000, upon which, for three months, the above result shows a return of about 33½ per cent.

CH. A. GOODCHAP,
24/2/80.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE
ON THE
SYDNEY CITY AND SUBURBAN TRAMWAY AND
OMNIBUS COMPANY'S BILL;

TOGETHER WITH THE
PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
26th February, 1880.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1880.

1879-80.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES, No. 21. TUESDAY, 2 DECEMBER, 1879.

13. SYDNEY CITY AND SUBURBAN TRAMWAY AND OMNIBUS COMPANY'S BILL:—Mr. Driver moved, pursuant to Notice,—
- (1.) That the Sydney City and Suburban Tramway and Omnibus Company's Bill be referred to a Select Committee for consideration and report, and that such Committee have power to send for persons and papers.
- (2.) That such Committee consist of Mr. Lackey, Mr. Farnell, Mr. Lucas, Mr. Gray, Mr. Greenwood, Mr. Harris, Mr. Hurley (*Hartley*), Mr. Combes, and the Mover.
- Debate ensued.
- And Mr. McElhone requiring that the Committee be appointed by Ballot,—
- Question put,—That the Sydney City and Suburban Tramway and Omnibus Company's Bill be referred to a Select Committee for consideration and report, and that such Committee have power to send for persons and papers.
- And Division called for,—
- But there being no Tellers on the part of the *Noes*, no Division could be had,—and Mr. Speaker declared the Question to have passed in the *affirmative*.
- And the House proceeding to the Ballot,—
- Notice was taken that there was not a Quorum present.
- Mr. Speaker counted the House, and there being only sixteen Members present, exclusive of Mr. Speaker, namely,—Mr. Badgery, Mr. Baker, Mr. Cameron, Mr. Cohen, Mr. J. Davies, Mr. Driver, Mr. Farnell, Mr. Gray, Mr. Hoskins, Mr. Kerr, Mr. Lackey, Mr. O'Connor, Sir Henry Parkes, Mr. Roseby, Mr. Suttor, and Mr. Watson,—
- Mr. Speaker adjourned the House at twenty-six minutes after Nine o'clock, until To-morrow at Four o'clock.

VOTES, No. 29. TUESDAY, 16 DECEMBER, 1879.

7. SYDNEY CITY AND SUBURBAN TRAMWAY AND OMNIBUS COMPANY'S BILL:—Mr. Driver moved, pursuant to Notice, That this House do "now" proceed to ballot for the Select Committee to consider and report upon the Sydney City and Suburban Tramway and Omnibus Company's Bill.
- Mr. McCulloch moved, That the Question be amended, by the omission of the word "now," with a view to the insertion in its place of the words "this day six months."
- Question put,—That the word proposed to be omitted stand part of the Question.

The House divided.

Ayes, 21.

Sir Henry Parkes,	Mr. Greenwood,
Mr. Suttor,	Mr. Gray,
Mr. Wisdom,	Mr. Barbour,
Mr. Baker,	Mr. Lynch,
Mr. Lackey,	Mr. Jacob,
Mr. Watson,	Mr. Garrett,
Captain Onslow,	Mr. W. Davies,
Mr. Driver,	<i>Tellers.</i>
Mr. Hoskins,	
Mr. Cameron,	Mr. Copeland,
Mr. Teece,	Mr. W. C. Browne.
Mr. O'Connor,	

- Noes, 8.

Mr. J. Davies,
Mr. Charles,
Dr. Bowker,
Mr. Johnston,
Mr. Beyers,
Mr. Dangar,
<i>Tellers.</i>
Mr. McCulloch,
Mr. Macintosh.

And so it was resolved in the affirmative.

Original Question then put and passed.

Whereupon the House proceeded to the Ballot, and Mr. Speaker declared the following to be the Committee duly appointed:—Mr. Driver, Mr. Lackey, Mr. Combes, Mr. Farnell, Mr. J. Davies, Mr. Lucas, Mr. Macintosh, Mr. Greenwood, and Mr. Gray.

VOTES, No. 44, TUESDAY, 3 FEBRUARY, 1880.

6. SYDNEY CITY AND SUBURBAN TRAMWAY AND OMNIBUS COMPANY'S BILL:—Mr. Driver (*by consent*) moved, without Notice, That the Report from the Select Committee on the Sydney and Suburban Street Tramways Bill, brought up on the 19th December, 1878, and the report from the Select Committee on the Sydney Tramway and Omnibus Company (Limited) Bill, brought up on the 20th March, 1878, be referred to the Select Committee now sitting on Sydney City and Suburban Tramway and Omnibus Company's Bill.
- Question put and passed.

VOTES,

VOTES, No. 58. THURSDAY, 26 FEBRUARY, 1880.

2. SYDNEY CITY AND SUBURBAN TRAMWAY AND OMNIBUS COMPANY'S BILL :—Mr. Driver, as Chairman, brought up the Report from, and laid upon the Table the Minutes of proceedings of, and Evidence taken before the Select Committee for whose consideration and Report this Bill was referred on 2nd December, 1879; together with Appendix, and a copy of the Bill as agreed to in the Committee. Ordered to be printed.

* * * * *

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1879-80.

**SYDNEY CITY AND SUBURBAN TRAMWAY AND OMNIBUS
COMPANY'S BILL.**

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 2nd December, 1879,—“*the Sydney City and Suburban Tramway and Omnibus Company's Bill,*” and to whom were referred, on the 3rd February, 1880, “*the Report from the Select Committee on the Sydney and Suburban Street Tramways Bill,*” brought up on the 19th December, 1873, and the Report from the Select Committee on the Sydney Tramway and Omnibus Company (Limited) Bill, brought up on the 20th March, 1878,”—beg to report to your Honorable House,—

That they have examined the witnesses named in the List (whose evidence See List, page 7 will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the clauses and schedules of the Bill, in which it was not deemed necessary to make any amendment.

Your Committee now beg to lay before your Honorable House the Bill without amendment.

RD. DRIVER,
Chairman.

No. 3 Committee Room,
Sydney, 26th February, 1880.

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 16 JANUARY, 1880.

MEMBER PRESENT:—

Mr. Driver.

In the absence of a quorum, the meeting called for this day lapsed.

TUESDAY, 3 FEBRUARY, 1880.

MEMBERS PRESENT:—

Mr. Driver,	|	Mr. Macintosh,
Mr. Greenwood,	|	Mr. Farnell.

Mr. Driver called to the Chair.

Entries from Votes and Proceedings, appointing Committee, *read* by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Committee deliberated.

Ordered—That John Young, Esq., and William Shenstone, Esq., be summoned to give evidence next meeting.

[Adjourned to Thursday next, at half-past *Two* o'clock.]

THURSDAY, 5 FEBRUARY, 1880.

MEMBERS PRESENT:—

Mr. Combes,		Mr. Driver.
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In the absence of a quorum, the meeting called for this day lapsed.

FRIDAY, 6 FEBRUARY, 1880.

MEMBERS PRESENT:—

Mr. Driver,		Mr. Farnell.
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In the absence of a quorum, the meeting called for this day lapsed.

TUESDAY, 10 FEBRUARY, 1880.

MEMBERS PRESENT:—

Mr. Farnell,		Mr. Combes.
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In the absence of a quorum, the meeting called for this day lapsed.

THURSDAY, 12 FEBRUARY, 1880.

MEMBERS PRESENT:—

Mr. Driver in the Chair.		
Mr. Gray,	|	Mr. Combes,
	|	Mr. Farnell.

Entry from Votes and Proceedings, referring Reports from the Select Committees on the Sydney and Suburban Streets Tramways Bill and the Sydney Tramway and Omnibus Company (Limited) Bill, *read* by the Clerk.

Printed copies of the Reports before the Committee.

John Young, Esq., called in and examined.

Witness withdrew.

William Shenstone, Esq. (*Secretary to the Company*), called in and examined.

Witness *produced* Minute Book of the Company, and *handed in* a copy of the Minutes, which was ordered to be appended. (*See Appendix.*)

Witness withdrew.

Committee deliberated.

Ordered,—That Edward Combes, Esq., C.M.G., M.P., be requested, and Alfred W. Gilles, Esq., be summoned, to give evidence next meeting.

[Adjourned to Thursday next, at half-past *Two* o'clock.]

THURSDAY, 19 FEBRUARY, 1880.

MEMBER PRESENT:—

Mr. Farnell.

In the absence of a quorum, the meeting called for this day lapsed.

TUESDAY,

TUESDAY, 24 FEBRUARY, 1880.

MEMBERS PRESENT :—

Mr. Driver in the Chair.

Mr. Combes, | Mr. Farnell.
 Alfred W. Gilles, Esq. (*a Director of the Company*), called in and examined.
 Witness withdrew.
 Edward Combes, Esq., C.M.G., M.P., a member of the Committee, examined in his place.
 Committee deliberated.

[Adjourned to Thursday next, at half-past *Two* o'clock.]

THURSDAY, 26 FEBRUARY, 1880.

MEMBERS PRESENT :—

Mr. Driver in the Chair.

Mr. Farnell, | Mr. Combes,
 Mr. Gray, | Mr. Macintosh.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,” put and passed.

Clauses 1 to 162 read and agreed to.

Schedules read and agreed to.

Chairman to report the Bill without amendment to the House.

LIST OF WITNESSES.

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1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

SYDNEY CITY AND SUBURBAN TRAMWAY
AND OMNIBUS COMPANY'S BILL.

THURSDAY, 12 FEBRUARY, 1880.

Present:—

MR. COMBES,
MR. DRIVER,MR. FARNELL,
MR. GRAY.

R. DRIVER, ESQ., IN THE CHAIR.

John Young, Esq., examined:—

1. *Chairman.*] You are one of the promoters of this Bill? Yes.
2. You are aware of the general nature and objects of this Bill? Yes.
3. Has a Company recently been formed called the Sydney City and Suburban Tramway and Omnibus Company? Yes.
4. What is the proposed capital of the company? £500,000.
5. In shares of what? 50,000 shares of £10 each.
6. How many shares have been applied for or allotted? £50,000 worth at present.
7. Who are the principal promoters of the Bill? Myself, the Chairman, Patrick Alfred Jennings, Daniel Williams, Charles Carlton Skarratt, Patrick Higgins, Walter Russell Hall.
8. In fact all the persons named in the preamble? Yes, and many more.
9. These persons are all well-known residents of Sydney? Yes.
10. You yourself have had very considerable experience, have you not, in the working or construction of tramways? Yes.
11. And the gentlemen named desire this Act? Yes.
12. In order to enable them to carry out the objects of this Bill? Yes.
13. In your opinion would the laying down of the tramways proposed in this Bill be a great public convenience? Yes.
14. Have you paid any attention to the working of tramways in other parts of the world? Yes.
15. Where, particularly? In London, Paris, New York, and other places.
16. And in those places they have proved a success? Yes.
17. Are they in the hands of private individuals, or of the Government in other places? Of private individuals invariably. There are several exceptions in England where the tramways have been laid down by the Corporations of certain towns.
18. Those cases are the exception? They are the exception.
19. *Mr. Gray.*] Do you know how many instances there are of that kind? The tramways of Bristol and of Dundee are instances which I know. These were put down by the Corporation, but let to private individuals.
20. To private individuals or to companies? I do not know whether to private individuals or to companies, but they were worked separately from the Corporations.
21. Can you assign any reason for that—why they were worked by private individuals? I know that when I was in Bristol in 1875, seeing the tramways laid and not at work I made inquiries why they did not run

J. Young,
Esq.
12 Feb., 1880.

J. Young,
Esq.

12 Feb., 1880.

the tram and I was informed that it was because the Corporation could not get the amount of rental they had anticipated for it.

22. I suppose you are aware that the Government have proposed to lay down tramways in the city and suburbs? Yes.

23. In your opinion is that a duty properly pertaining to Government? I think not.

24. Has any portion of the capital of the proposed Company been paid up as yet? About £60,000 that belongs to the Company would be available for this work at any moment.

25. Then the whole amount of the proposed capital could be made available almost immediately after the passing of the Bill? Within three months.

26. I think you have already said that in your opinion the laying down of the proposed tramways would be a great convenience to the public? Yes.

27. They have been in other parts of the world? Yes.

28. *Mr. Gray.*] What is the motive power you would propose—steam or horse? Both.

29. *Chairman.*] I suppose tramways could be so constructed as not to interfere with the ordinary carriage traffic or to cause any impediment or obstruction in the streets? Yes.

30. What rails do you propose laying down? That is not decided; it is a matter of consideration which is the best rail.

31. You have not come to any determination upon that point? Only that it will not be the Larsen rail for locomotive traffic.

32. Why not? It is not considered now the best rail. There are better rails than the Larsen rail. They are largely used for horse traffic because they are flat, whereas the rail best suited to a locomotive is deeper and more conformed to the railway rail. The Larsen rail is made expressly for horse traffic.

33. At all events you would decide upon having the best rail procurable and so constructed as not to interfere with the ordinary traffic? Precisely. Where horse traffic was intended I do not think you could beat the Larsen rail, but that would not be suited for locomotives.

34. *Mr. Farnell.*] Is there ample provision made in the Bill for the convenience and safety of the public in the construction of these tramways? Yes; the public are taken care of in every shape and form.

35. Are you aware that some time ago—in the year 1878 I think—the inhabitants of the suburbs of Sydney petitioned in favour of the construction of a tramway by a Company? Yes; those of Paddington, Woollahra, and Waverley particularly.

36. Are you aware that a resolution was passed by the Legislative Assembly in 1876, I think, affirming the principle that the Government should construct a system of suburban railways? Yes, I remember that.

37. Do you think what the Government now propose to substitute in lieu thereof—namely, tramways—would be as conducive to the interests of the public? I think there is no connection between the two. I think suburban railways should be the business of the Government to carry out; and I am very much afraid that tramways are held out merely as a sop to prevent this being done. I am one of those who believe in suburban railways, but these in no way interfere with tramways. Tramways take the place of omnibuses and feed the railways, but they should not be substituted for railways.

38. Suppose the Government were to construct a tramway to the populous suburbs, do you not think they would ultimately be compelled to have a railway? Yes, certainly they would, as the population and traffic increased.

39. Are tramways worked by steam motive power much more economical than or as economical as railways? No; they are more expensive than railways, and I will explain why. The ground having been purchased, and of course remaining in the hands of the Government, the construction of the railroad is simply metal which is put between the rails and sleepers. This is all that is necessary, because there is only the traffic of the trains along it. But tramways in addition to its own trains along them have the ordinary street traffic passing along and over them; it is necessary to pave them much better indeed than has been done in the present tramway to Redfern, with at least an 8-inch pinch instead of a 4-inch. The cost of that paving, together with that of laying the rails, I do not think would come to any less than £10,000 a mile, whereas the cost of railways, apart from the land—that is, the cost of construction itself—would not be more than half the money.

40. It is your opinion that tramways proper simply superseded the 'bus traffic? Omnibus traffic.

41. As a superior means of locomotion to omnibuses? Yes, it takes the place of the omnibus traffic. Those who have been to Europe, and have seen the method with which suburban trams run to the principal stations in a few minutes, will feel that Sydney must follow the example eventually or be content to be behind the age. At stated intervals the line is cleared, and persons from fixed stations are run into the central station in a very few minutes. I will instance Chesterhurst station in Kent where the line is cleared at the time when business men are going into the City in the morning, and the train runs to London Bridge, a distance of somewhere about 12 miles in 8 minutes. Now omnibus or tramway traffic could never do that. Railways enable business men to live at a distance from town, and to get in at a given fixed time, as tramways could never do.

42. Do you know the present motor connected with our tramway? Yes.

43. Do you know what is the steepest gradient that engine would have the power of hauling the carriages over? I should say one in twenty-five, or perhaps one in twenty-two; but we have gradients in our city, for instance at Brickfield Hill, of one in eighteen, and there would be an immense waste of motive power to get up that hill.

44. *Mr. Combes.*] Are you aware that the portion of the Paris system of tramways that was run for some considerable time by steam motors is now drawn by horses? Yes.

45. *Mr. Farnell.*] Has a similar change been made in other places? Yes.

46. For instance in America? You can scarcely compare American with European tramways. In America horses are generally used for haulage of tram-cars. In fact Mr. Stephenson, of New York, the largest maker of tram-carriages in the world, told me distinctly that nothing could beat horse traction for tramways, and when you come to consider the matter you will see why we run at the present moment omnibuses in George-street every 3 minutes. If motors were to do that work they must be motors that would not stop the traffic, that is to say, they must move as quickly as omnibuses, and necessarily it follows that if, as we actually do, we ran an omnibus every 3 minutes, which takes fifteen passengers, and also sets down the same number. Now, a steam-motor might take double the number of passengers, but would take double the time of the omnibuses in taking up and setting them down, and as you must necessarily

necessarily have a double or up and down line that would stop the traffic. On the other hand, if you had a horse-motor the carriages could be constructed upon precisely the same principle as omnibuses, to carry the same number. They would run and fill as quickly, and need not stop the traffic longer than omnibuses. It would be impossible to have steam-motors in George-street, but in Elizabeth-street the objection does not apply, as that goes at longer intervals. People who are in the habit of getting an omnibus every 3 minutes would not wait 10 minutes for a steam-motor, and if such long intervals as these were run by the cars there would soon be opposition omnibuses, which would take the intermediate traffic. In New York, where they have carried out the tramway system better than in any part of the world, there they have double and single horse-cars which run one after another as fast as possible, and take the quick traffic. Then comes the question as to whether Government should interfere with the horse traffic of the city, and I am of opinion that it is beneath the dignity of Government. If they did so in this instance they might take the ordinary coaches and omnibuses throughout the length and breadth of the country, or do the whole of the horsing business.

J. Young,
Esq.
12 Feb., 1880.

47. Upon the same principle they might take the steamer traffic? Yes.

48. Comparing the two modes of transit, steam motive power and horse traction, which is the quicker? Steam is no doubt the quicker, but a steam motor is much more likely to get off the line than a horse-tram, because you cannot make the points of a tramway to be movable as in a railway; they must be fixed points, and an engine cannot be worked with the same ease at these points as a horse.

49. Although you propose by this Bill to use steam motive power, you intend to use it only under special circumstances? Yes, only where applicable, as for instance on a certain main road. I do not say in what direction. The main road may be worked by steam, and the branches that feed it by horses. I do not say that the Government could not do the same. Whether they intend to do so I do not know, but if they do intend to interfere in this business it seems to me to be a species of paddling outside the duties of Government.

William Shenstone, Esq., examined:—

50. *Chairman.*] You are Secretary to the proposed Company? Yes.

51. Do you produce the minute-book? Yes. This is the minute-book of the Sydney City and Suburban Tramway and Omnibus Company. (*The witness produced the same.*)

W.
Shenstone,
Esq.

52. Do you produce the minutes of the first meeting of the proposed Company? Yes; the first meeting was held by a number of gentlemen for the formation of the Company, and these are the minutes of the resolutions under which the Company was formed and the amount of capital determined upon.

12 Feb., 1880.

53. What was the capital determined upon? £500,000 divided into 50,000 shares of £10 each.

54. Other meetings have been held since then? Yes, at which these resolutions were confirmed and other business was done in connection with them, up to the preparation of this Bill.

55. Will you furnish a copy of those minutes to the Committee? I will. (*See Appendix.*)

56. Have you had any experience at all in connection with tramways? None whatever, except in a clerical capacity.

57. You have been Secretary to the Omnibus Company for some time? Yes, and I was secretary to the Deniliquin and Moama Railway during its construction, and have a general knowledge of the financial business and management of such undertakings.

58. Do you know Mr. Gilles, one of the promoters of this Bill? I do.

59. He is a gentleman of very large experience, is he not? He is a director of our Company; how far his experience outside of that extends I cannot say.

TUESDAY, 24 FEBRUARY, 1880.

Present:—

MR. COMBES,

MR. DRIVER,

MR. FARNELL.

R. DRIVER, ESQ., IN THE CHAIR.

Alfred William Gilles, Esq., examined:—

60. *Chairman.*] You are one of the promoters of this Bill? I am.

61. Have you given any attention to the subject of tramways? Yes; I have read up largely upon the subject, and have gathered information from any quarter that I thought likely to furnish me with correct information.

A. W. Gilles,
Esq.

62. Have you seen the practical working of any tramways? Of steam tramcars only in this colony.

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63. You have not seen the practical working of any other? Not by steam. Some years ago I saw them worked by horse traction in New Zealand and also in South Australia, but not upon the present system of sunken rail.

64. The present system is an improved system, is it not? It is.

65. By whom are the tramways worked in the two colonies you have mentioned? By private enterprise.

66. Not by Government? No; I never heard of Government working tramways.

67. Neither there nor elsewhere? Neither there nor elsewhere.

68. Are the two colonies you have named the only colonies, with the exception of New South Wales, in which tramways are being worked? No; they are working tramways in South Australia.

69. Is that tramway in the hands of the Government? I believe not.

70. Are the gentlemen interested with you in promoting this Bill men of means? They are—of undoubted means.

71. Should the present Bill pass there will be no difficulty whatever in carrying out the objects of the Company, either from want of capital or any other causes as far as you know? None whatever, so far as I know.

72. I suppose it is now pretty generally admitted that tramways are a great public convenience? Yes; are a public necessity.

- A. W. Gilles, Esq.
24 Feb., 1880.
73. In your opinion, is it the duty of the Government to undertake such works? Decidedly not.
74. Why not? Because where Government might run a line which would be a profitable investment to a private company it would be a serious loss to the State.
75. Can you assign any reason for that? My experience has always shown me that what it would cost the Government a pound to do a private Company could do at a large discount. There would be more economy in the working, more facility in carrying out the business. Having a direct interest in the matter causes private individuals to look after its management more closely.
76. That has always been the case in matters which have come under your notice? Yes, always.
77. The Company asking for this Bill has been regularly formed? Yes.
78. And the application for this Bill to Parliament is *bond fide*? It is a *bond fide* application. Perhaps I may be permitted to say that I have watched the working of the tramway here, which is generally accepted as a success in every way, both as regards the convenience of the public, and commercially. Now, I contend that while it is a public convenience it is undoubtedly not a financial success. On the contrary, and I am prepared to prove it in a few words, it is a financial failure.
79. How can you show that? From the evidence that is before your House, as furnished by the Commissioner for Railways, I understand, which states that the receipts upon your tramway average £12,600 a-year, and that the expenditure is £7,500; that apparently shows a profit of £5,100, which would be a large dividend upon the capital as represented in the cost if I recollect rightly, of £22,000 or £23,000 for a mile and thirty-five chains. But as it is contemplated in this Bill that my friends are asking for to make a rate of a penny per mile, it stands to reason that that is not running on its merits, inasmuch as they are receiving for less than a mile and a half a twopenny and threepenny fare. If you reduce that to a penny halfpenny that sweeps away more than £5,100, and it must come to that as soon as tramways are established at a penny a mile. Then again, there is no provision in the amount of £7,500 for wear and tear, and so far as I have understood, and indeed as I know positively, there is very serious wear and tear going on.
80. To what estimate are you now referring? To the estimate of the Commissioner of Railways. It is published in a Blue Book that the whole cost will stand at £7,500 a-year, but no provision is made for wear and tear for maintenance. Now, I know upon the evidence of people working the tramway, that for some time past the boilers or motors began to give in, and that the Government have had to send to Europe to obtain copper tubes to repair the present one; the rails too are giving way, and I know the road is sinking. I therefore conclude, and my opinion is backed up by the best evidence in the world, contained in the leading scientific journals, that the calculation of the cost is incorrect. In the works to which I refer it is shown that the working expenses of railways in all parts of the world are 50 per cent. upon the receipts, whereas upon tramways the working expenses average 85 to 95 per cent. If you apply that rule to this tramway you will find it a seriously losing instead of a gaining affair, and that is practically the outcome of it.
81. Do you attribute that solely to the fact that the matter is in the hands of the Government? Not altogether partly to that, but in a greater measure to the employment of steam-motor. Steam throughout the world is condemned in the working of tramways. It is not the proper system, is not convenient for the requirements of the citizens or inhabitants of a place, nor is it profitable in a financial way.
82. Have you any farther remarks to make? One of the main reasons of the failure of this system is the weight of the motor—the motor kills the road, and exceeds the weight of the carriages when loaded by three to one. Then, too, you have to provide a road specially to carry the motor, and not to carry the people. Then again, the road laid down to provide for the motor is a convenience to the general traffic of the city, the heavily laden vehicles make use of it, and thus they destroy it, whereas with a lighter road they cannot do so. It would be of no use to them.
83. Do you propose to adopt a different state of things in your Company? We propose to follow the latest experience in Paris, in Belgium, in Scotland, in England, and in other parts of the world, as well as to avail ourselves of our experience from watching the working of the tramway here. I may add that for long distances, when the traffic is not interrupted, and where the tramway can go through by-streets, in those cases our Company would think of using steam.
84. Mr. Farnell.] You have referred to some articles in leading scientific journals;—do you allude to “The Engineer”? I do refer to that as one.
85. Is there not reference in some of those articles to two Committees of the House of Commons upon this subject? To one Committee—I am not aware of a second. The report of the Committee is in one of the papers I have read, of the 21st April I think.
86. Is steam power for tramways condemned by that Committee? Yes it is, as I read it.
87. In that report is there not a statement to the effect that steam or other mechanical power should not be allowed to be used upon tramways for a period beyond seven years? Yes.
88. Do you know the reason why the Committee reported against the use of steam power upon tramways within towns? The traffic has never been carried on successfully under steam; there have been so many conditions that have interfered with its success: the breaking down of a portion of machinery, the breaking of a wheel, the bursting of a tube, the giving way of the rails, or the sinking of the road would disarrange the whole of the traffic of the city for hours; because the weight of the motor—unless it were much lighter than the one we use here—is so great that a considerable time must be occupied before it could be got off the street, and meanwhile the whole of the traffic would be interrupted.
89. Is it not found to be the fact that horse traction affords greater convenience and more expedition than steam for tramways? Yes; the most successful way of working short distances in public places is by horses. Lines that have been, as the Americans say, “operated upon” for years with steam, and have failed even with two-horse power, have, when reduced to one-horse cars, been profitable lines.
90. If you use steam motors you require to have the road specially constructed for them? It must be so constructed.
91. Is it not the fact that the construction of a road or tramway for steam traction costs more than a railway? Far more, as a general rule.
92. I think you stated that the present tramway was not a financial success? Undoubtedly not, I think.
93. I think you propose under your Bill to adopt steam, do you not? In some parts. I may say that when the matter was first proposed our feeling was very strongly in favour of steam; but from observation and information we have changed our views very much.

94. Steam might be applied in cases where the journeys were rather long, and where the traffic was not so frequent? Only where the traffic is not frequent. A. W. Gillies,
Esq.
95. You think where a tramway may not be a financial success under Government management it may become so under a private Company? Yes, we have experience of that every day,—what Government would lose money by would yield a Company a good dividend. 24 Feb., 1880.
96. I suppose you are aware of the proposal of Government to carry out a system of tramways to the suburbs? Yes.
97. Do you not think that in a very short time, in consequence of the increase of population in these suburbs, it would be necessary to supersede these tramways by a system of suburban railways? I have always maintained that the only system which could successfully accommodate the population of the suburbs is one of suburban or circular railways.
98. Then the tramway would answer as a mere feeder? Yes, or to relieve the railways of their passengers, to take them to their homes or places of business.
99. In many ways the tramway would be useful for intersecting lines throughout the city? Yes.

Edward Combes, Esq., M.P., C.M.G., examined:—

100. *Chairman.*] What is your profession? I am a civil engineer, member of the Institution of French Engineers, and an associate of the Institution of Civil Engineers in England. E. Combes,
Esq., M.P.,
C.M.G.
101. I believe you have paid considerable attention to the formation and working of tramways? Yes, I have paid particular attention to the construction and working of tramways, and during my late visit to Europe I examined, from an engineering point of view, all the tramways that were established in the cities I visited—that is to say, in England, France, and Belgium, but more especially in Paris and Brussels. 24 Feb., 1880.
102. They are now almost universally looked upon as a great convenience? They are looked upon as a public necessity.
103. Do you happen to know what is now considered the best rail for the purpose? The best class of rail for a town where carriages run in the streets is a rail with a sunken groove, commonly known here as the Larsen rail, or rather a modification of that rail. It is so called from the method of fastening. Nearly all the rails that had been laid down from the formation of the first Liverpool tramway have been of this class. These rails had been fastened with a spike through the bottom of the groove. The Larsen invention was to fasten the rail at the side without weakening it by boring; that is all the difference. There are other kinds of rails, all modifications of this, with the exception of one, which is the only one I know in use that is made on a different principle—this is the Beloe rail, invented by Mr. E. H. Beloe. That rail is made in this manner:—It is in two pieces, like a double-headed rail split in two and kept apart with the chair coming between the two pieces through which it is bolted, the space between forming a groove in which the flange of the tram-wheels run. It is put on transverse sleepers in the same way as a common railway-line is laid. But for all purposes where there is considerable carriage traffic in streets, where carriages have to run over rails, a modification of the Larsen rail I think to be much the best, and further that it is absolutely necessary that the space between the rails and a portion of the street should be paved with granite, so that the wheels when they come against a portion of the line to cross the rails they will go over it without difficulty. I may mention here that in America, where there are more tramways than in any other part of the world, where, in fact, tramways took their start, and whence, although the term "tramways" is now beginning to be employed, they generally take their name. Thus, in France they were termed "Chemins de fer Americaines;" in America they use a tram-rail which stands above the level of the road, which of course causes considerable obstruction to the carriage traffic. These tramways are put down through the business parts of the city for the convenience of the public, and the people say that those who have private carriages must either use the avenues and less frequented streets, or put up with the inconvenience. Almost every American town is chequered with tramways. The towns are usually divided into square blocks, in the same way as our modern towns—Bathurst, Orange, and other Australian towns. The tram-carriage goes up and down every alternate street both ways, so that knowing the number of the street to which you want to go—the streets being all numbered—you need not walk more than half a block, say from 80 to 100 yards, if you want to go into any of the transverse streets to get an up or down tram. They run every few minutes, and afford a very easy and economical mode of transit to any part of the town.
104. Is horse or steam traction employed upon these trams? Almost invariably horse traction. Where there is a long length of road, that is to say, where you run a considerable distance without a stoppage it is cheaper to use steam, or a mechanical motor of some kind, than horses, but where you have to stop every few yards to take up or set down passengers it is found that horse is much more economical than steam traction. Accordingly in Paris the Tramway Companies on several of the lines which they worked with steam motors have now taken them off and are running horses again. Where the length is sufficiently great between the stations steam motors are still employed. Where these are used the tram is to all intents and purposes a light railway, and the streets are generally very wide, as modern streets are now invariably made. For instance, in Washington, where the streets are from 2 to 3 chains wide, and have not only a wide pavement but a carriage-way for common carriages on both sides, the streets are planted with trees, and in the centre a space is left on which this double-line of tramway or light railway is laid down. Carriages are not allowed to cross except where granite paving is laid down, and the crossings made perfect, and these they must cross at a slow pace. In laying down a tramway in a town it is this granite paving which makes it so expensive.
105. Are the tramways in the cases you have referred to usually constructed by Government or Municipalities? I have never heard of one single case where the Government or Municipalities have constructed anything of the sort. There are instances where they have guaranteed or subsidized a line by a certain interest, but the money for constructing the line has been found by Companies. I would like to point out that where the granite paving of a street costs from some £7,000 to £8,000 a mile it is impossible to make a tramway as cheaply as a railway, where no paving is wanted, and nothing but a little ballast. Not only must this be done, but in order to prevent the tramway sinking, the sleepers must be laid in concrete—a sufficient depth of concrete made of gravel and the best Portland cement—in order to prevent the line from sinking or shifting; otherwise you would soon have the streets out of repair.
106. You do not know what the promoters of the present Bill intend doing? I know nothing of the intentions of the promoters of the present Bill, excepting what I see in the Bill itself. From that I see that it is intended

E. Combes,
Esq., M.P.,
C.M.G.
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intended to work both by steam and horse traction, and that I consider perfectly right; in fact I think any Company should provide in a Bill for the running of motors either by steam or compressed air, which I think will come into general use in a short time, especially where they do not often stop to pick up passengers.

107. *Mr. Farnell.*] In reference to the cost of paving narrow streets that would apply to nearly every street in Sydney? I think it would. In fact, in reference to the streets in Sydney, it would be wise, where a tramway was laid down, to thoroughly pave the street from one side to the other; for if a portion were paved with granite and the other macadamized, then, having a differential rate of wear and tear, the street would be uneven; the macadamized portion being worn down, the edges of the granite would form as much bar to the passage of carriages driving across as the tramway.

108. One side of the street would be more cut up than the other? Yes, on both sides of the street where the paving did not exist, unless the line were constructed on one side.

109. Is there not a good deal of difference between the working expenses of steam and horse power for short journeys? Yes. They say everything can be shown by figures, and during last year, when I was in Paris, there was a very exhaustive paper read on the subject of tramways, in which it was shown that steam was the cheapest motor of any. Another paper was read immediately after to show that horse-power was the cheapest. The whole thing depends upon the cost of horses and horse-feed; where we have to pay 6s. a bushel for corn the cost of horse-traction must be very considerably more than where the cost is half-a-crown. The same remark applies to hay and other fodder. Where a horse can be bought and kept moderately cheap nothing is so cheap for the traction of tramway carriages. The horse can be easily stopped, but when a steam-motor is stopped you have to put brakes on and consume a considerable amount of power in pulling up. Then in starting again you have all the difficulties incidental to starting steam-engines to overcome before you can move off; whereas it is the easiest thing to stop a horse and to put him in motion again, and little power is lost.

110. What is your opinion in reference to connecting the suburbs with these tramways? If the suburb is any distance from town no doubt there is nothing like a proper railway, upon which you can travel at great speed; otherwise the distant suburbs cannot be made use of for business men. In England and Europe large numbers of people reside at considerable distances from the towns where they conduct their business; for instance, many merchants and others of the City of London reside as far away as Brighton, 50 miles from London, and the train brings them up to town in an hour to their business. It would be impossible for business men to reside at such great distances from town if their means of transit was at the rate of 8 or 10 or perhaps only 5 miles an hour, instead of by means of a powerful engine running at the rate of 40 or 50.

111. Do you think, supposing it were intended to connect South Head, Waverley, Cook's River, Ashfield, and Canterbury, by a circular system with the City, it would be desirable to have a tramway? I am of opinion a railway should be constructed to do that, and I am sure that if at the present time a tramway were made to those places, within half-a-dozen years it would still be necessary to make a railway.

112. They would be superseded by railways? Yes, or would simply become auxiliaries to the railways. They will not be able to do the work quick enough. I may mention here, with reference to the necessity for steam in connection with these circular railways, the underground line of London, and the overhead line of New York, I have myself witnessed and timed, watch in hand, trains coming in and going out every minute and a half. I have sat for half an hour watching and timing them. The train has come in, set down its passengers, taken up others, and gone again in one minute and a half. In London the Metropolitan trains run every two and a half or three minutes; of course there can be no attention paid by porters on this line, everything is done by the passengers themselves. The English carriages are similarly constructed to ours, every door is opened when they come to the station, the people get out, others get in. There are three classes, and lads are placed at different parts of the station to indicate the first, second, and third classes. At these several points the different classes of passengers collect, so that when the train stops they at once step into their proper carriages, which stop opposite to them, and the train proceeds without a delay of more than a few seconds. In the American carriages there are openings at both ends, and at the stations as the people stream out at one end others pass in at the other, and there is a delay of not more than thirty seconds. The trains follow as quickly as I have stated during portions of the day, and so great is the passenger traffic that at times there is an accumulation which cannot be taken by the ordinary train, and additional trains are brought out of sidings purposely constructed on to the line immediately following the other carriages taking up the passengers so as to avoid any block.

113. You are now referring to railways? To the overground railway in New York I am referring in this particular instance. I may remark here that where steam power is used in cities I have never seen it used in the shape employed here; that is to say, I have never seen it used except by a proper steam motor, that is a motor of a more or less silent character. Here we have simply a little steam locomotive, nothing more and nothing less, which is eminently calculated to frighten everything that comes in its way. Now the motors that have been used on the Continent and in a good many different places I have visited have been so constructed as to be as silent as possible, that is to say, there are means provided on the locomotive that prevents the escape of steam in the puff, puff, puffing manner common to the steam-engine. This is done by condensing or partially condensing the steam and in contracting the exhaust, so as to make the steam leave in a continuous stream when leaving the exhaust. The motors I saw employed at Rowen and at Paris, and, I think, also in Belgium, were Mereweather motors, or a modification of the Mereweather motor by Mr. Holt, of the Paris tramway. Mr. Holt is one of the sub-editors or principal correspondents of the *Engineer*, and everything that has been written in that paper with reference to motors and tramways in Paris and on the Continent has been written by him. He is a very great authority, and I have his opinion and also that of Mr. Larsen—who you will recollect was examined before a Committee of this House, and at one time thought highly of steam motors—that wherever fodder could be got at all cheaply it was far cheaper to employ horse than steam traction.

114. *Chairman.*] I gather from your evidence that you are not particularly favourable to the present motor? I am not at all favourable to the present motor; I never saw a worse; and I think the carriages themselves the greatest possible abortions. Much more could be done with a better carriage and a better motor than the present, although, I think, that the work of that line could be as well done by horses as by steam.

SYDNEY CITY AND SUBURBAN TRAMWAY AND OMNIBUS COMPANY'S BILL.

APPENDIX.

[To the Evidence of William Shenstone, Esq., 12 February, 1880.]

MINUTES of a Meeting held at 72 King-street, Sydney, on Thursday, the 23rd October, 1879.

Present :—Messrs. John Young, John Woods, Alfred W. Gilles, Daniel Williams, Patrick Higgins, and Walter R. Hall.

Business.

To promote the formation of a Company for the purpose of making Tramways and otherwise providing for the traffic in the City of Sydney and Suburbs.

Resolved,—That a Company be formed to be called "The Sydney City and Suburban Tramway and Omnibus Company (Limited)," and the capital of the said Company be £500,000 sterling, divided into 50,000 shares of £10 each.

Resolved,—That the object of the said Company be to construct Tramways in the City of Sydney and Suburbs. To purchase the plant and interests of existing omnibus companies, and therewith to provide for the traffic during the construction of the main lines of Tramway, and also as feeders to the same.

MINUTES of a Meeting of the Promoters of the Sydney City and Suburban Tramway and Omnibus Company (to be incorporated by Act of Parliament) held at 72 King-street, Sydney, on Tuesday, October 28, 1879.

Present :—Messrs. John Young (Chairman), J. S. Jamieson, John Woods, A. W. Gilles, Daniel Williams, Chas. C. Skarratt, Patrick Higgins, and John R. Carey.

Minutes of meeting, held October 23, 1879, were read and confirmed.

MINUTES of a Meeting of the Promoters of the Sydney City and Suburban Tramway and Omnibus Company (to be incorporated by Act of Parliament) held at the "Royal Hotel," George-street, Sydney, on Tuesday, November 4, 1879.

Present :—Messrs. John Young (Chairman), A. W. Gilles, Daniel Williams, John Taylor, John Pope, J. R. Carey, J. S. Jamieson, and John Woods.

Minutes of meeting, held October 28, read and confirmed.

Business.

To appoint a sub-committee to adopt a draft of a Bill to be prepared for presentation to Parliament.

Moved by Mr. A. W. Gilles, seconded by Mr. J. S. Jamieson,—

"That the following gentlemen be a Committee to adopt a draft of a Bill, and to instruct the Company's solicitor in the preparation of the same, viz. :—Messrs. John Young, John Pope, J. R. Carey, and J. Woods."

Carried.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SYDNEY CITY AND SUBURBAN TRAMWAY AND
OMNIBUS COMPANY'S BILL.

(PETITION AGAINST—MUNICIPAL COUNCIL OF SYDNEY.)

Received by the Legislative Assembly, 14th January, 1880.

To the Honorable the Speaker and the Members of the Legislative Assembly of New South Wales, in
Parliament assembled.

The humble Petition of the Municipal Council of Sydney,—

RESPECTFULLY SHOWETH :—

That your Petitioners observe that a Bill has been introduced into your Honorable House for the purpose of placing in the hands of a private Company the power to construct and maintain Tramways in this city and its suburbs.

That your Petitioners are of opinion that however desirable it may be to extend the system of Tramways, it would be inadvisable to give such privileges as those sought by the proposed Bill to any Company, but that the public interest would be best secured by such works being carried out and maintained by the Government of the Colony.

Your Petitioners therefore humbly pray that the said Bill may not pass into law.

And your Petitioners will ever pray, &c.

ROBT. FOWLER, Mayor.

[L.S.]

CHAS. H. WOOLCOTT, Town Clerk.

1879-80.

NEW SOUTH WALES.

TWENTY-FIFTH ANNUAL REPORT

OF THE

POSTMASTER GENERAL,

ON THE DEPARTMENTS UNDER HIS MINISTERIAL CONTROL,

BEING THAT FOR THE YEAR

1879.

Presented to Parliament by Command.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1880.

THE POSTMASTER GENERAL TO HIS EXCELLENCY THE GOVERNOR,

TRANSMITTING THE

ANNUAL REPORT FOR THE YEAR 1879 ON THE DEPARTMENTS OF THE POST OFFICE,
MONEY ORDER, GOVERNMENT SAVINGS' BANK, AND ELECTRIC TELEGRAPH.

Sir,

I have the honor to transmit to your Excellency the Twenty-fifth Annual Report on the Departments under the Ministerial control of the Postmaster General.

I.—POST OFFICE DEPARTMENT.

INLAND SERVICE.

The new postal route opened during the year 1879 amounted to 1,664 miles, viz. :—

In the Western Country.

- From Bathurst to Hill End, *via* the Bridle Track (re-established), three times a week.
- „ Bathurst to White Rock, six times a week.
- „ Eauabalong to Cobar, once a week.
- „ Gulgong to Cobbora, twice a week.
- „ Mandurama to Walli, twice a week.
- „ Mount Harris to Carinda, twice a week.
- „ Mungunyah to Yantabullabulla, once a week.
- „ Newbridge to Mount Macquarie, once a week.
- „ Wellington to Comobella, once a week.

In the Southern Country.

- „ Adelong to Mount Adrah, once a week.
- „ Boro to Mayfield, twice a week.
- „ Broken Dam to Wallandry, once a week.
- „ Brown Mountain to Bega, once a week.
- „ Bulli to Clifton, six times a week.
- „ Camden to Mount Hunter Creek, three times a week.
- „ Candelo to Mogilla, once a week.
- „ Canterbury to Belmore, three times a week.
- „ Cobargo to Wandella, twice a week.
- „ Coolac to North Gobarralong, twice a week.
- „ Dalton to Blakney Creek, once a week.
- „ Deniliquin to Cochran Creek, once a week.
- „ Eden to Timbilica, once a week.
- „ Gnalta to Mount Poole, once a week.
- „ Hay to Gunbar, once a week.
- „ Little Billabong to Tumberumba, twice a week.
- „ Moama to Perricoota, six times a week.
- „ Moama to Womboota (Edwards's), once a week.
- „ Murraguldrie to Carabost, twice a week.
- „ Muttama Reef to Mail Coach, between Cootamundra and Coolac, twice a week.
- „ Perricoota to Womboo (Rogers's), once a week.
- „ Pyree to Greenwell Point, six times a week.
- „ Robertson to Kiama, six times a week.
- „ Wagga Wagga to South Wagga Railway Station, six times a week.

In the Northern Country.

- „ Armidale to Inverell, *via* Tingha and Gilgai, once a week.
- „ Belmont to Catherine Hill Bay, twice a week.
- „ Bingera to Bundarra, once a week.
- „ Bonshaw to Texas (Queensland), once a week.
- „ Bridgeman to St. Clair, twice a week.

From

- From Copeland North to Bowman, twice a week.
 „ Copeland North to Copeland South, three times a week.
 „ Glen Innes to Red Range, once a week.
 „ Grafton to Southgate, twice a week.
 „ Hanging Rock to Glen Morrison, once a week.
 „ Manly to Gosford, twice a week.
 „ Narrabri to New Oriel, once a week.
 „ Quirindi to Tally Ho, *via* Walhollow, twice a week.
 „ Quirindi to Pine Ridge, *via* Warrah Ridge, twice a week.
 „ Scone to Woodlands, once a week.
 „ Tamworth to Moor Creek, once a week.
 „ Wallabadah to Nundle, twice a week.

472 miles of postal route were abolished, viz. :—

Western Roads.

- Between Checseman's Creek and Meranburn, once a week.
 „ Checseman's Creek and Molong, three times a week.
 „ Hill End and Brumbin, three times a week.
 „ Irvistone and Carr's Creek, six times a week.
 „ Mount Harris and Wammerawa, twice a week.
 „ Newbridge and Teesdale, once a week.
 „ Richmond and Castlereagh, three times a week.

Southern Roads.

- „ Jugiong and North Gobarralong, twice a week.
 „ North Wagga Railway Station, and Post Office, Wagga Wagga, six times a week.

Northern Roads.

- „ Bunnan and Merriwa, once a week.
 „ Colly Blue and Tally Ho, twice a week.
 „ Cooranbong and Catherine Hill Bay, twice a week.
 „ Goorangoola and St. Clair, once a week.
 „ Gosford and Blackwall, twice a week.
 „ Quirindi, Walhollow, and Pine Ridge, twice a week.

In the Suburbs of the Metropolis.

- „ Marrickville and Forest Hill, three times a week.

Increased accommodation on existing lines was afforded during the year 1879 as follows, viz. :—

Western Roads.

- Between Castlereagh and Bringelly, from three to six times a week.
 „ Condobolin and Eauabalong, from twice to thrice a week.
 „ Emu Ferry and Emu, from six to twelve times a week.
 „ Gulgong and Coolah, from once to twice a week.
 „ Gulgong and Mudgee, from six to eight times a week.
 „ Hartley and Hartley Vale, from five to seven times a week.
 „ Hill End and Tambaroora, from six to seven times a week.
 „ Meranburn and Parkes, from three to six times a week.
 „ Molong and Meranburn, from once to six times a week.
 „ Oberon and Gingkin, from once to twice a week.
 „ Orange and Molong, from three to six times a week.
 „ Quambone and Carinda, from once to twice a week.
 „ Rylstone and Mudgee, from twice to thrice a week.
 „ Taralga and Curraweela, from once to twice a week.

Southern Roads.

- Between Bateman's Bay and Moruya, from twice to thrice a week.
 „ Bombala and Pambula, from once to twice a week.
 „ Candelo and Kameruka, from twice to thrice a week.
 „ Cootamundra and Coolac, from two to six times a week.

Between

- Between Crookwell and Tuena, from twice to thrice a week.
- „ Eurobodalla and Wagonga, from once to twice a week.
- „ Euston and Wentworth, from once to twice a week.
- „ Goulburn and Crookwell, from twice to thrice a week.
- „ Goulburn and Currawang, from twice to thrice a week.
- „ Goulburn and Middle Arm, from once to twice a week.
- „ Goulburn and Taralga, from twice to thrice a week.
- „ Goulburn and Wheeo, from twice to thrice a week.
- „ Gunning and Lower Gundaroo, from three to six times a week.
- „ Jereelderie and Wilson, from once to twice a week.
- „ Laggan and Peelwood, from twice to thrice a week.
- „ Marsden's and Wollongough, from once to twice a week.
- „ Marulan and Bungonia, from six to seven times a week.
- „ Moss Vale and Robertson, from three to six times a week.
- „ Murrumburrah and Grenfell, from six to seven times a week.
- „ Peelwood and Tuena, from once to twice a week.
- „ Taralga and Golspie, from once to twice a week.
- „ Wagga Wagga and Ariaah, from once to twice a week.
- „ Young and Grenfell, from five to six times a week.

Northern Roads.

- Between Aberdeen and Rouchell Brook, from once to twice a week.
- „ Armidale and Glen Innes, from three to six times a week.
- „ Bonshaw and Tenterfield, from once to twice a week.
- „ Breeza and Gunnedah, from four to six times a week.
- „ Bulahdelah and Forster, from once to twice a week.
- „ Coonabarabran and Gunnedah, from once to twice a week.
- „ Glen Innes and Tenterfield, from three to six times a week.
- „ Gloucester and Copeland North, from three to four times a week.
- „ Muswellbrook and Merriwa, from three to six times a week.
- „ Paterson and Gresford, from three to six times a week.
- „ Quirindi and Wallabadah, from three to six times a week.
- „ Scone and Bunnan, from once to twice a week.
- „ Singleton, Bridgeman, and Goorangoola, from once to twice a week.
- „ St. Leonard's and Hornsby, from once to seven times a week.
- „ Stroud and Gloucester, from three to four times a week.
- „ Tamworth and Moor Creek, from once to twice a week.
- „ Tinonee and Taree, from three to six times a week.

The communication existing on the following lines was decreased during the year 1879 :—

Western Roads.

- Between Cowra and Grenfell, from six to three times a week.
- „ Eauabalong and Lake Cudgellico, from thrice to twice a week.
- „ Millamurra and Quartz Ridge, from twice to once a week.
- „ Sofala and Hill End, from six to three times a week.

Southern Roads.

- Between Bowning and Coolac, from six to three times a week.
- „ Brown Mountain and Kameruka, from twice to once a week.
- „ Daysdale and Corowa, from thrice to twice a week.

Northern Road.

- Between Hornsby and Kincumber, from twice to once a week.

The extent of postal route traversed in the Colony on the 31st December, 1879, was 21,368 miles,

viz. :—

On horseback	...	...	...	...	12,987 miles.
By coach	...	...	...	...	7,605 „
By railway	...	...	...	...	776 „

The extension of mail route by railway during 1879 was as follows :—

North Wagga Wagga to South Wagga	...	...	5 miles.
Werris Creek to Gunnedah	...	...	41 „
Total	...	...	46

The

The number of miles travelled in the year 1879 was 4,776,925, being an increase of 387,000 miles on the mileage of the previous year.

Official offices (*i.e.*, in charge of persons unconnected with private business) for the transaction of the combined Postal, Telegraphic, Money Order, and Government Savings' Bank business were created at the following places :—

Boggabri...	...	...	...	...	On 1st September.
Bourke ...	...	...	...	...	„ 18th July.
Breeza ...	...	...	...	...	„ 22nd November.
Broughton Creek	...	...	...	...	„ 28th July.
Brush Grove ...	...	...	...	...	„ 15th September.
Bulli ...	...	...	...	...	„ 25th August.
Burrawang ...	...	...	...	...	„ 12th March.
Clifton ...	...	...	...	...	„ 16th June.
Copeland North...	...	...	...	...	„ 10th April.
Copmanhurst ...	...	...	...	...	„ 1st September.
Coraki, Richmond River	...	...	...	...	„ 1st September.
Gosford ...	...	...	...	...	„ 1st November.
Hillston ...	...	...	...	...	„ 23rd May.
Marsden's ...	...	...	...	...	„ 1st April.
Moss Vale ...	...	...	...	...	„ 30th June.
Nelligen ...	...	...	...	...	„ 10th October.
North Wagga Railway Station	...	...	...	...	„ 1st September.
Nowra ...	...	...	...	...	„ 1st June.
Tingha ...	...	...	...	...	„ 14th June.
Wardell ...	...	...	...	...	„ 1st September.
West Tamworth...	...	...	...	...	„ 21st February.
Woodburn ...	...	...	...	...	„ 1st August.

The number of Post Offices established was 51, viz. :—

Belmore	Mount Murray
Ben Lomond	Mount Poole
Blakney Creek	Mount Wilson
Boolambayte	Mungunyah
Boorook	Nangribone
Brocklehurst	Newpark
Chatswood	Park Village
Clear Creek	Pelican Flats
Clifton	Perricoota
Comobella	Southgate
Conjola	Spring Hill
Copeland South	Spring Ridge
Cumnock	Timbilica
Dalwood, Richmond River	Urawillkie
Davis Town	Wagra
Gilgai	Walli
Greenwell Point	Wanaaring
Gunbar	Wandella
Mayfield	Warrah Ridge
Merribung	West Tamworth
Merrygoen	White Rock
Mogilla	Whittingham
Moira	Wollomombi
Moor Creek	Woodlands
Mount Adrah	Yammatree
Mount Hunter Creek	

The number of Post Offices re-established was 3, viz. :—

Drake
Heifer Station
Murrumbidgee.

The number of Post Offices discontinued was 14, viz. :—

Borenore	Mount Murray
Brumbin	Nangribone
Carr's Creek	Rexcourt
Catherine Hill Bay	Teesdale
Falconer	Tichborne
Forest Hill	Wammerawa
Lunatic Reefs	Yullundry

The Post Offices at Gullen, Shepherd's Creek, and Turlinjah were converted into Receiving Offices.

It was found desirable to change the designations of the following Post Offices, viz. :—

Back Creek	to	Copeland North
Bowenfells	to	South Bowenfells
Eskbank	to	Lithgow
Lane Cove	to	Gordon
Lewinsbrook	to	Allynbrook
Lithgow	to	Bowenfells
Wagga Railway Station	to	North Wagga Railway Station

In the Appendix will be found a list of the 884 Post Offices in the Colony on the 31st December, Appendix A 1879.

A Post and Telegraph Office was established at the Garden Palace on the day the International Exhibition was opened (17th September), and two months later arrangements were made for the issue and payment of Money Orders there. A glance at the appended return of the business transacted up to the 31st March, 1880, will show that the accommodation was largely availed of by the public.

Number of Letters posted	...	...	...	...	17,692
" Packets	"	...	...	...	4,360
" Newspapers	"	...	...	...	4,484
" Telegrams issued	...	...	...	...	1,050
" " transmitted	...	...	...	...	3,500
" Money Orders issued	...	...	...	...	63
" " paid	...	...	...	...	2
The revenue derived from the—				£	s. d.
Sale of Postage Stamps was	...	...	...	304	0 0
Transmission of Telegrams	...	...	...	105	0 0
Issue of Money Orders	...	...	...	3	8 6
Total	...	...	...	£412	8 6

Receiving Offices were established at the following places during the year 1879, viz. :—

Angledool	Numbugga
Bald Nob	Puddledock
Bellmount Forest	Red Range
Bindle	Rock Flat
Bowman	Sandy Creek
Carabost	Shepherds' Creek
Cochran Creek	Stanmore
Collingullie	The Pinch
Coolongolook Gold Field	Trevallyn
East Gosford	Turlinjah
Gerilgambeth	Vale of Clwydd
German Creek	Wanaaring
Gullen	Willawillingbah
Halton	Winburndale
Hickey's Creek	Wollomombi
Hobby's Yards	Womboo (Rogers's)
Illabo	Womboota (Edwards's)
Katoomba	Wyagdon
Morago	Wyndham
Mount Pleasant	Yellow Water-hole
New Oriel	

The Receiving Offices at the undermentioned places were discontinued, viz. :—

Annan Vale	Gol Gol
Carrowobity	Hickey's Creek
Dulladulladerry	Waddai
Fairy Meadow	Yarra Mundi

The Receiving Offices as Boolambayte, Mount Wilson, Spring Hill, Wagga, Wanaaring, and Wollomombi, were converted into Post Offices.

The Appendix contains a list of the 101 Receiving Offices in existence at the end of the year. Appendix B.

There were 144 changes of Postmasters during the year 1879.

In the Appendix is given a return showing in what parts of the Colony the Government possess Appendix C. buildings for the transaction of the Postal, Money Order, Savings' Bank, and Telegraph business, as well as the places where premises are rented for the purpose. Government buildings at the following places were completed and occupied during 1879, viz. :—

Bingera	Murrumburrah
Carcoar	Narrabri
Cooma	Scone
Coonabarabran	Urana
Gulgong	West Kempsey
Jereelderie	

A large iron letter-receiver was erected at the Windsor Railway Station.

A small iron letter-receiver was removed from Richmond Road, Windsor, it being no longer required. Small iron letter receivers were placed as follows, viz. :—1 at the corner of Harris and Quarry Streets, Ultimo; 1 outside Australasian Steam Navigation Company's gates, Sydney; 1 at Callan Park; 1 at the Newtown Railway Station, near Wagga Wagga; 1 at Bruce's store, North Wagga Wagga; 2 at the Glebe, viz., 1 at the corner of Ross-street and St. John's Road, and 1 at the corner of Pyrmont Bridge Road and Woolley-street; 1 at the corner of Johnston and Collins Streets, Leichhardt; 2 at Singleton, viz., 1 opposite the Court House and 1 at the Railway Station; 2 at Wollongong, viz., 1 opposite the hospital, Para Meadow Road, and 1 opposite the Court House; 1 at the corner of Kendall and Lachlan Streets, Cowra; 1 at the corner of Bathurst and Flint Streets, Forbes; 1 at the corner of Pyrmont Bridge and Camperdown Roads, Sydney; and 1 at each of the following Railway Stations, viz., Gunnedah, Spring Hill, and Murrumburrah.

On

On the 31st December the number of iron letter-receivers erected in the Colony (including both large and small) was 198; the number of other kinds of receiving boxes was 6, and the number of newspaper receivers 12.

At Albury, Ashfield, Bathurst, Deniliquin, Newtown, Orange, Redfern, Richmond Road, St. Leonards, Wagga Wagga, and Wollongong, the letter-receivers are cleared by special messengers, who are respectively paid an annual sum for the performance of this work; at other places this duty is fulfilled by persons regularly attached to the staff of the Department.

Appendix D.

The number of licenses for the sale of postage stamps issued in 1879 to persons other than postmasters or receiving-office-keepers was 55. In the Appendix is given a return of the number of persons holding these licenses throughout the Colony.

There were 8 additional letter-carriers employed during the year 1879. There were at the end of the year 113 letter-carriers distributed throughout the Colony as follows:—

Sydney and Suburbs	...	...	...	...	...	78
Albury	...	...	...	...	...	1
Armidale	...	...	...	...	...	1
Bathurst	...	...	...	...	...	2
Deniliquin	...	...	...	...	...	1
East Maitland	...	...	...	...	...	1
Forbes	...	...	...	...	...	1
Goulburn	...	...	...	...	...	3
Grafton	...	...	...	...	...	2
Hay	...	...	...	...	...	1
Hill End	...	...	...	...	...	1
Morpeth	...	...	...	...	...	1
Mudgee	...	...	...	...	...	1
Newcastle	...	...	...	...	...	3
Orange	...	...	...	...	...	1
Parramatta	...	...	...	...	...	3
Parramatta Suburbs	...	...	...	...	...	1
Singleton	...	...	...	...	...	1
Tamworth	...	...	...	...	...	2
Wagga Wagga	...	...	...	...	...	2
Wallsend	...	...	...	...	...	1
West Maitland	...	...	...	...	...	2
Wickham and Hamilton	...	...	...	...	...	1
Windsor	...	...	...	...	...	1
Young	...	...	...	...	...	1

Under special arrangements with persons who are expected to devote only part of their time to the work, a free delivery of correspondence is also afforded in the following localities, viz. :—

Anvil Creek	Liverpool
Ashfield	Macdonald Town
Botany	Manly
Braidwood	New Lambton
Burwood	Oakhampton Road, West Maitland
Dubbo	Onebygamba
Five Dock	Penrith
Gladesville	Petersham
Hamilton	Richmond
Hunter's Hill	Richmond Road
Kiama	Ryde
Lambton	St. Peter's
Leichhardt	Waratah
Lithgow	Wollongong

The number of persons employed in connection with the Postal Department, for the year 1879, is as follows:—

Postmaster General	...	...	...	...	1
Secretary	...	...	...	...	1
Chief Clerk, Post Office	...	...	...	...	1
Accountant	...	...	...	...	1
Superintendent, Mail Branch	...	...	...	...	1
Cashier	...	...	...	...	1
Clerks	...	...	...	...	71
Probationary Clerks	...	...	...	...	14
Postal Inspectors	...	...	...	...	4
Mail Guards	...	...	...	...	12
Railway Mail Sorters	...	...	...	...	11

Stampers,

Stampers, Letter-carriers, &c.	188
Postmasters	884
Assistant Postmasters	119
Clearing receivers and delivering letters... ..	41
Detective	1
Receiving Office Keepers	101
	1,452
Mail Contractors	456
Total	1,908

The following comparative return will afford some idea of the sanitary condition of officers attached to the Head Establishment:—

No. of Officers absent.			Aggregate period of absence.		Average period of absence for each officer.	
1878.	1879.		Days.		Days.	
			1878.	1879.	1878.	1879.
40	43	Clerks	439	474	11	11
12	17	Sorters	191	442	16	26
20	26	Letter-carriers	317	494	16	19
19	18	Messengers, Guards, Grooms, &c.	252	342	13	19

The Postal Inspectors travelled over and inspected 19,016 miles of mail route, and visited the undermentioned Post Offices:—

†Aberdeen	†Bulli	*Crookwell
Albion Park	Bungowannah	*Cudgegong
†Albury	*Burrawang	Cullenbone
Alstonville	†Burrowa	Cullen Bullen
Amosfield	†Burwood	Curban
*Appin	*Cambewarra (2)	*Currabubula
Apple Tree Flat	†Camden	Dalton
†Armidale	†Campbelltown	*Dapto
†Ashfield	Canadian Lead	Darby's Falls
Attunga	Canberra	Darlington Point
†Ballina	†Cannonbar	Deepwater
*Balranald	Capertee Camp	†Deniliquin
Bankstown	†Carcoar	Denison Town
*Barraba	Carlisle Gully	†Denman
Barragon	†Casino	†Dubbo
Barrengarry	†Cassilis	*Dundee
†Bathurst	Charcoal Creek	Dungaree
Belmont	†Charlestown	Dunkeld
*Bendemeer	†Chatsworth Island	†East Maitland
†Berrima	Clarence River Heads	East Wardell
†Binalong	*Cobar	Eurunderee
Binda	Cobbadah	*Euston
†Bingera	Cobbitty	Falconer
Black Rock	Cobbora	Fig Tree
†Blayney	Codrington	Five Dock
*Boggabri	*Collector	†Forbes
Boggy Flat	Collie	*Frogmoor
*Booligal	Concord	George's Plains
†Bourke	*Coolah	*Gerogery
*Bowna	†Cooma	†Germanton (2)
*Bowning	*Coonamble	Gerringong
Breadalbane	†Cootamundra	*Gilgandra
Broadmouth Creek	Cooyal	Ginninderra
*Broughton's Creek	*Coraki, Richmond River	†Glen Innes
Brownlow Hill	*Corowa (2)	*Gongolgon
*Brush Grove	†Cowra	Goolma

- | | | |
|------------------------|------------------------|--------------------|
| †Gosford | †Merriwa | †Taree |
| †Goulburn (2) | Merrygoen | Tarlo |
| †Grafton | †Milton | Tatham |
| Graham | †Mittagong | Tempo |
| Greenwich Park | *Moama | Tenandra |
| †Grenfell | †Molong | †Tenterfield |
| Gulargambone | Montefiores | Tent Hill |
| †Gulgong | Moonbi | †Terara |
| Gullen | †Morpeth | The Bulga |
| Gunbar | †Moss Vale | Tichborne |
| Gundurimba | Moulamein | Timbarra |
| Gungal | Mount Gipps | Timbriebungie |
| *Gunning | †Mudgee | *Tingha |
| Guntawang | Mulwala | *Tocumwal |
| *Guyong | Mummell | Tomerong |
| Guyra | Mundooran | Tullimbar |
| *Hamilton | †Murrumburrah | Tyndale |
| *Hargraves | †Murrurundi | †Ulladulla |
| Harwood Island | †Muswellbrook | †Ulmarra |
| †Hay | Myrtleville | *Upper Gundaroo |
| Heifer Station | Narellan | Upper Manilla |
| †Hill End | *Narrandera | †Uralla |
| *Hillston | †Newcastle | †Vegetable Creek |
| †Home Rule | †Nowra (2) | Vittoria |
| Hornsby | Ophir | †Wagga Wagga (2) |
| *Howlong | †Orange | Wallaceton |
| *Ilford | Palmer's Island | Wallerawang |
| Iluka | †Parkes | †Wallsend |
| †Inverell | †Parramatta | Wandandian |
| *Ironbarks | Peat's Ferry | Wandsworth |
| Iron Cove Bridge | Peel | †Waratah |
| *Jamberoo | †Petersham | †Wardell |
| *Jugiong | Pooncarie | †Warialda |
| *Junee Railway Station | Pyree | Warkworth |
| *Kangaroo Valley (2) | †Queanbeyan | *Warren |
| Keepit | Queen Charlotte's Vale | †Watson's Bay |
| †Kiama | Quipolly | Wattamolla |
| King's Plains | Reid's Flat | *Wattle Flat |
| Kingstown | Robertson | †Wellington |
| †Lambton | *Rocky Mouth | *Wentworth |
| Lane Cove | Rooty Hill | †West Maitland |
| *Lawrence | Rouchell Brook | †West Tamworth |
| †Lidsdale | †Rylstone | Whealbah |
| Lincoln | †St. Leonard's | Wheeo |
| †Lismore | St. Peter's | †Wilcannia |
| Little Billabong | Sheet of Bark | Wild's Meadow |
| †Liverpool | Shellharbour | Willeroon |
| *Lower Gundaroo | †Singleton | †William-street |
| *Lucknow | †Sofala | Willson's Downfall |
| Lunatic Reefs | *Somerton | *Wollar |
| Lyndhurst | *South Grafton | Wollongbar |
| Mandurama | Spring Hill | †Wollongong |
| *Manilla | Springside | †Woodburn |
| Marrickville | *Stanborough | Woomargama |
| †Marulan | Swan Bay | †Woonona |
| †Maryland | *Tambaroora | Woore |
| *Mathoura | †Tamworth | Wyrallah |
| *Menindie | Tarago | †Yass |
| *Meranburn | *Taralga | Y. Water |

*Money Order Offices.

†Money Order Offices and Government Savings' Banks.

FOREIGN

11

FOREIGN SERVICE.

The performance of the mail contract between Sydney and San Francisco during the year 1879 by the Pacific Mail Steamship Company has been satisfactory, as will be seen by the following returns:—

Inward.

Name of Steamer.	Due at Sydney.	Arrived at Sydney.	Number of days from San Francisco.	Time occupied in transit of Mails from London to Sydney.
City of Sydney	20 January	23 January	30	Days. 49
Australia	17 February	18 February	27	47
City of New York	17 March	18 March	26	47
Zealandia	14 April	15 April	28	47
City of Sydney	12 May	12 May	26	46
Australia	9 June	9 June	27	46
City of New York	7 July	9 July	29	48
Zealandia	4 August	3 August	26	45
City of Sydney	1 September	31 „	26	45
Australia	29 „	30 September	28	47
City of New York	27 October	26 October	26	45
Zealandia	24 November	23 November	26	45
City of Sydney	22 December	22 December	27	46

Homeward.

Name of Steamer.	Date of Despatch from Sydney.	Due at San Francisco.	Arrived at San Francisco.	Number of days to San Francisco.	Time occupied in transit of Mails from Sydney to London.
City of New York	2 January	30 January	29 January	28	Days. 45
Zealandia	30 „	27 February	26 February	28	45
City of Sydney	27 February	27 March	26 March	28	45
Australia	27 March	24 April	23 April	28	45
City of New York	24 April	22 May	21 May	28	44
Zealandia	22 May	19 June	18 June	28	44
City of Sydney	19 June	17 July	16 July	28	44
Australia	17 July	14 August	13 August	28	44
City of New York	14 August	11 September	9 September	27	45
Zealandia	11 September	9 October	8 October	28	47
City of Sydney	9 October	6 November	4 November	27	45
Australia	6 November	4 December 1880.	2 December	27	46
City of New York	4 December	1 January	30 „	27	45

28 days are allowed for the conveyance of mails to and from Sydney and San Francisco, by way of Auckland.

Average number of days occupied in the conveyance of mails to and from Sydney and London, *via* San Francisco:—

<i>Inward.</i>	
London to Sydney	46 $\frac{1}{2}$
<i>Homeward.</i>	
Sydney to London	44 $\frac{1}{2}$

It is gratifying to mention that the Directors of the Pacific Mail Steamship Company, as well as the Commanders of the Mail Packets, have manifested much zeal in making the passages as expeditiously as possible, and they are now making special endeavours to further shorten the time for the conveyance of mails along the whole of this route.

The

The performance of the service *via* Melbourne and Point de Galle will be seen by the following return, viz. :—

Arrival at Sydney.				Departure from Sydney.			
Name of Vessel.	Actual date.	Actual number of days.		Name of Vessel.	Actual date.	Actual number of days.	
		Via Brindisi.	Via Southampton			Via Brindisi.	Via Southampton
Tanjore	6 Jan. ...	45	53	Tanjore	22 Jan. ...	45	55
Siam	1 Feb. ...	43	51	Siam	19 Feb. ...	46	55
Assam	3 Mar. ...	46	53	Assam	19 Mar. ...	45	56
Tanjore	28 „ ...	42	50	Tanjore	14 April...	47	54
Siam	24 April...	41	49	Siam	12 May ...	46	53
Assam	24 May ...	43	51	Assam	9 June ...	48	57
Tanjore	19 June...	41	49	Tanjore	7 July ...	50	56
Siam	17 July ...	41	49	Siam	4 Aug. ...	46	53
Assam	18 Aug. ...	45	53	Assam	1 Sept. ...	47	56
Tanjore	13 Sept. ...	43	51	Tanjore	1 Oct. ...	45	54
Siam	9 Oct. ...	41	49	Siam	29 „ ...	45	53
Assam	7 Nov. ...	42	50	Assam	26 Nov. ...	47	52
Tanjore	11 Dec. ...	41	56	Tanjore	23 Dec. ...	44	54

Average number of days occupied in the conveyance of the mails to and from Sydney and London *via* Galle and Melbourne :—

Inward, <i>via</i> Brindisi	... ..	42 $\frac{2}{3}$
Do. Southampton	... ..	51 $\frac{1}{3}$
Homeward, <i>via</i> Brindisi	... ..	46 $\frac{2}{3}$
Do. Southampton	... ..	54 $\frac{2}{3}$

The letter portion of the mails received *via* Galle was brought overland from Melbourne, and arrived on the dates shown in the second column* ; the newspaper portion was conveyed to Sydney by steamer.

The performance of the service *via* Brisbane and Torres Straits may be ascertained from the following statement of the time occupied in the transmission of mails by this route between Sydney and London, viz. :—

Arrival at Sydney.				Departure from Sydney.			
Name of Vessel.	Actual date.	Actual number of days.		Name of Vessel.	Actual date.	Actual number of days.	
		Via Brindisi.	Via Southampton			Via Brindisi.	Via Southampton
Somerset	29 Jan. ...	54	62	Menmuir	28 Jan. ...	53	61
Normanby	27 Feb. ...	55	63	Bowen	25 Feb. ...	53	59
Brisbane	24 Mar. ...	52	60	Normanby	25 Mar. ...	54	61
Menmuir	23 April...	54	62	Brisbane	19 April...	57	65
Somerset	21 May ...	54	62	Menmuir	17 May ...	57	65
Normanby	21 June ...	57	65	Somerset	14 June ...	56	64
Bowen	14 July ...	52	60	Normanby	12 July ...	57	66
Somerset	13 Aug. ...	54	62	Bowen	9 Aug. ...	54	62
Normanby	7 Sept. ...	51	59	Somerset	6 Sept. ...	56	63
Bowen	2 Oct. ...	48	56	Normanby	7 Oct. ...	53	62
Somerset	2 Nov. ...	51	59	Bowen	4 Nov. ...	54	62
Brisbane	29 „ ...	50	58	Menmuir	2 Dec. ...	60	60
Normanby	28 Dec. ...	51	59	Brisbane	27 „ ...	59	59

Average number of days occupied in the conveyance of the mails to and from Sydney and London *via* Brisbane and Torres Straits :—

Inward, <i>via</i> Brindisi	... ..	52 $\frac{1}{3}$
Do. Southampton	... ..	60 $\frac{1}{3}$
Homeward, <i>via</i> Brindisi	... ..	55 $\frac{1}{3}$
Do. Southampton	... ..	63 $\frac{2}{3}$

The

The returns already given relate entirely to the performance of mail services under regular mail contracts. During the year, however, very quick passages between the Mother Country and the Colony have been accomplished by steam vessels of large size and power, not under any mail Contract arrangement. The following returns will show what these vessels have done, and I have only further to remark on the subject that the fact of such a fine class of vessels running without any subsidy from Government is a gratifying indication of the increased trade and importance of the Australian Colonies:—

STATEMENT showing the dates of Receipt and Despatch of the Mails per Orient and other Steamers during the year 1879; also, the amount of correspondence conveyed by each vessel:—

Inward.

Name of Steamer.	Date of Closing of Mail at London.	Date of Departure from Plymouth.	Date of Arrival of Mail Overland from Melbourne.	Date of Arrival of Steamer in Sydney.	No. of Days occupied in transit of mails between London and Sydney.	Number of Letters.	Number of Newspapers.
	1878.	1878.	1879.	1879.			
Lusitania	28 November...	29 November...	.....	24 January ...	57	2,215	1,516
Garonne	28 December...	31 December...	22 February ...	23 February ...	56	676	435
	1879.	1879.					
John Elder.....	29 January ...	30 January ...	17 March	19 March	47	457	285
Chimborazo	26 February ...	27 February ...	17 April	18 April	50	647	791
Cuzco	26 March	27 March	14 May	15 May	49	668	625
Aconcagua	23 April	24 April	11 June	11 June	49	398	230
Lusitania	21 May	22 May	10 July	11 July	50	525	525
Garonne	18 June	19 June	9 August	9 August	52	516	261
City of London	2 July	3 July	27 "	28 "	56	394	1,979
John Elder.....	16 "	17 "	3 September..	3 September..	49	580	713
Sultan	30 "	31 "	24 "	25 "	56	77	362
Chimborazo	13 August	14 August	1 October ...	1 October ...	49	313	123
Afghan	23 "	28 "	24 "	27 "	62	116	88
Northumberland	30 "	1 September..	.....	27 "	58	31	8
Strathleven	3 September..	4 " .....	.....	27 "	54	49	2
Cuzco	10 "	14 "	27 October ...	27 "	47	797	496
Aconcagua	8 October ...	9 October ...	26 November..	26 November..	49	751	452
Norfolk	21 "	22 "	8 December..	9 December..	48	24	3
Orient	5 November...	6 November..	20 "	20 "	45	1,078	1,836

Homeward.

Name of Steamer.	Date of Departure from Sydney.	Date of Closing of Overland Mail Shipped at Melbourne.	Date of Arrival in London via Brindisi.	Date of Arrival in London via Southampton.	No. of Days occupied in transit of mails between Sydney and London.	Number of Letters.	Number of Newspapers.
	1879.	1879.	1879.	1879.			
Aconcagua	4 January ...	11 January ...	1 March	3 March	49	600	195
Lusitania	7 February ...	13 February ...	29 "	2 April	44	422	96
Garonne	7 March	13 March .....	.....	5 May	53	691	234
John Elder	5 April	10 April	23 May	29 "	43	553	184
Chimborazo	5 May	10 May	27 June	27 June	48	455	162
Cuzco	6 June	10 June	27 July	26 July	46	238	109
Aconcagua	5 July	9 July	26 August	26 August	48	1,090	625
Lusitania	8 August	12 August	25 September..	1 October ...	44	763	649
Garonne	6 September..	10 September..	26 October ...	29 "	46	289	195
City of London.....	17 "	20 "	9 November..	13 November..	50	1,975	2,406
John Elder.....	4 October ...	7 October ...	22 "	27 "	46	623	162
Chimborazo	31 "	5 November..	20 December..	27 December ...	45	771	201
			1880.	1880.			
Sultan	15 November ..	19 "	12 January ...	22 January ...	54	492	121
Northumberland	14 "	14 "	12 "	22 "	59	9	Nil
Cuzco	28 "	3 December..	20 " .....	.....	48	325	88
Strathleven	29 "	3 "	22 " .....	.....	50	4	Nil
Hankow	12 December..	17 "	29 "	10 February ...	43	183	137
Aconcagua	20 "	23 "	5 February ...	10 "	44	1,831	1,276

Average time occupied in conveyance of mails to and from London and Sydney by these vessels:—

London to Sydney 51½ days.
Sydney to London 47½ "

LETTERS,

LETTERS, NEWSPAPERS, PACKETS, AND POSTAL CARDS POSTED THROUGHOUT THE COLONY.

The following is an estimated return of the number of Letters, Newspapers, Packets, and Postal Cards posted in the Colony during the year 1879, as compared with the number posted in the preceding year, viz:—

LETTERS.		1878.	1879.
Posted for Town delivery		3,156,400	3,192,000
„ Country delivery		12,782,900	13,772,600
„ Australian Colonies and New Zealand		720,900	794,400
„ Foreign despatch		353,500	397,200
Total number of Letters posted.....		17,013,700	18,156,200
NEWSPAPERS.			
Posted for Country delivery		7,811,600	9,447,100
„ Australian Colonies and New Zealand		628,800	807,100
„ Foreign despatch		376,100	445,500
Total number of Newspapers posted.....		8,816,500	10,699,700
PARCELS, &c.			
Posted for Country delivery		403,700	459,200
„ Australian Colonies and New Zealand		24,200	20,800
„ Foreign despatch		11,100	10,800
Total number of Parcels, &c., posted.....		439,000	490,800
Total number of Postal Cards posted		123,720	155,920

The increase during 1879 in the number of letters posted is at the rate of about 6 $\frac{2}{3}$ per cent., on the number of newspapers about 21 $\frac{1}{3}$ per cent., on the number of packets about 11 $\frac{1}{3}$ per cent., and on the number of postal cards about 26 per cent.

The average number of letters posted in 1879 in proportion to the population of the Colony is estimated at twenty-five to each person.

The following returns show the number of letters despatched and received by the mail packets on the respective routes *via* San Francisco, *via* Melbourne and Suez, and *via* Torres Straits and Suez.

Year.	Route.	Despatched.						Received.					
		*Intercolonial.			†Foreign.			*Intercolonial.			†Foreign.		
		Letters.	Packets.	News-papers.	Letters.	Packets.	News-papers.	Letters.	Packets.	News-papers.	Letters.	Packets.	News-papers.
1878	<i>Via</i> Galle and Melbourne.	2,093	220	5,013	151,809	3,708	140,704	2,817	323	2,138	149,038	14,557	63,277
1879	„ „ „	764	42	1,444	168,326	4,872	175,661	1,970	564	1,714	155,932	14,016	71,818
1878	„ San Francisco ..	20,749	3,494	21,623	169,392	3,504	183,614	6,437	352	4,415	274,283	38,985	289,789
1879	„ „ „	13,467	464	16,500	193,524	4,731	228,376	8,202	633	6,639	296,283	38,107	282,755
1878	„ Torres Straits ..	14,736	546	19,329	12,741	202	8,144	5,860	167	2,464	34,029	3,029	17,557
1879	„ „ „	13,592	360	15,993	7,755	148	7,854	9,154	176	4,393	36,591	3,903	17,540

*The term "Intercolonial" applies to Australian and New Zealand correspondence.

†The term "Foreign" in this return applies to all correspondence other than that for the Australian Colonies and New Zealand.

DEAD LETTER BRANCH.

Year.	Number of letters returned to writers as unclaimed.					Number of registered letters returned as unclaimed.	Number of letters unregistered but containing articles of value returned as unclaimed.	Letters received from and returned to the following places as being unclaimed.				Number of letters returned as unstamped.
	Originally addressed to places within the Colony.	Originally addressed to the neighbouring Colonies.	Originally addressed to the United Kingdom.	Originally addressed to other places not mentioned in the preceding columns.	Total.			Neighbouring Colonies.	United Kingdom.	Other places not mentioned in preceding columns.	Total.	
1878	93,468	7,397	1,577	578	103,010	1,088	880	12,149	5,128	741	18,018	27,937
1879	103,869	7,336	2,091	587	113,883	1,046	886	14,165	6,409	1,962	22,530	36,657
Increase	10,401	.....	514	9	10,873	.....	6	2,016	1,281	1,221	4,512	8,720
Decrease	.....	61	.....	.....	.....	42	.....	.....	.....	.....	.....	.....

In 886 unregistered letters which were opened in the Dead Letter Branch during the year 1879 there was found an amount of money equal to £16,346.

The number of letters, &c., delivered by the letter-carriers attached to the head office during the years 1878 and 1879 was as follows :—

	1878.	1879.
Unregistered letters	3,818,262	4,478,740
Registered letters	24,110	24,672
Books	47,040	44,336
Newspapers	520,274	564,172

The above figures do not include letters, &c., for Newtown or Balmain, as correspondence for those places is enclosed in direct mails and sent to the Newtown and Balmain Post Offices for delivery by letter-carriers.

REGISTRATION BRANCH.

The number of Registered Letters which passed through the General Post Office in 1879 was 170,195, against 152,549 in 1878, giving an increase of 17,646.

NUMBER OF MAILS RECEIVED AND DESPATCHED.

The following return shows the number of Mails received at and despatched from the General Post Office during the years 1878 and 1879.

Year.	Received.		Despatched.		Total number of Mails which passed through the Office.
	Inland.	Foreign.	Inland.	Foreign.	
1878	78,216	8,281	72,661	6,045	165,203
1879	80,510	7,709	74,331	5,594	168,144
Increase	2,294	.....	1,670	.....	2,941
Decrease .....	.....	572	.....	451	.....

The number of written communications received from the public during 1879, intimating changes of address or requesting letters, &c., to be forwarded, was 9,389, against 8,663 in 1878.

The number of communications addressed to the Secretary to the Post Office relating to the extension and improvement of the Service, to irregularities connected with the performance of mail contracts, and to the transit of letters, &c., through the Post, and recorded in the year 1879, was 24,448 against 22,936 in 1878.

REVENUE

REVENUE AND EXPENDITURE.

The following statement will show the revenue and its resources for the year 1879 :—

Revenue.

The amount collected in the Colony for the year 1879 was obtained as under, viz. :—

Sale of Postage Stamps	£151,659 13 4
Fees for Private Boxes	458 13 6
Postage on Unpaid Letters	4,033 9 8
Total collected in the Colony	£156,151 16 6

To which should be added the following :—

One-half of amount due by the non-contracting Colonies for use of the San Francisco Mail Line	£3,046 13 0
*United States Sea Postages	328 1 10
United Kingdom for Mails received in the Colony by San Francisco, Galle and Melbourne, and Torres' Straits Mail Lines	11,809 14 1
	<u>15,184 8 11</u>
	<u>£171,336 5 5</u>

In 1878 the revenue amounted to £155,621 19s. 6d., showing an increase for the year 1879 of £15,714 5s. 11d.

The amounts chargeable to the non-contracting Colonies for the use of the San Francisco Mail Service in the year 1879, are :—

Victoria	£3,753 6 10
Queensland	1,099 19 11
South Australia	838 18 6
Western Australia	48 18 9
Tasmania	352 2 0
Total... ..	£6,093 6 0

Distributed as follows :—

New South Wales	£3,046 13 0
New Zealand	3,046 13 0
	<u>6,093 6 0</u>

The contribution from the non-contracting Colonies towards the San Francisco Service is larger for the year 1879 than for the previous year by the sum of £351 16s. 5d.

*Revenue derived from Ocean Mails for the year 1879.**Via San Francisco—*

On Outward Mails—estimated	£8,970 17 7
On Inward Mails, per United Kingdom	7,584 5 2
Half-share non-contracting Colonies	3,046 13 0
	<u>£19,601 15 9</u>

Via Melbourne and Suez—

On Outward Mails	£8,012 3 4
On Inward Mails, per United Kingdom	3,622 7 9
	<u>£11,634 11 1</u>

Via Brisbane and Torres Straits—

On Outward Mails	£357 8 0
On Inward Mails, per United Kingdom	603 1 2
	<u>£960 9 2</u>
	<u>£32,196 16 0</u>

The

* This revenue though collected in 1879 accrued in the period from October, 1874, to November, 1875.

The following return shows the number, description, and value of Postage Stamps issued at the General Post Office during the years 1878 and 1879 :—

Number.		Description.	Value.	
1878.	1879.		1878.	1879.
8,085,240	8,902,980	Penny	£ 33,688 10 0	£ 37,085 15 0
10,791,540	11,419,440	Two-penny	89,929 10 0	95,162 0 0
31,800	35,000	Three-penny	397 10 0	437 10 0
168,150	198,640	Four-penny	2,802 10 0	3,309 0 0
972	984	Five-penny	20 5 0	20 10 0
439,590	476,700	Six-penny	10,989 15 0	11,917 10 0
50,921	56,000	Eight-penny	1,697 7 4	1,866 13 4
1,380	700	Nine-penny	51 15 0	26 5 0
426	984	Ten-penny	17 15 0	41 0 0
84,568	93,015	Shilling	4,228 8 0	4,650 15 0
4,681	5,770	Five Shilling	1,170 5 0	1,442 10 0
3,600	7,200	Newspaper wrappers	15 0 0	30 0 0
.....	1,000	Envelopes—one penny .....	.....	4 10 0
123,720	155,920	Post-cards	515 10 0	649 13 4
			£145,524 0 4	£156,653 11 8

In the year 1879 a special description of Postage Stamps was introduced for the use of the various Government Departments. These stamps are distinguishable by the letters "O.S." printed thereon in black, and are only available for official correspondence; and letters having Postage Stamps of this character affixed thereto are liable to be intercepted by the Post Office, unless the envelopes bear the endorsement "O.H.M.S.," with the name of the Department from which they are sent in the corner, or, in the case of letters addressed to a Department, the name of the sender written in the corner. Under no pretext whatever are these stamps purchased by, or exchanged for other postage stamps at the Post Office.

The following return shows the number, description, and value of Postage Stamps exchanged for the public for cash, less a discount of 5 per cent., during the year 1879 :—

Number.	Description.	Value.
		£ s. d.
6,356	One-penny	26 9 8
51,909	Two-penny	432 11 6
82	Three-penny	1 0 6
423	Four-penny	7 1 0
1	Five-penny	0 0 5
2,271	Six-penny	56 15 6
33	Eight-penny	1 2 0
117	Nine-penny	4 7 9
191	Ten-penny	7 19 2
301	One-shilling	15 1 0
8	Five-shillings	2 0 0
378	Post cards	1 11 6
		556 0 0
		less 5% 27 16 0
		£528 4 0

The following comparative Return will show to what extent the revenue of the Postal Department has been affected by the reduction of the Postage on Intercolonial Letters at various times :—

Year.	No. of Letters posted.	At per ½-oz.	Revenue.
1869	305,000	6d.	£ 8,387
1870	303,800	6d.	8,354
1871	334,000	3d.	4,592
1872	380,500	3d.	5,225
1873	419,600	3d.	5,768
1874	438,600	2d.	4,479
1875	537,200	2d.	4,924
1876	583,600	2d.	5,350
1877	647,600	2d.	5,936
1878	720,900	2d.	6,608
1879	794,400	2d.	7,282

It was determined in April to levy the Town Rate of Postage, viz., 1d. the ½ ounce upon letters posted at Bathurst, addressed to Esrom, and also upon letters posted at Esrom addressed to Bathurst, instead of the higher Inland Rate of 2d. per ½ ounce.

Expenditure.

The expenditure of the Department for 1879, compared with that for 1878, is as under, viz. :—

	1878.	1879.
Salaries	£68,733 7 10	£74,364 11 4
Contingencies	14,005 6 4	15,145 6 8
Conveyance of Mails	165,477 17 6	173,313 13 0
	£248,216 11 8	£262,823 11 0

The expenditure on Conveyance of Mails for 1879 is distributed as follows, viz. :—

Mails <i>via</i> San Francisco	£40,263	0	4
" " Melbourne and Suez	14,395	0	11
" " Brisbane and Suez	1,644	4	6
" " Sydney and Levuka	2,600	0	0
" Horse, stage, and rail...	102,267	9	3
" Steam and sailing vessels	8,672	15	3
" to and from Railway Stations, and portorage	3,471	2	9
	<u>£173,313</u>	<u>13</u>	<u>0</u>

Ocean Mails.

The expenditure on account of Ocean Mail Services for 1879, *via* San Francisco, *via* Melbourne and Suez, *via* Torres Straits and Suez, and between Sydney and Levuka, is as follows, viz. :—

<i>Via</i> San Francisco—			
Subsidy	£39,999	18	4
Cablegrams	68	2	0
Special trips with Victorian Mails between Sydney and Albury	195	0	0
	<u>£40,263</u>	<u>0</u>	<u>4</u>
<i>Via</i> Melbourne and Suez—			
Amount paid to Victoria	£13,283	18	5
Overlanding Mails by Special Trains and Coach, and agent's expenses in Melbourne	494	12	0
Gratuities to P. & O. Co. for conveying letters between Sydney and Melbourne	616	10	6
	<u>14,395</u>	<u>0</u>	<u>11</u>
<i>Via</i> Brisbane and Suez—			
Amount paid to Queensland, including conveyance between Brisbane and Sydney	1,644	4	6
	<u>1,644</u>	<u>4</u>	<u>6</u>
Fiji and Levuka—			
Contribution for twelve months	2,600	0	0
	<u>£58,902</u>	<u>5</u>	<u>9</u>

The cost to the Colony for Ocean Mail Services for 1879 is as under :—

San Francisco Service—			
<i>Dr.</i>			
To subsidy, &c.	40,263	0	4
<i>Cr.</i>			
By Postage on Outward Mails	8,970	17	7
" do. Inward Mails per United Kingdom	7,584	5	2
" Half-share from non-contracting Colonies	3,046	13	0
	<u>19,601</u>	<u>15</u>	<u>9</u>
	<u>£20,661</u>	<u>4</u>	<u>7</u>
Melbourne and Suez Service—			
<i>Dr.</i>			
To amount paid to Victoria	13,283	18	5
" Overlanding Mails by Special Trains and Coach, and Agent's expenses in Melbourne...	494	12	0
" Gratuities to P. & O. Co. for conveying letters between Sydney and Melbourne	616	10	6
	<u>14,395</u>	<u>0</u>	<u>11</u>
<i>Cr.</i>			
By Postage on Outward Mails	8,012	3	4
" do. Inward Mails per United Kingdom	3,622	7	9
	<u>11,634</u>	<u>11</u>	<u>1</u>
	<u>£2,760</u>	<u>9</u>	<u>10</u>
Brisbane and Suez Service—			
<i>Dr.</i>			
To amount paid to Queensland	1,644	4	6
<i>Cr.</i>			
By Postage on Outward Mails	357	8	0
" do. Inward Mails per United Kingdom	603	1	2
	<u>960</u>	<u>9</u>	<u>2</u>
	<u>£683</u>	<u>15</u>	<u>4</u>

Appendix B.

In the year 1879 the average cost per mile of the inland Mail Conveyance was about 5½d. against 5¼d., the price per mile paid in the year 1878. The particulars as to the Mail Contracts for the conveyance of Inland Mails during the year 1879 will be found in the Appendix.

II.—

II.—MONEY ORDER DEPARTMENT.

The following return shows the increase in the number and amount of Money Order transactions during 1879, as compared with the year 1878:—

Year.	Number of Offices.	Orders Issued.		Orders Paid.		Total Transactions.	
		Number.	Amount.	Number.	Amount.	Number.	Amount.
1879	319	159,897	£ s. d. 582,422 14 8	142,201	£ s. d. 515,075 17 11	302,098	£ s. d. 1,097,498 12 7
1878	299	142,025	538,799 17 8	129,143	487,458 6 3	271,168	1,026,258 3 11
Increase	20	17,872	43,622 17 0	13,058	27,617 11 8	30,930	71,240 8 8

The system was extended during the year to the following places, viz.:—

Bungwall Flat	Hartley Vale	Tighe's Hill
Candelo	Jugiong	Tingha
Canowindra	Junee Railway Station	Wagra
Colly Blue	Lake Cudgellico	West Tamworth
Charlestown	Mangrove Creek	Wilton
Cudgegong	Mossgeil	Woodburn
Garden Palace	Spring Grove	
Hamilton	Swanbrook	

The offices at Amosfield and Eugowra were abolished.

In the Appendix is given a detailed return showing the number and amount of Money Orders issued and paid at each office in the Colony during the year. Appendix F.

The following returns are given for the purpose of showing the relative amount of business transacted between this Colony and the United Kingdom, and between this Colony and the various Australasian Colonies, viz.:—

RETURN showing the number and amount of Money Orders issued in New South Wales and made payable in the United Kingdom and the adjacent Colonies during the year 1879, compared with the year 1878.

Where payable.	Issued in 1878.		Issued in 1879.		Increase in 1879.		Decrease in 1879.	
	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.
In the United Kingdom...	12,040	£ s. d. 49,962 16 11	14,522	£ s. d. 59,862 1 1	2,482	£ s. d. 9,899 4 2	...	£ s. d.
New South Wales ...	113,760	429,565 4 5	126,813	454,506 0 1	13,053	24,940 15 8	...	.....
New Zealand	864	3,617 12 9	1,050	4,491 2 9	186	873 10 0	...	.....
Queensland	2,073	8,566 13 3	2,422	9,387 4 9	349	820 11 6	...	.....
South Australia	889	3,583 8 9	1,169	4,646 8 1	280	1,062 19 4	...	.....
Tasmania	636	2,824 18 4	651	2,511 18 6	15	.....	...	312 19 10
Victoria	11,727	40,527 5 9	13,234	46,865 4 11	1,507	6,337 19 2	...	.....
Western Australia ...	36	151 17 6	36	152 14 6	.....	0 17 0	...	.....
Totals	142,025	538,799 17 8	159,897	582,422 14 8	17,872	43,935 16 10	...	312 19 10

RETURN showing the number and amount of Money Orders issued in the United Kingdom and the adjacent Colonies, and made payable in New South Wales, during the year 1879, compared with the year 1878.

Where issued.	Issued in 1878.		Issued in 1879.		Increase in 1879.		Decrease in 1879.	
	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.
In the United Kingdom...	1,682	£ s. d. 6,889 17 8	1,861	£ s. d. 7,729 0 8	179	£ s. d. 839 3 0	...	£ s. d.
New South Wales.....	113,469	429,566 10 9	125,893	453,555 10 10	12,424	23,989 0 1	...	.....
New Zealand	2,375	8,368 19 8	2,606	9,331 13 1	231	962 13 5	...	.....
Queensland	4,892	19,695 16 0	5,008	20,157 18 6	116	456 2 6	...	.....
South Australia	1,096	3,415 14 0	1,091	4,099 4 8	.....	683 10 8	5	.....
Tasmania	720	2,490 1 0	930	3,689 8 10	210	1,199 7 10	...	.....
Victoria	4,809	16,688 18 8	4,697	16,065 18 10	.....	.....	112	622 19 10
Western Australia ...	100	342 8 6	115	453 2 6	15	110 14 0	...	.....
Totals	129,143	487,458 6 3	142,201	515,075 17 11	13,175	28,240 11 6	117	622 19 10

The amount of revenue, in the shape of commission received on Money Orders, for the year 1879 was £6,487 13s. against £5,772 0s. 6d for 1878.

III.—GOVERNMENT SAVINGS' BANK.

The following Return will show the annual progress of the Government Savings' Bank system from 1st September, 1871, to 31st December, 1879:—

Year.	Number of Deposits.	Interest added to Depositors' Accounts	Amount of Deposits.	Number of Withdrawals.	Amount of Withdrawals.	Balance at credit of Depositors.
		£ s. d.	£ s. d.		£ s. d.	£ s. d.
1871	2,103	52 5 4	15,730 5 0	205	1,555 17 5	14,226 12 11
1872	8,415	1,633 6 3	93,533 16 4	2,058	28,450 7 11	80,943 7 7
1873	15,000	5,033 3 8	184,817 19 2	3,694	64,724 13 0	206,069 17 5
1874	25,186	9,372 6 9	232,522 7 1	7,530	144,851 8 4	303,113 2 11
1875	34,043	12,067 18 3	268,079 3 8	11,497	228,831 1 11	354,429 2 11
1876	38,592	13,364 5 1	285,039 12 0	14,694	251,535 8 3	401,297 11 9
1877	47,948	15,413 13 2	323,273 11 6	17,871	278,532 5 7	467,452 10 10
1878	59,932	16,999 18 2	360,704 10 2	22,594	365,132 1 9	480,024 17 5
1879	67,444	17,544 4 10	393,771 19 2	27,612	379,983 18 6	511,357 2 11
Total to 31 Dec., 1879	299,663	91,481 1 6	2,163,473 4 1	107,755	1,743,597 2 8	.....

The following return will show the increase in the business of the Government Savings' Bank for the year 1879, compared with the transactions of the year 1878, viz.:—

Year.	Number of Government Savings' Banks in the Colony.	Number of Accounts opened.	Number of Accounts closed.	Number of Accounts remaining open on 31st Dec.	Total Deposits, including Interest.		Total Withdrawals.		Balance at credit of Depositors on 31st Dec.
					Number.	Amount.	Number.	Amount.	
						£ s. d.		£ s. d.	£ s. d.
1878	166	9,853	6,961	18,957	59,932	377,704 8 4	22,596	365,132 1 9	480,024 17 5
1879	174	10,780	8,170	21,567	67,444	411,316 4 0	27,612	379,983 18 6	511,357 2 11
Increase..	8	927	1,209	2,610	7,512	33,611 15 8	5,016	14,851 16 9	31,332 5 6

The amount of interest, at 4 per centum, added to depositors' accounts, was £17,544 4s. 10d.

The average amount of each deposit is about £5 16s. 9d., and of each withdrawal £13 15s. 2½d.

The average amount at the credit of each depositor's account at the close of the year was £23 14s. 2d.

During the year 1879 the system was extended to the following places, viz.:—

Charlestown	Spring Grove
Jordan's Crossing	West Tamworth
Maryland	Wilcannia
Nowra	Woodburn

Appendix G & H.

A detailed return, showing the business transacted at each branch in the Colony, will be found in the Appendix, as also a statement of the Liabilities and Assets, with the Auditor General's certificate thereon.

IV.—ELECTRIC TELEGRAPH DEPARTMENT.

The following Return shows the extent of and the business transacted on the Electric Telegraph Lines of this Colony during the year 1879 as compared with the year 1878:—

Year.	Extent of Electric Telegraph Line Wire in actual use on 31st December.	Number of Electric Telegraph Stations on 31st December.	Number of Telegraph Messages transmitted during the Year.	Total Revenue of Electric Telegraph Department for the Year.	Total Expenditure of Electric Telegraph Department for the Year, exclusive of interest on cost of construction of Lines.
	Miles. chs. links.			£ s. d.	£ s. d.
1878	11,760 39 56	236	1,132,287	76,226 18 11	95,797 18 7
1879	12,426 16 3	273	1,175,218	80,490 0 6	103,923 0 2
Increase	665 56 47	37	42,931	4,263 1 7	8,125 1 7

The lines of Telegraph in the Colony completed during the year 1879 were—

Name of Line.	New Line.			Additional Wire.			Cost of Construction.		
	Miles	chains	links	Miles	chains	links	£	s.	d.
Casino to Coraki	37	13	33	5	7	0	1,802	12	2
Coraki to Woodburn	4	76	0	4	76	0	407	6	6
Cootamundra to Coolac	22	0	0	.....	.....	.....	869	9	5
Bathurst to Rockley	13	53	0	8	0	0	1,051	14	7
Booligal to Hillston	47	3	20	.....	.....	.....	2,318	5	8
Warren to Bourke	174	51	20	8	0	0	7,643	1	7
Milton to Bateman's Bay, via Nelligen	54	15	0	.....	.....	.....	2,078	11	1
Gloucester to Back Creek	10	57	60	.....	.....	.....	639	17	2
Werris Creek to Gunnedah	41	13	45	41	45	25	3,003	5	10
Blacktown to Richmond .....	.....	.....	.....	14	40	0	570	7	0
Tamworth to Armidale .....	.....	.....	.....	62	0	0	1,119	1	7
Mount Victoria to Bowenfels .....	.....	.....	.....	19	40	0	329	16	5
Taree to Wingham	6	60	0	0	60	0	378	2	0
Bellbrook to Main Line	0	37	0	0	37	0	49	8	10
Queanbeyan to Ginninderra .....	.....	.....	.....	15	20	0	155	18	4
Main Line to St. Albans	7	3	70	.....	.....	.....	442	19	4
Extension to Croki	0	57	0	0	57	0	35	0	0
Smithtown to Gladstone	0	47	73	0	47	73	27	2	6
Smithtown to Macleay Heads .....	.....	.....	.....	19	60	0	184	0	4
Bega to Tathra	10	49	0	.....	.....	.....	271	16	8
Stanborough to Tingha	6	6	14	6	6	14	221	11	0
Kiama to Shellharbour, Jamberoo, and Gerringong	1	30	0	19	0	0	262	13	1
Total No. of Miles of line completed during the year 1879	439	40	35	.....	.....	.....	.....	.....	.....
Total No. of miles of additional wire erected during the year 1879 .....	.....	.....	.....	226	16	2	.....	.....	.....
Total .....	.....	.....	.....	665	56	47	.....	.....	.....
Total cost .....	.....	.....	.....	.....	.....	.....	£23,862	1	1

The total cost of the whole extent of Telegraphic communication in the Colony on the 31st December, 1879, viz., 12,426 miles 16 chains 3 links, was £437,120 5s. 3d.

The following Stations were opened during the year 1879:—

Burrawang	Marsden's
Bowrall	Nowra
Bungwall Flat	Robertson
Brecaza	Rookwood
Copeland North	Ravensworth
Croki	Rockley
Coraki	Spring Grove
Copmanhurst	Shellharbour
Douglas Park	St. Albans
Glebe Island	Tathra
Gerringong	Tingha
Ginninderra	Wolumla
Gladstone	Wingham
Gongolgon	West Tamworth
Hamilton	Werris' Creek
Hillston	Wardell
Jamberoo	Woodburn
Lochinvar	Parramatta Junction
Menangle	

The following lines were in course of construction during the year 1879:—

Bathurst to Goulburn, <i>via</i> Rockley and Crookwell
Barraba to Bingera
Hillston to Condoblin
Louth to Cobar
Orange to Wellington
Wallsend Junction to Singleton (iron poles)

Estimated distance of above lines:—

New line, 497 miles 73 chains 60 links
Additional wire, 497 miles 73 chains 60 links

The following is a Return showing the Number and Value of MESSAGES sent from each Station in the Colony during the Year 1879.

Station.	Messages.		Amount.		Station—contd.	Messages.		Amount.	
	No.	£ s. d.	No.	£ s. d.		No.	£ s. d.		
Sydney (Head Office) ...	254,411		23,959	7 6	Euston ...	976		87 16	3
Albury ...	117,013		862	13 2	Encampment ...	15		1 12	0
Ashfield ...	1,148		70	9 3	Fordwich ...	526		30 3	11
Araluen ...	735		48	0 4	Fermount ...	2,153		139 3	3
Adelong ...	2,662		172	2 5	Frederickton ...	1,143		73 4	9
Adamabady ...	881		61	8 10	Forbes ...	9,750		713 8	10
Anvil Creek ...	824		53	5 8	Glebe ...	1,740		100 14	11
Armidale ...	7,326		561	3 11	Goulburn ...	12,606		876 11	1
Arakoon ...	540		40	17 9	Gunning ...	1,784		118 9	2
Balmain ...	1,985		109	12 9	Gundagai ...	3,674		243 16	6
Burwood ...	1,367		87	18 0	Germantown ...	1,362		92 5	10
Botany ...	304		17	7 5	Gosford ...	1,412		96 9	6
Blacktown ...	570		33	14 5	Gunnedah ...	8,372		555 8	11
Blue Mountains ...	205		10	6 11	Gloucester ...	1,585		95 14	11
Bowenfels ...	337		19	19 6	Glen Innes ...	6,836		494 11	9
Bock Creek ...	449		26	7 4	Grafton ...	14,298		1,042 11	6
Broughtons Creek ...	1,478		91	4 1	Gronfell ...	3,546		241 15	10
Borrinda ...	606		38	3 0	Gulgong ...	3,148		253 10	3
Braidwood ...	3,207		233	1 0	Goodooga ...	1,407		120 3	2
Bateman's Bay ...	1,555		92	16 0	Glebe Island ...	297		15 7	3
Bulli ...	1,655		108	5 5	Gerringong ...	79		4 5	10
Bombala ...	4,429		360	0 6	Ginninderra ...	196		12 13	3
Bega ...	5,818		410	17 5	Gladstone ...	473		29 9	1
Bodalla ...	942		66	7 8	Gongolgon ...	520		35 17	9
Bungendore ...	1,228		76	9 1	Haymarket ...	8,442		547 5	3
Bowning ...	769		39	19 10	Hunter's Hill ...	1,120		66 3	11
Binalong ...	717		44	14 4	Homebush ...	1,283		71 14	0
Burrowa ...	2,333		173	14 2	Howlong ...	1,360		85 14	7
Bullah Delah ...	732		45	14 1	Hill End ...	1,690		97 17	6
Branxton ...	806		52	15 6	Hay ...	11,038		1,124 18	9
Boggabri ...	1,916		137	6 2	Hamilton ...	96		5 17	1
Bendemeer ...	1,043		71	7 1	Hillston ...	2,889		266 9	11
Bundarra ...	1,826		122	16 1	Inverell ...	6,983		519 10	0
Bingera ...	1,885		128	7 5	Jervis Bay ...	133		5 1	6
Barraba ...	1,726		115	18 10	Jercelderie ...	2,818		253 10	4
Ballina ...	3,677		207	2 11	Jamberoo ...	84		5 3	9
Brushgrove ...	1,179		72	0 7	Jerry's Plains ...	1,264		75 16	4
Bathurst ...	12,795		927	14 7	Junee ...	1,083		70 10	9
Blayney ...	2,000		120	1 3	King-street ...	11,764		740 14	6
Bethunga ...	402		24	6 8	Kelso ...	538		32 11	10
Baradine ...	777		53	1 6	Kiama ...	4,075		242 14	3
Brewarrina ...	6,718		604	14 3	Kiandra ...	569		37 1	4
Bourke ...	12,160		1,219	18 4	Kyamba ...	387		25 16	6
Barrington ...	1,191		115	18 2	Kynnumboon ...	676		53 11	7
Balranald ...	4,801		464	14 1	Liverpool ...	1,462		93 11	8
Booligal ...	2,045		176	1 11	Lambton ...	1,752		106 2	2
Burrawang ...	565		36	13 3	Lawrence ...	1,770		108 5	8
Bowral ...	1,054		60	0 9	Lismore ...	6,178		432 12	7
Bungwall Flat ...	319		20	1 8	Lithgow ...	3,000		177 12	3
Breeza ...	558		36	0 6	Lucknow ...	360		22 5	0
Corowa ...	3,158		204	19 8	Louth ...	2,233		221 3	10
Campbelltown ...	2,326		129	13 10	Lochinvar ...	542		31 4	0
Camden ...	1,730		118	18 10	Manly ...	2,492		152 6	7
Cooma ...	5,899		531	16 4	Manly ...	1,898		149 9	1
Candelo ...	1,644		106	5 8	Miller's Point ...	278		15 11	9
Cobargo ...	769		49	14 8	Macquarie Plains ...	2545		156 1	0
Cooranbong ...	837		54	1 1	Moss Vale ...	1,048		58 15	5
Clarence Town ...	1,399		82	18 4	Moruya ...	3,514		233 18	9
Casino ...	4,316		333	12 1	Merimbula ...	1,863		97 0	5
Clarence Heads ...	2,415		110	4 1	Michelago ...	713		45 11	9
Cundletown ...	1,532		91	3 9	Molonglo ...	460		33 19	3
Carcoar ...	1,997		131	6 6	Murrumburrah ...	3,021		181 9	4
Cowra ...	2,583		176	6 9	Morpeth ...	3,205		181 15	1
Condobolin ...	3,908		261	3 11	Muswellbrook ...	3,922		234 2	0
Cootamundra ...	4,400		286	10 2	Murrurundi ...	3,539		234 17	2
Cannonbar ...	2,450		175	12 4	Moree ...	2,972		223 1	3
Cassilis ...	1,395		91	7 0	Millie ...	1,091		78 2	3
Coolah ...	1,190		78	18 9	Manilla ...	1,179		77 13	5
Coonabarabran ...	2,413		171	4 7	Macleay Heads ...	531		19 7	10
Coonamble ...	6,102		473	10 10	Mount Victoria ...	2,055		114 8	5
Central Kempsey ...	4,943		373	2 10	Molong ...	2,436		155 11	0
Copeland North ...	3,525		206	4 7	Morangrell ...	793		54 10	5
Croki ...	491		27	17 9	Mudgee ...	9,145		622 12	10
Coraki ...	970		53	17 0	Merriwa ...	2,197		144 11	1
Copmanhurst ...	530		34	4 2	Moama ...	1,398		112 16	11
Dungog ...	1,854		112	8 5	Moulamein ...	1,221		102 11	5
Denman ...	1,074		72	14 9	Menindie ...	2,297		218 12	9
Dubbo ...	1,076		664	15 0	Menangle ...	3		0 3	1
Deepwater ...	782		58	3 4	Marsden's ...	839		61 6	4
Deniliquin ...	10,677		924	15 0	Newtown ...	3,274		174 6	2
Douglas Park ...	233		14	7 4	North Shore ...	1,690		89 7	11
Edgecliff ...	2,134		115	7 11	Nattai ...	1,529		85 8	10
Eden ...	1,562		93	3 11	Nimitybelle ...	1,295		87 11	9
East Maitland ...	3,123		202	6 4	Nelligen ...	633		35 16	9

Station—contd.	Messages.	Amount.	Station—contd.	Messages.	Amount.
	No.	£ s. d.		No.	£ s. d.
Nelson's Bay	438	20 16 8	Taree	3,910	245 0 10
Newcastle	33,579	2,476 7 0	Tamworth	14,719	969 2 11
Nurrabri	6,155	423 1 2	Terrara	2,479	148 17 3
Newton Boyd	631	42 12 5	Tumut	3,501	240 15 7
Nambuccera	915	61 19 10	Tabulam	605	48 17 4
Nulla Nulla	213	13 1 4	Tarcutta	599	39 1 6
Narrandera	4,043	341 2 8	Tumbarumba	1,545	126 19 7
North Wagga	1,191	68 14 0	Tinonee	845	52 0 4
Nambuccra Heads	.....	.....	Tathra	201	10 5 2
Nowra	1,142	71 14 6	Tingha	892	62 14 8
Oxford-street	6,045	355 8 9	Umarra	1,677	103 8 0
Orange	12,901	908 8 8	Urana	2,752	222 2 6
Paddington	2,170	104 3 8	Uralla	1,845	132 9 7
Petersham	1,092	73 0 6	Ulladulla	2,265	140 12 10
Park-street	5,802	358 10 3	Vegetable Creek	3,559	287 15 9
Parramatta-street	1,995	115 11 0	Warialda	2,824	197 14 6
Parramatta	71,254	419 5 1	Wagga Wagga	17,717	1,393 1 9
Port Stephens	84	5 2 6	Wentworth	25,362	515 9 6
Paterson	991	61 12 4	Wallerawang	2,119	114 14 10
Port Macquarie	3,525	231 11 0	Wellington	5,200	332 3 8
Palmer's Island	1,419	83 3 0	Windsor	3,896	228 6 0
Penrith	2,220	123 2 6	Wiseman's Ferry	635	36 15 5
Parke	2,758	191 8 5	Wollombi	593	38 8 5
Pilliga	1,033	71 12 9	West Maitland	17,913	1,411 19 6
Pieton	858	51 3 7	Wee Waa	1,005	69 18 10
Pooncarie	853	66 12 1	Walgett	4,266	336 17 8
Parramatta Junction	164	9 11 7	West Kempsey	2,440	166 9 10
Queanbeyan	3,744	275 2 10	Wollongong	6,104	329 18 3
Quirindi	4,227	241 5 6	Waratah	798	53 16 8
Randwick	1,759	78 10 6	Wallsend	3,115	148 0 6
Ryde	611	34 7 10	Wallabadah	573	33 17 10
Rydal	282	15 12 9	Waterloo	1,914	106 12 7
Raglan	56	3 0 6	William-street	5,510	335 12 11
Redfern	5,502	320 10 7	Waverley	1,171	67 2 1
Richmond	3,825	226 15 7	Warren	3,117	219 8 8
Raymond Terrace	2,199	125 12 3	Waloha	1,885	122 9 6
Rocky Mouth	3,996	267 1 8	Wilcannia	10,719	1,168 1 0
Rylstones	1,218	77 19 2	Warruh	641	40 7 0
Robertson	215	13 15 4	Warkworth	389	22 7 5
Rookwood	161	9 14 11	Wickham	585	35 4 7
Ravensworth	86	4 14 10	Wolumbla	387	21 7 4
Rockley	181	11 19 9	Wingham	716	44 10 9
South Head	540	28 13 3	West Tamworth	1,406	72 19 9
Sofala	536	32 2 7	Werris Creek	272	15 14 8
Singleton	5,763	384 4 6	Wardell	1,226	82 10 2
Seone	1,697	107 14 3	Woodburn	985	63 17 0
South Creek	579	33 8 8	Young	7,056	546 13 0
South Grafton	2,099	131 16 3	Yass	4,758	355 1 2
Stroud	1,897	112 3 0	Yetman	677	552 16 4
Seal Rocks	62	3 5 9			
Smithtown	1,289	79 18 2	Total	1,167,053	75,858 0 7
Springwood	407	20 13 2	Foreign Telegrams	2,900	22,364 18 5
Seven Hills	54	3 0 4	New Zealand do.	5,265	4,810 5 9
Springgrove	51	2 15 3			
Shellharbour	156	8 14 1	Grand Total	1,175,218	103,033 4 9
St. Albans	234	12 16 5			
Tenterfield	55,865	295 19 4			
Tarana	316	17 13 10			

In my last Annual Report I referred to the arrangements that had been made for duplicating the telegraphic communication with Europe. The formal agreement between the Governments of New South Wales and Victoria and the Eastern Extension Australasia and China Telegraph Company was executed in London on the 6th May, 1879 (copy of which is appended). A short delay occurred in consequence of the Imperial Government desiring to establish telegraphic communication between Aden and Natal in connection with the Zulu war, to effect which without loss of time they requested that the cable which had been manufactured for the Australian duplicate line might be used for the Natal line. This request was acceded to by the Governments of this Colony and Victoria. The Eastern Extension Telegraph Company, in consequence of this concession agreed that the reduced rates for telegrams should come into operation from the date of signing the contract instead of from the time stated in the agreement.

In accordance with this arrangement Press messages between Sydney and England were reduced in May, 1879, from ten shillings and ten pence (10s. 10d.) per word to six shillings and five pence (6s. 5d.) per word.

With reference to a practice which had prevailed of allowing the use free of charge of the Telegraph Wires for messages connected with Agricultural or other Societies, Shows, or in the interest of any Public Demonstration, it was deemed necessary in August, 1879, to intimate that all such messages should be paid for at current rates, as it was found, in consequence of the great increase in the transmission of Messages for the public, impracticable to continue the concession hitherto granted.

I have, &c.,
SAUL SAMUEL,
Postmaster General.

General Post Office,
Sydney, 22nd June, 1880.

APPENDIX.

A.

List of Post Offices on 31st December, 1879.

Name of Post Office.	Salary.	Name of Post Office.	Salary.	Name of Post Office.	Salary.
	£ s. d.		£ s. d.		£ s. d.
Aberdeen	33 0 0	*Blandford	23 0 0	*Campbelltown	80 0 0
*Adaminiby	3 0 0	†Blayney	75 0 0	Do. Assistant	50 0 0
Adamstown	10 0 0	Blowering	10 0 0	Camperdown	25 0 0
*Adelong	60 0 0	Blue-gum Flat	11 0 0	Canadian Lead	20 0 0
Do. Assistant	52 0 0	Boat Harbour	11 0 0	Canberra	14 0 0
Adelong Crossing-place	34 0 0	Bobundarah	14 0 0	*Candelo	15 0 0
Albion Park	39 0 0	*Bodalla	39 0 0	Cannonbar	38 0 0
Albury	263 0 0	Do. Assistant	15 0 0	Canowindra	20 0 0
Do. 1st Assistant	150 0 0	*Boggabri	29 0 0	Canterbury	13 0 0
Do. 2nd Assistant	150 0 0	Boggy Flat	10 0 0	Cape Hawke	13 0 0
Do. 3rd Assistant	125 0 0	Bomadary	22 0 0	Capertee Camp	29 0 0
Allynbrook	15 0 0	*Bombala	30 0 0	*Carcoar	58 0 0
Alstonville	11 0 0	Do. Assistant	104 0 0	Do. Assistant	50 0 0
Amosfield	10 0 0	Bonshaw	14 0 0	Cargo	22 0 0
Annandale	28 0 0	Bookham	33 0 0	Carinda	18 0 0
†Anvil Creek	25 0 0	Boolambayte	10 0 0	Carlisle Gully	27 0 0
Appin	50 0 0	*Booligal	Nil.	Carnsdale	10 0 0
Apple-tree Flat	13 0 0	Do. Assistant	50 0 0	Carrick	13 0 0
*Arakoon	10 0 0	Booral	16 0 0	Carroll	20 0 0
*Araluen	11 0 0	Boorook	18 0 0	*Casino	10 0 0
Do. Assistant	26 0 0	Boro	20 0 0	Do. Assistant	45 0 0
Armidale	247 0 0	Botany	28 0 0	*Cassilis	9 0 0
Do. Assistant	50 0 0	*Bourke	Nil.	Castle Hill	24 0 0
Arncliffe	10 0 0	Do. Assistant	50 0 0	Castlereagh	11 0 0
Arthurville	10 0 0	Bourke-street	18 0 0	Cathcart	16 0 0
†Ashfield	35 0 0	†Bowenfels	54 0 0	Cavan	10 0 0
Do. Assistant	25 0 0	Bowling Alley Point	18 0 0	Central M'Donald	14 0 0
Ashford	18 0 0	Bowna	50 0 0	Cessnock	14 0 0
Attunga	11 0 0	†Bowning	48 0 0	Chamber's Creek	18 0 0
Avisford	13 0 0	†Bowrall	47 0 0	Charcoal Creek	21 0 0
		Bowraville	11 0 0	Charlestown	22 0 0
Ballalaba	14 0 0	Box Ridge	11 0 0	Charleyong	10 0 0
Ballina	24 0 0	*Braidwood	20 0 0	Chatswood	10 0 0
Balmain (Branch Office)	150 0 0	*Branxton	47 0 0	Chatsworth Island	16 0 0
*Balranald	9 0 0	†Breadalbane	38 0 0	Cheeseman's Creek	21 0 0
Do. 1st Assistant	50 0 0	†Breeza	40 0 0	*Clarence River Heads	26 0 0
Do. 2nd Assistant	25 0 0	Brenda	22 0 0	*Clarence Town	30 0 0
Bandon Grove	14 0 0	*Brewarrina	50 0 0	Do. Assistant	13 0 0
Bankstown	13 0 0	Bridgeman	12 0 0	†Clarence Tunnel	10 0 0
Bannaby	10 0 0	Bringelly	25 0 0	Carendon	12 0 0
*Baradine	Nil.	Broadmouth Creek	10 0 0	Clear Creek	10 0 0
Bargo	10 0 0	Brocklehurst	10 0 0	*Clifton	15 0 0
Barraba	35 0 0	Brogo	12 0 0	Cobar	18 0 0
Barragon	12 0 0	Broke	24 0 0	*Cobargo	22 0 0
Barranjoey	11 0 0	Brookfield	14 0 0	Cobbadah	10 0 0
Barrengarry	10 0 0	*Broughton's Creek	35 0 0	Cobbitty	15 0 0
Barrington	13 0 0	Brownlow Hill	13 0 0	Cobbora	18 0 0
Barrington	10 0 0	Brown Mountain	15 0 0	Codrington	13 0 0
Barwang	10 0 0	Brown's Creek	12 0 0	Collector	19 0 0
Bateman's Bay	32 0 0	Brundah Creek	10 0 0	Collic	14 0 0
Bathurst	300 0 0	Brungle	13 0 0	Colly Blue	11 0 0
Do. 1st Assistant	200 0 0	*Brush Grove	25 0 0	Colo	14 0 0
Do. 2nd Assistant	150 0 0	Buchanan	12 0 0	Colombo Creek	16 0 0
Do. 3rd Assistant	100 0 0	Buckley's Crossing-place	16 0 0	Comobella	10 0 0
Do. 4th Assistant, &c.	120 0 0	Budgee Budgee	17 0 0	Conargo	18 0 0
Baulkham Hills	18 0 0	Buggil	10 0 0	Corncord	20 0 0
*Bega	65 0 0	Bukkulla	14 0 0	*Coodobolin	30 0 0
Do. Assistant	26 0 0	*Bulahdelah	20 0 0	Conjola	10 0 0
Belford	12 0 0	Do. Assistant	26 0 0	Cookardinia	12 0 0
Bell's Creek	16 0 0	Bulgandramine	18 0 0	Coolac	21 0 0
Belmont	10 0 0	*Bulli	52 0 0	*Coolah	30 0 0
Belmore	10 0 0	*Bundarra	Nil.	Coolonglook	10 0 0
*Bondemeer	58 0 0	Do. Assistant	100 0 0	*Cooma	50 0 0
Do. Assistant	20 0 0	Bundella	13 0 0	Do. 1st Assistant	100 0 0
Bendolba	15 0 0	Bungendore	26 0 0	Do. 2nd Assistant	50 0 0
Ben Lomond	10 0 0	Bungonia	37 0 0	*Coonabarabran	50 0 0
Bergalia	18 0 0	Bungowannah	14 0 0	*Coonamble	36 0 0
Berrima	60 0 0	*Bungwall Flat	16 0 0	Do. Assistant	100 0 0
†Bethunga	20 0 0	Bunnan	11 0 0	Cooperbrook	10 0 0
Bibbenluke	15 0 0	Burrage	10 0 0	*Cooranbong	23 0 0
Bigga	15 0 0	Burratorang	13 0 0	*Cootamundra	30 0 0
Big Hill	17 0 0	*Burrawang	19 0 0	Do. Assistant	68 0 0
Biloela	16 0 0	Burrendong	13 0 0	Cooyal	10 0 0
†Binalong	25 0 0	Burrier	11 0 0	*Copeland North	25 0 0
Binda	22 0 0	*Burrowa	25 0 0	Copeland South	10 0 0
*Bingera	10 0 0	Do. Assistant	13 0 0	*Copmanhurst	14 0 0
Do. Assistant	52 0 0	*Burwood	104 0 0	*Coraki, Richmond River	18 0 0
Binnaway	10 0 0	Byng	14 0 0	Coree	13 0 0
Bishop's Bridge	14 0 0	Cadia	13 0 0	*Corowa	12 0 0
Black Rock	30 0 0	Caloola	16 0 0	Do. 1st Assistant	104 0 0
Black Springs	12 0 0	Camberwell	20 0 0	Do. 2nd Assistant	26 0 0
†Blacktown	50 0 0	Cambewarra	21 0 0	Corrowong	11 0 0
Blackville	10 0 0	Camden	110 0 0	Cow Flat	30 0 0
Blackwall	10 0 0	Camden Haven	20 0 0	*Cowra	30 0 0
Blakney Creek	10 0 0	Camden Haven Punt	20 0 0	Do. Assistant	52 0 0

Name of Post Office.	Salary.	Name of Post Office.	Salary.	Name of Post Office.	Salary.
	£ s. d.		£ s. d.		£ s. d.
Cox's River	11 0 0	Firefly Creek	10 0 0	Harwood Island	11 0 0
Craeton	10 0 0	*Forbes	43 0 0	Hawke's Nest	10 0 0
Croki, Manning River	15 0 0	Do. Assistant	150 0 0	*Hay	95 0 0
Crookwell	23 0 0	Forest Reefs	17 0 0	Do. Assistant	130 0 0
Cross Roads	12 0 0	*Forster	14 0 0	Haydonton	44 0 0
Crudine	15 0 0	Foxlow	13 0 0	Haymarket (Branch Office)	190 0 0
Cudal	20 0 0	Frederickton	16 0 0	Do. Assistant	100 0 0
Cudgegong	19 0 0	Frogmoor	16 0 0	Heifer Station	10 0 0
Cullenbone	11 0 0	Fullerton	11 0 0	Hexham	40 0 0
Cullen Bullen	42 0 0			Higham Road	10 0 0
Cullinga	10 0 0	Gannon's Forest	11 0 0	Hillas Creek	11 0 0
Cumnock	10 0 0	Gegezerick	13 0 0	*Hill End	37 0 0
Cundletown	28 0 0	+George's Plains	10 0 0	Do. Assistant	40 0 0
Cungegong	20 0 0	Gerogery	25 0 0	*Hillston	Nil
Curban	10 0 0	*Germanton	50 0 0	Hinton	30 0 0
Currabubula	21 0 0	Do. Assistant	35 0 0	*Homebush	52 0 0
Currawang	16 0 0	*Gerringong	24 0 0	Home Rule	50 0 0
Curraweela	11 0 0	Ghinni Ghinni	17 0 0	Hornsby	18 0 0
		Gilgai	10 0 0	Hoskins' Town	11 0 0
Dalmorton	18 0 0	Gilgandra	24 0 0	Howe's Valley	11 0 0
Dalton	18 0 0	Gilgunnia	10 0 0	Howlong	27 0 0
Dalwood, Richmond River	10 0 0	Gilmore	11 0 0	Hungerford	12 0 0
Dandaloo	15 0 0	Gingkin	10 0 0	*Hunter's Hill	52 0 0
Dapto	40 0 0	Giminderra	20 0 0	Huntingdon	11 0 0
Darby's Falls	10 0 0	Gladesville	18 0 0	Huskisson	11 0 0
Darlington Point	20 0 0	*Gladstone	17 0 0		
Davis Town	10 0 0	Glanmire	39 0 0	Icely	16 0 0
Daysdale	10 0 0	Glasston	10 0 0	Ilford	46 0 0
*Deepwater	15 0 0	*Glebe	25 0 0	Iluka	22 0 0
Delegate	25 0 0	Glebecland	10 0 0	Ingliston	10 0 0
Denham Court	13 0 0	Glen Alice	14 0 0	*Inverell	Nil
Deniliquin	225 0 0	Glendon Brook	11 0 0	Ironbarks	34 0 0
Do. 1st Assistant	175 0 0	*Glen Innes	57 0 0	Ironcove Bridge	25 0 0
Do. 2nd Assistant	125 0 0	Do. Assistant	130 0 0	Ivanhoe	19 0 0
Denison Town	30 0 0	Glen Morrison	12 0 0		
*Denman	36 0 0	Glen William	10 0 0	*Jameroo	40 0 0
Dight's Forest	12 0 0	*Gloucester	10 0 0	Jembaicumbene	13 0 0
Dingo Creek	14 0 0	Do. Assistant	52 0 0	*Jercelderic	30 0 0
Dirty Swamp	15 0 0	Gnalta	10 0 0	Do. Assistant	26 0 0
+Douglas Park	17 0 0	Golspie	11 0 0	Jerrong	11 0 0
Drake	10 0 0	Gongolgon	17 0 0	Jerry's Plains	25 0 0
Drutt Town	10 0 0	Good Hope	10 0 0	Jindabyne	13 0 0
Dry Plain	10 0 0	*Goodooga	Nil	Joadja Creek	10 0 0
*Dubbo	85 0 0	Goodrich	20 0 0	Jordan's Crossing	30 0 0
Do. Assistant	100 0 0	Goolagong	10 0 0	Jugiong	15 0 0
Dundee	17 0 0	Goolma	10 0 0	Junction Point	12 0 0
Dungaree	11 0 0	Goombaronga	10 0 0	Junee	10 0 0
*Dungog	30 0 0	Goonoo Goonoo	29 0 0	Junee Railway Station	25 0 0
Do. Assistant	52 0 0	Goorangoola	14 0 0		
Dungowan	14 0 0	Gordon	22 0 0	Kameruka	17 0 0
Dunkeld	12 0 0	*Gosford	35 0 0	Kangaloon	14 0 0
Dural	12 0 0	Goulburn	250 0 0	Kangaroo Creek	11 0 0
		Do. 1st Assistant	190 0 0	Kangaroo Valley	28 0 0
		Do. 2nd Assistant	150 0 0	Kayuga	11 0 0
		Do. 3rd Assistant	120 0 0	Keepit	12 0 0
		Do. 4th Assistant & c	150 0 0	Kelso	59 0 0
Eastern Creek	13 0 0	*Grafton	68 0 0	Kempsey	38 0 0
East Kangaloon	15 0 0	Do. Assistant	125 0 0	Kerrabec	20 0 0
East Kempsey	16 0 0	Graham	13 0 0	Khancoban	10 0 0
East Maitland	153 0 0	Greendale	15 0 0	*Kiama	71 0 0
Do. Assistant	52 0 0	Greenfield Farm	11 0 0	Do. Assistant	52 0 0
East Raleigh	10 0 0	Greenhill	10 0 0	*Kiandra	3 0 0
East Wardell	14 0 0	*Greenwell Point	10 0 0	Kimbriki	11 0 0
Eanabalong	34 0 0	Greenwich Park	10 0 0	Kincumber	13 0 0
Ebenezer	11 0 0	*Grenfell	32 0 0	King's Plains	10 0 0
Eccleston	18 0 0	Do. Assistant	50 0 0	Kingstown	10 0 0
*Eden	5 0 0	Gresford	35 0 0	King-street (Branch Office)	150 0 0
Elderslie	12 0 0	Guildford	11 0 0	Kiora	11 0 0
*Edgecliff	30 0 0	Gulargambone	10 0 0	Kogarah	12 0 0
Ellalong	13 0 0	*Gulgong	Nil	Kunopia	20 0 0
Ellenborough	11 0 0	Do. 1st Assistant	75 0 0	Kurrajong	25 0 0
Elmore	11 0 0	Do. 2nd Assistant	25 0 0	Kurrajong Heights	12 0 0
Emu	22 0 0	Gunbar	10 0 0	*Kynnumboon	23 0 0
+Emu Ferry	24 0 0	*Gundagai	20 0 0		
Enfield	18 0 0	Gundurimba	10 0 0	Laggan	14 0 0
Enngonia	11 0 0	Gundy	12 0 0	Laguna	17 0 0
Eunis	12 0 0	Gungal	15 0 0	Lake Cudgellico	16 0 0
Esrom	25 0 0	*Gunnedah	17 0 0	*Lambton	29 0 0
Essington	10 0 0	Do. 1st Assistant	100 0 0	Do. Assistant	13 0 0
Eugowra	25 0 0	Do. 2nd Assistant	30 0 0	Landsdown	10 0 0
Eulourie	13 0 0	Gunning	75 0 0	Langworthy's	19 0 0
Eurobodalla	30 0 0	Guntawang	19 0 0	Lanyon	14 0 0
Eurunderee	14 0 0	Gurrundah	10 0 0	Largs	22 0 0
*Euston	3 0 0	Guyong	21 0 0	Laurieton	10 0 0
Do. Assistant	25 0 0	Guyra	10 0 0	Lawrence	23 0 0
Evans' Plains	12 0 0			Lidsdale	31 0 0
		*Hamilton	37 0 0	Limekilns	11 0 0
Fairfield	11 0 0	Hanging Rock	12 0 0	Limeburner's Creek	15 0 0
+Farley	10 0 0	Hargraves	19 0 0	Lincoln	14 0 0
Ferromount	21 0 0	Harrington	10 0 0	Lionsville	15 0 0
Field of Mars	20 0 0	Hartley	33 0 0	*Lismore	32 0 0
Fig-tree	25 0 0	Hartley Vale	11 0 0	Do. Assistant	25 0 0
Fish River Creek	13 0 0				
Fitzgerald's Valley	10 0 0				
Five Dock	10 0 0				

Name of Post Office.	Salary.	Name of Post Office.	Salary.	Name of Post Office.	Salary.
	£ s. d.		£ s. d.		£ s. d.
Lithgow	46 0 0	*Mornya	61 0 0	*Parkes	55 0 0
Little Billabong	40 0 0	Do. Assistant	52 0 0	Do. Assistant	52 0 0
Little Hartley	24 0 0	Mossiel	24 0 0	Park-street (Branch Office)	120 0 0
Liverpool	150 0 0	*Moss Vale	23 0 0	Park Village	10 0 0
Lochinvar	37 0 0	Do. Assistant	100 0 0	*Parramatta	160 0 0
Long Reach	16 0 0	*Moalamein	83 0 0	Do. 1st Assistant	124 0 0
Long Swamp	13 0 0	Mount Adrah	10 0 0	Do. 2nd Assistant	50 0 0
Lostock	14 0 0	Mount Gipps	12 0 0	†Parramatta Junction	20 0 0
Louth	12 0 0	Mount Harris	17 0 0	Parramatta-street (Branch Office)	150 0 0
Lower Gundaroo	19 0 0	Mount Hunter Creek	10 0 0	*Paterson	15 0 0
Lower Hawkesbury	11 0 0	Mount Macquarie	11 0 0	Do. Assistant	39 0 0
Lower Portland	11 0 0	Mount Poole	10 0 0	Peat's Ferry	11 0 0
Lowesdale	10 0 0	*Mount Victoria	29 0 0	Peel	39 0 0
Lowther	10 0 0	Mount Vincent	16 0 0	Peelwood	17 0 0
*Lucknow	23 0 0	Mount Wilson	10 0 0	Pejar	10 0 0
Luddenham	18 0 0	Mudgee	210 0 0	Pelican Flats	10 0 0
Lyndhurst	25 0 0	Do. Assistant	100 0 0	Pennant Hills	13 0 0
Macdonald Town	12 0 0	Mulgoa	16 0 0	Penrith	200 0 0
†Macquarie Plains	38 0 0	Mullenderre	25 0 0	Perricoota	10 0 0
Major's Creek	27 0 0	Mulloon	11 0 0	*Petersham	77 0 0
Manar	14 0 0	Mulwala	18 0 0	Pictou	80 0 0
Mandurama	30 0 0	Mummell	11 0 0	*Pilliga	17 0 0
Mangrove Creek	11 0 0	Mundooran	60 0 0	Pine Ridge	18 0 0
*Manilla	17 0 0	Mungindi	28 0 0	Pitt Town	22 0 0
Do. Assistant	26 0 0	Mungunyah	10 0 0	Pokolbin	10 0 0
Manly	52 0 0	Murga	22 0 0	Ponto	10 0 0
Do. Assistant	25 0 0	Murraguldrie	11 0 0	*Pooncarie	Nil
Manna Field	19 0 0	Murrumbateman	11 0 0	Do. Assistant	12 0 0
March	10 0 0	Murrumbidgee	10 0 0	*Port Macquarie	13 0 0
Marengo	21 0 0	*Murrumburrah	20 0 0	Do. Assistant	25 0 0
Marlee	10 0 0	Do. Assistant	104 0 0	Prospect	17 0 0
Marrickville	17 0 0	Murrurundi	170 0 0	Putty	10 0 0
*Marsdens	Nil	Do. Assistant	25 0 0	Pyree	14 0 0
†Marulan	45 0 0	Musgravo	10 0 0	Pymont	25 0 0
Maryland	23 0 0	Muswellbrook	125 0 0	Quambone	20 0 0
Maryvale	10 0 0	Muttama Reef	10 0 0	Quartz Ridge	11 0 0
Mathoura	19 0 0	Mutton's Falls	14 0 0	*Queanbeyan	100 0 0
Maude	13 0 0	Myrtleville	13 0 0	Do. Assistant	52 0 0
Mayfield	10 0 0	Nambucca	13 0 0	Queen Charlotte's Vale	10 0 0
Meadow Flat	27 0 0	Narellan	37 0 0	Quipolly	20 0 0
†Menangle	24 0 0	*Narrabri	43 0 0	*Quirindi	20 0 0
*Menindie	20 0 0	Do. 1st Assistant	120 0 0	Do. Assistant	120 0 0
Do. Assistant	65 0 0	Do. 2nd Assistant	26 0 0	Rainbow Reach	11 0 0
Meranburn	25 0 0	*Narrandera	50 0 0	*Randwick	22 0 0
*Merimbula	63 10 0	Do. Assistant	52 0 0	Rankin's Springs	35 0 0
Merindee	14 0 0	*Nelligen	21 0 0	†Ravensworth	20 0 0
Meroe	11 0 0	Nelson's Plains	10 0 0	Rawden Vale	10 0 0
Merri bung	10 0 0	Nerriga	11 0 0	*Raymond Terrace	91 0 0
Merrilla	16 0 0	Nerrigundah	18 0 0	Do. Assistant	25 0 0
*Merriwa	9 0 0	†Newbridge	24 0 0	Redbank	11 0 0
Merrygoen	10 0 0	Newcastle	330 0 0	Redfern (Branch Office)	150 0 0
Michelago	28 0 0	Do. 1st Assistant	200 0 0	Red Hill	10 0 0
Middle Arm	11 0 0	Do. 2nd Assistant	150 0 0	Reedy Flat	13 0 0
Milburn Creek	10 0 0	Do. 3rd Assistant	100 0 0	Reidsdale	12 0 0
Millamurra	11 0 0	Do. 4th Assistant, &c.	150 0 0	Reid's Flat	18 0 0
Miller's Forest	19 0 0	New Lambton	18 0 0	Richmond	178 0 0
Miller's Point (Branch Office)	150 0 0	Newpark	10 0 0	†Riverstone	20 0 0
Millfield	16 0 0	Newtown (Branch Office)	150 0 0	Robertson	37 0 0
Do. Assistant	25 0 0	Do. Assistant	25 0 0	Rockley	36 0 0
*Millie	22 0 0	*Nimitybelle	27 0 0	Rocky Glen	15 0 0
*Milton	29 0 0	North Gobaraloug	10 0 0	*Rocky Mouth	50 0 0
Minmi	30 0 0	North Richmond	21 0 0	Rocky River	18 0 0
Mitchell's Creek	17 0 0	†North Wagga Railway Station	30 0 0	Rolland's Plains	14 0 0
†Mittagong	16 0 0	North Willoughby	16 0 0	†Rookwood	16 0 0
Do. Assistant	50 0 0	Nowendoc	12 0 0	Do. Assistant	15 0 0
*Moama	20 0 0	*Nowra	35 0 0	†Rooty Hill	20 0 0
Do. Assistant	25 0 0	Numba	27 0 0	Rothbury	10 0 0
Mogilla	10 0 0	Numeralla	11 0 0	Rouchell Brook	11 0 0
Mogil Mogil	18 0 0	Nundle	27 0 0	Rouse Hill	20 0 0
Mogo	12 0 0	Oaks	18 0 0	†Rydal	57 0 0
Mohonga	10 0 0	Oban	11 0 0	Ryde	30 0 0
Moiira	10 0 0	Oberon	20 0 0	Rye Park	11 0 0
*Molong	Nil	Obley	30 0 0	*Rylstone	34 0 0
Do. Assistant	75 0 0	O'Connell	22 0 0	Sackville Reach	12 0 0
Molonglo	17 0 0	Onebygamba	15 0 0	St. Alban's	12 0 0
Monga	12 0 0	Ophir	10 0 0	St. Clair	11 0 0
Monkerai	11 0 0	*Orange	52 0 0	St. Leonards (Branch Office)	150 0 0
Montefiores	25 0 0	Do. 1st Assistant	66 0 0	St. Mark's	31 0 0
Monwonga	11 0 0	Do. 2nd Assistant	100 0 0	*St. Mary's	52 0 0
Moonan Brook	16 0 0	Oxford-street (Branch Office)	150 0 0	St. Peter's	120 0 0
Moonbi	23 0 0	Oxley Island	10 0 0	Scone	150 0 0
Moor Creek	10 0 0	Paddington (Branch Office)	150 0 0	Scott's Flat	10 0 0
Moorilda	11 0 0	Pallamallawa	10 0 0	Seaham	13 0 0
Moorwatha	12 0 0	*Palmer's Island	25 0 0	Schastopol	10 0 0
Morangarell	25 0 0	Palmer's Oakey	11 0 0	Sedgofield	10 0 0
*Morce	Nil	Pambula	32 0 0	†Seven Hills	13 0 0
Do. Assistant	40 0 0			Sheet of Bark	20 0 0
*Morpeth	84 0 0				
Do. Assistant	20 0 0				
Morton's Creek	10 0 0				

Name of Post Office.	Salary.	Name of Post Office.	Salary.	Name of Post Office.	Salary.
	£ s. d.		£ s. d.		£ s. d.
Shellharbour	22 0 0	Towamba	11 0 0	*Wentworth	22 0 0
Shepherd's Town	13 0 0	Trunkey Creek	40 0 0	Do. Assistant	77 0 0
Silent Grove	10 0 0	Tuena	23 0 0	†Werris Creek	13 0 0
*Singleton	85 0 0	Tullimbar	11 0 0	Westbrook	13 0 0
Do. Assistant	75 0 0	Tumberumba	33 0 0	*West Kempsey	3 0 0
Smithfield	30 0 0	*Tumut	90 0 0	West Maitland	262 0 0
Smith Town	10 0 0	Do. Assistant	62 10 0	Do. 1st Assistant	100 0 0
*Sofala	47 0 0	Tweed Heads	10 0 0	Do. 2nd Assistant	75 0 0
Somerton	18 0 0	Tweed Junction	18 0 0	*West Tamworth	75 0 0
South Bowenfels	22 0 0	Two-mile Flat	13 0 0	Do. Assistant	15 0 0
Southgate	10 0 0	Tyndale	10 0 0	Whealbah	10 0 0
*South Grafton	25 0 0	Uarby	11 0 0	Wheco	28 0 0
South Gundagai	33 0 0	Ulladulla	22 0 0	Wherrol Flat	10 0 0
†Spring Grove	25 0 0	*Ulmara	40 0 0	Whinstone Valley	11 0 0
†Spring Hill	10 0 0	Underbank	15 0 0	White Rock	10 0 0
Spring Ridge	10 0 0	Unungar	23 0 0	Whittingham	10 0 0
Springside	15 0 0	Upper Bankstown	13 0 0	*Wickham	60 0 0
Stamborough	22 0 0	Upper Burragarang	10 0 0	Wilberforce	20 0 0
Stockton	13 0 0	Upper Gundaroo	20 0 0	*Wilcannia	36 0 0
*Stroud	15 0 0	Upper Manilla	10 0 0	Do. 1st Assistant	50 0 0
Do. Assistant	26 0 0	Upper Myall	11 0 0	Do. 2nd Assistant	26 0 0
Summer Island	14 0 0	Upper Pyramul	17 0 0	Do. 3rd Assistant	26 0 0
Sutton Forest	29 0 0	Upper Turon	11 0 0	Wild's Meadow	13 0 0
Swallow's Nest	13 0 0	*Uralla	30 0 0	Willanthry	10 0 0
Swan Bay	15 0 0	Do. Assistant	26 0 0	Willeroon	15 0 0
Swanbrook	10 0 0	Urana	14 0 0	William-street (Branch Office).	150 0 0
		Do. Assistant	40 0 0	Do. Assistant	75 0 0
Tabulam	21 0 0	Urawilkie	20 0 0	William Town	12 0 0
Talawanta	11 0 0	Uriarra	10 0 0	†Willow-tree	20 0 0
Tally Ho	10 0 0	Vacy	14 0 0	Willson's Downfall	19 0 0
Tambaroora	63 0 0	*Vegetable Creek	15 0 0	Wilson	10 0 0
Tambar Springs	16 0 0	Vere	10 0 0	Wilton	14 0 0
*Tamworth	54 0 0	Vittoria	14 0 0	Windellama	12 0 0
Do. Assistant	150 0 0	Wagga Wagga	250 0 0	Windeyer	18 0 0
Tangmangaroo	19 0 0	Do. 1st Assistant	225 0 0	Windsor	139 0 0
Tanja	10 0 0	Do. 2nd Assistant	200 0 0	†Wingen	11 0 0
Tankerooka	13 0 0	Do. 3rd Assistant	104 0 0	Wingham	22 0 0
Tarago	35 0 0	Wagonga	15 0 0	*Wiseman's Ferry	14 0 0
Taralga	24 0 0	Wagra	10 0 0	Wollar	20 0 0
†Tarana	36 0 0	Walbundrie	20 0 0	*Wollombi	27 0 0
Tarcutta	45 0 0	*Walcha	20 0 0	Wollomombi	10 0 0
*Taree	5 0 0	Do. Assistant	25 0 0	Wollongbar	10 0 0
Tarlo	21 0 0	Wallabadah	33 0 0	*Wollongong	78 0 0
Tatham	10 0 0	Wallaceton	10 0 0	Do. Assistant	52 0 0
Telegraph Point	16 0 0	Wallerobba	11 0 0	Wollongough	17 0 0
Temora	11 0 0	Walla Walla	10 0 0	Wolumia	13 0 0
Tempe	34 0 0	†Wallendbeen	20 0 0	Wombat	31 0 0
Tenandra	12 0 0	Wallerawang	83 0 0	*Woodburn	30 0 0
*Tenterfield	18 0 0	Wali	10 0 0	Woodhouselee	13 0 0
Do. Assistant	104 0 0	*Walgett	50 0 0	Woodlands	10 0 0
Tent Hill	12 0 0	Do. Assistant	26 0 0	Woodside	11 0 0
Terara	34 0 0	*Wallsend	100 0 0	Woodville	18 0 0
The Bulga	10 0 0	Do. Assistant	26 0 0	Woollahra	39 0 0
The Gulf	10 0 0	Wamberal	11 0 0	Wooloomon	10 0 0
The Junction	18 0 0	Wanaaring	10 0 0	Woomargama	20 0 0
The Lagoon	11 0 0	Wandandian	13 0 0	Woonona	35 0 0
The Reefs	10 0 0	Wandella	10 0 0	Woore	14 0 0
The Valley	10 0 0	Wandsworth	15 0 0	Wyalong	10 0 0
Thurgoona	20 0 0	Wanganella	25 0 0	Wyong	11 0 0
Tighe's Hill	20 0 0	*Waratah	62 0 0	Wyong Creek	10 0 0
Tilba Tilba	11 0 0	*Wardell	12 0 0	Wyrallah	14 0 0
Timbarra	14 0 0	*Wariakda	35 0 0		
Timbilica	10 0 0	Warkworth	27 0 0		
Timbriemungie	11 0 0	Warneton	14 0 0	Yamnatree	10 0 0
Timor	10 0 0	Warrah Ridge	10 0 0	Yarraman	13 0 0
*Tingha	35 0 0	*Warren	26 0 0	Yarras	10 0 0
Tinonee	44 0 0	Watson's Bay	25 0 0	Yass	200 0 0
Tirrania	10 0 0	Wattamulla	10 0 0	Do. Assistant	52 0 0
Tocumwal	23 0 0	Wattle Flat	31 0 0	Yattcyatah	18 0 0
Tomago	16 0 0	*Waverley	52 0 0	Yetholme	19 0 0
Tomerong	13 0 0	Wee Waa	33 0 0	Yetman	18 0 0
Toogong	20 0 0	Wellingrove	20 0 0	*Young	30 0 0
Tooleybuck	11 0 0	*Wellington	61 0 0	Do. Assistant	104 0 0
Tooloom	11 0 0	Do. 1st Assistant	100 0 0	Y. Water	10 0 0
Tooma	13 0 0	Do. 2nd Assistant	37 10 0		

* The postal and telegraph duties at these places are amalgamated.

† The postal duties at these places are conducted in the Railway Stations.

B.

LIST of Receiving Offices on 31st December, 1879.

Name of Receiving Office.	Salary.	Name of Receiving Office.	Salary.	Name of Receiving Office.	Salary.
	£ s. d.		£ s. d.		£ s. d.
Aberglasslyn	5 0 0	Duke's Springs	5 0 0	Numbugga	5 0 0
Angledool	5 0 0	Duramana	5 0 0	Ournie	5 0 0
Argoon	5 0 0	East Gosford	5 0 0	Parkesbourne	5 0 0
Bago	5 0 0	Eschol	5 0 0	Puddledock	5 0 0
Bald Nob	5 0 0	Farnham	5 0 0	†Redmyre	5 0 0
Barren Ground	5 0 0	Faulconbridge	5 0 0	Red Range	5 0 0
Bedgerebong	5 0 0	Garryowen	5 0 0	Rock Flat	5 0 0
Bellmount Forest	5 0 0	Gerilgambeth	5 0 0	Rocky Hall	5 0 0
Bermagui	5 0 0	German Creek	5 0 0	Rosebrook	5 0 0
Bindle	5 0 0	Gullen	5 0 0	Salisbury Plains	5 0 0
Boggabilla	5 0 0	Halton	5 0 0	Sandy Creek	5 0 0
Bolaro	5 0 0	Hobby's Yards	5 0 0	Shaw	5 0 0
Borambil	5 0 0	Illabo	5 0 0	Shepherd's Creek	5 0 0
Botany Road	5 0 0	Irvinstone	5 0 0	†Springwood	5 0 0
Bowman	5 0 0	Jerrawa	5 0 0	†Stanmore	5 0 0
Bredbo	5 0 0	Kaiser	5 0 0	Sutton	5 0 0
Broadwater	5 0 0	Kangaroo Camp	5 0 0	The Pinch	5 0 0
Bruccedale	5 0 0	Katoomba	5 0 0	The Snowball	5 0 0
Bumberry	5 0 0	Kilgin	5 0 0	Tomboy	5 0 0
Bumble	5 0 0	Knorrit Flat	5 0 0	Trevallyn	5 0 0
Burslem's	5 0 0	*Kyamba	5 0 0	Turlinjah	5 0 0
Carabost	5 0 0	Lamb's Creek	5 0 0	Upper Lostock	5 0 0
Cave Creek	5 0 0	Little Bombay	5 0 0	Vale of Clywdd	5 0 0
Clarevaux	5 0 0	Little Plain	5 0 0	Ward's River	5 0 0
Cochran Creek	5 0 0	Morago	5 0 0	Waterloo	5 0 0
Collingullie	5 0 0	Morven	5 0 0	Willawillingbah	5 0 0
Coolonglook Gold Field	5 0 0	Mount Pleasant	5 0 0	Winburndale	5 0 0
Craigie	5 0 0	†Mulgrave	5 0 0	Womboo (Rogers's)	5 0 0
Croydon	5 0 0	Mullengandra	5 0 0	Womboota (Edwards's)	5 0 0
Cunningham	5 0 0	Nangus	5 0 0	Wyagdon	5 0 0
Deep Creek	5 0 0	Narrawa	5 0 0	Wyndham	5 0 0
Doughboy Hollow	5 0 0	North Oriel	5 0 0	Yarrara	5 0 0
Downside	5 0 0	North Lismore	5 0 0	Yellow Waterhole	5 0 0
Dry River	5 0 0	No. 2 West Bogan	5 0 0		

* The postal and telegraph duties at this place are amalgamated. † The postal duties at these places are conducted in the Railway Stations.

C.

RETURN showing where the Government have erected or possess buildings, and where buildings are leased for the purpose of Post and Telegraph Offices.

Adaminaby	Post and Telegraph Office	Office provided by guarantors.
Adelong	do.	Premises rented.
Albury	Telegraph Office	Government possess a building.
Do.	Post Office	Premises rented.
Anvil Creek	do.	Accommodation provided at Railway Station.
Do.	Telegraph Office	Premises rented.
Arakoon	Post and Telegraph Office	Government possess a building.
Araluen	do.	Premises rented.
Armidale	Telegraph Office	Government possess a building.
Do.	Post Office	do. do.
Ashfield	Post and Telegraph Office	Accommodation provided at Railway Station.
Back Creek	Telegraph Office	do. do.
Ballina	do.	Premises rented.
Balmain	Post and Telegraph Office	do.
Baradine	do.	do.
Balranald	do.	Government possess a building.
Barraba	Telegraph Office	Premises rented.
Barrington	do.	do.
Bateman's Bay	do.	do.
Bathurst	Post Office	Government possess a building.
Do.	Telegraph Office	do. do.
Bega	Post and Telegraph Office	do. do.
Bendemeer	do.	Premises rented.
Berrima	Telegraph Office	Government possess a building.
Do.	Post Office	Premises rented.
Bethunga	Post and Telegraph Office	Accommodation provided at Railway Station.
Binalong	do.	do. do.
Bingera	do.	Government possess a building.
Blacktown	do.	Accommodation provided at Railway Station.
Blandford	Post Office	do. do.
Blayney	Telegraph Office	Premises rented.
Do.	Post Office	Accommodation provided at Railway Station.
Blue Mountain	Telegraph Office	do. do.
Bodalla	Post and Telegraph Office	Premises rented.
Boggabri	do.	do.
Bombala	do.	Government possess a building.
Booligal	do.	Premises rented.
Bowenfels	do.	Accommodation provided at Railway Station.
Bourke	do.	Premises rented.
Bowning	do.	Accommodation provided at Railway Station.
Bowrall	do.	do. do.
Braidwood	do.	Government possess a building.
Branxton	do.	Accommodation provided at Railway Station.
Broadalbane	Post Office	do. do.

C—continued.

Breeza	Post and Telegraph Office	Accommodation provided at Railway Station.
Brewarrina	do.	Premises rented.
Broughton's Creek	do.	do.
Broke	do.	do.
Brush Grove	do.	do.
Bulahdelah	do.	do.
Bulli	do.	do.
Bundarra	do.	do.
Bungendore	Telegraph Office	do.
Bungwall Flat	Post and Telegraph Office	Office provided by guarantors.
Burrawang	do.	Premises rented.
Burrowa	do.	Government possess a building.
Burwood	do.	Accommodation provided at Railway Station.
Camden	Telegraph Office	Premises rented.
Campbelltown	Post and Telegraph Office	do.
Candelo	do.	do.
Cannonbar	Telegraph Office	do.
Carcoar	Post and Telegraph Office	Government possess a building.
Casino	do.	Premises rented.
Caasilis	do.	do.
Central Kempsey	Telegraph Office	do.
Clarence River Heads	Post and Telegraph Office	Accommodation provided at Customs' Station.
Clarence Town	do.	Premises rented.
Clarence Tunnel	Post Office	Accommodation provided at Railway Station.
Clifton	Post and Telegraph Office	Premises rented.
Cobargo	do.	Office provided by guarantors.
Condobolin	do.	Premises rented.
Coolah	do.	do.
Cooma	do.	Government possess a building.
Coonabarabran	do.	do.
Coonamble	do.	Premises rented.
Cooranbong	do.	do.
Cootamundra	do.	do.
Copeland North	do.	do.
Copmanhurst	do.	do.
Coraki	do.	do.
Corowa	do.	do.
Cowra	do.	do.
Croki	Telegraph Office	Office provided by guarantors.
Croydon	Post Office	Accommodation provided at Railway Station.
Cumulietown	Telegraph Office	Premises rented.
Deepwater	Post and Telegraph Office	Office provided by guarantors.
Deniliquin	Telegraph Office	Government possess a building.
Do.	Post Office	do. do.
Denman	Post and Telegraph Office	do. do.
Douglass Park	do.	Accommodation provided at Railway Station.
Dubbo	do.	Government possess a building.
Dungog	do.	Premises rented.
East Maitland	do.	Government possess a building.
Eden	do.	Premises rented.
Edgecliff	do.	do.
Emu Ferry	Post Office	Accommodation provided at Railway Station.
Euston	Post and Telegraph Office	Government possess a building.
Farley	Post Office	Accommodation provided at Railway Station.
Fernmount	Telegraph Office	Premises rented.
Forbes	Post and Telegraph Office	do.
Frederickton	Telegraph Office	do.
George's Plains	Post Office	Accommodation provided at Railway Station.
Germanton	Post and Telegraph Office	Government possess a building.
Gerrington	do.	Office provided by guarantors.
Ginninderra	Telegraph Office	do. do.
Gladstone	Post and Telegraph Office	do. do.
Glebe	do.	Premises rented.
Glebe Island	Telegraph Office	Government possess a building.
Glen Innes	Post and Telegraph Office	do. do.
Gloucester	do.	Premises rented.
Gongolgan	Telegraph Office	do.
Goodooga	Post and Telegraph Office	do.
Gosford	do.	do.
Goulburn	Post Office	do.
Do.	Telegraph Office	Government possess a building.
Grafton	Post and Telegraph Office	do. do.
Greenwell Point	do.	Premises provided free.
Grenfell	do.	Government possess a building.
Gulgong	do.	do. do.
Gundagai	do.	Premises rented.
Gunnedah	do.	do.
Gunning	Telegraph Office	Accommodation provided at Railway Station.
Hamilton	Post and Telegraph Office	Premises provided free.
Hay	do.	Government possess a building.
Haymarket	do.	Premises rented.
Hill End	do.	Government possess a building.
Hillston	do.	Premises rented.
Homebush	do.	Accommodation provided at Railway Station.
Howlong	Telegraph Office	Premises rented.
Hunter's Hill	Post and Telegraph Office	do.
Iverell	do.	Government possess a building.
Jamberoo	do.	Office provided by guarantors.
Jerekerrie	do.	Government possess a building.
Jerry's Plains	Telegraph Office	Premises rented.
Jervis Bay	do.	Signal and Pilot Station.
Junee	do.	Accommodation provided at Railway Station.

C—continued.

Kelso	Telegraph Office	Accommodation provided at Railway Station.
Kiama	Post and Telegraph Office	Premises rented.
Kiandra	do.	Government possess a building.
King-street	do.	Premises rented.
Kyamba	do.	Government possess a building.
Kynnumboon	do.	Premises rented.
Lambton	do.	do.
Lawrence	Telegraph Office	Office provided by guarantors.
Lismore	Post and Telegraph Office	Premises rented.
Lithgow	Telegraph Office	do.
Liverpool	Post and Telegraph Office	do.
Lochinvar	Telegraph Office	Accommodation provided at Railway Station.
Louth	do.	do. do.
Lucknow	Post and Telegraph Office	Premises provided free.
Macquarie Plains	Post Office	Accommodation provided at Railway Station.
Do.	Telegraph Office	do. do.
Macleay River Heads	do.	Signal and Pilot Station.
Manilla	Post and Telegraph Office	Premises rented.
Manly	do.	do.
Marsden's	do.	do.
Marulan	do.	Accommodation provided at Railway Station.
Menangle	Post Office	do. do.
Do.	Telegraph Office	do. do.
Menindie	Post and Telegraph Office	Premises rented.
Merimbula	do.	do.
Merriwa	do.	do.
Michelago	Telegraph Office	Office provided by guarantors.
Miller's Point	Post and Telegraph Office	Premises rented.
Millie	do.	do.
Milton	do.	do.
Mittagong	Post Office	Accommodation provided at Railway Station.
Moama	Post and Telegraph Office	Premises rented.
Molong	do.	do.
Molonglo	Telegraph Office	do.
Morangarell	do.	do.
Mores	Post and Telegraph Office	do.
Morpeth	do.	Government possess a building.
Moruya	do.	Premises rented.
Moss Vale	do.	do.
Moulamein	do.	Government possess a building.
Mount Victoria	do.	Premises rented.
Mudgee	Post Office	Government possess a building.
Do.	Telegraph Office	do. do.
Murrumburrah	Post and Telegraph Office	do. do.
Murrurundi	Telegraph Office	do. do.
Do.	Post Office	Premises rented.
Muswellbrook	Post and Telegraph Office	Government possess a building.
Nambucca	Telegraph Office	Premises rented.
Narrabri	Post and Telegraph Office	Government possess a building.
Narrandera	do.	Premises rented.
Nattai	Telegraph Office	Accommodation provided at Railway Station.
Nelligen	Post and Telegraph Office	Premises rented.
Nelson's Bay	Telegraph Office	Signal and Pilot Station.
Newbridge	Post Office	Accommodation provided at Railway Station.
Newcastle	Telegraph Office	Government possess a building.
Do.	Post Office	do. do.
Newton Boyd	Telegraph Office	Premises rented.
Newtown	Post and Telegraph Office	do.
Nimitybelle	do.	do.
North Wagga	do.	Accommodation provided at Railway Station.
Nowra	do.	Premises rented.
Nulla Nulla	Telegraph Office	Premises rented.
Orange	Post and Telegraph Office	Government possess a building.
Oxford-street	do.	Premises rented.
Paddington	do.	do.
Palmer's Island	do.	do.
Parke	do.	do.
Park-street	do.	Premises rented.
Parramatta	do.	do.
Parramatta Junction	do.	Accommodation provided at Railway Station.
Parramatta-street	do.	Premises rented.
Paterson	do.	do.
Penrith	Post Office	do.
Penrith	Telegraph Office	Accommodation provided at Railway Station.
Petersham	Post and Telegraph Office	do. do.
Pictou	Telegraph Office	do. do.
Pilliga	Post and Telegraph Office	Premises rented.
Pooucaric	do.	do.
Port Macquarie	do.	do.
Port Stephens	Telegraph Office	Signal Station.
Queaubeyan	Post and Telegraph Office	Premises rented.
Quirindi	do.	do.
Raglan	Telegraph Office	Accommodation provided at Railway Station.
Randwick	Post and Telegraph Office	Premises rented.
Ravensworth	do.	Accommodation provided at Railway Station.
Raymond Terrace	do.	Government possess a building.
Redfern	do.	Premises rented.
Do. Railway Station	Telegraph Office	Accommodation provided at Railway Station.
Richmond	do.	Government possess a building.
Do.	Post Office	do. do.
Riverstone	do.	Accommodation provided at Railway Station.

C—continued.

Robertson	Telegraph Office	Premises rented.
Rockley	do.	do.
Rocky Mouth	Post and Telegraph Office	do.
Rookwood	do.	Accommodation provided at Railway Station.
Rooty Hill	Post Office	do. do.
Rydal	Post and Telegraph Office	do. do.
Rydo	do.	Premises rented.
Rylstone	do.	do.
Scone	Post and Telegraph Office	Government possess a building.
Seal Rocks	Telegraph Office	Signal Station.
Seven Hills	Post and Telegraph Office	Accommodation provided at Railway Station.
Singleton	do.	Government possess a building.
Smithtown	Telegraph Office	Premises rented.
Sofala	Post and Telegraph Office	do.
South Head	Telegraph Office	Signal Station.
South Grafton	Post and Telegraph Office	Premises rented.
Spring Grove	do.	Accommodation provided at Railway Station.
Spring Hill	Post Office	do. do.
Springwood	Telegraph Office	do. do.
St. Alban's	do.	Premises rented.
St. Leonards	Post and Telegraph Office	do.
St. Mary's	do.	do.
Stroud	do.	do.
Tabulam	Telegraph Office	do.
Tambaroora	Post Office	do.
Tainworth	Post and Telegraph Office	Government possess a building.
Tarana	do.	Accommodation provided at Railway Station.
Tarecutta	Telegraph Office	Premises rented.
Taree	Post and Telegraph Office	Government possess a building.
Tathra	Telegraph Office	Premises rented.
Tenterfield	Post and Telegraph Office	Government possess a building.
Terara	Telegraph Office	Office provided by guarantors.
Tingha	Post and Telegraph Office	Premises rented.
Tinonee	Telegraph Office	do.
Tumberumba	do.	Office provided by guarantors.
Tumut	Post and Telegraph Office	Premises rented.
Ulladulla	Telegraph Office	do.
Ulmarra	Post and Telegraph Office	do.
Uralla	do.	do.
Urana	do.	Government possess a building.
Vegetable Creek	do.	Premises rented.
Wagga Wagga	do.	Government possess a building.
Walcha	do.	Premises rented.
Walgett	do.	do.
Wallabadah	Telegraph Office	Office provided by guarantors.
Wallaceton	Post Office	Accommodation provided at Railway Station.
Wallendbeen	do.	do. do.
Wallerawang	Telegraph Office	do. do.
Wallsend	Post and Telegraph Office	Premises rented.
Waratah	do.	do.
Wardell	do.	Office provided by guarantors.
Warialda	do.	Premises rented.
Warkworth	Telegraph Office	do.
Warren	Post and Telegraph Office	do.
Waverley	do.	do.
Wec Waa	Telegraph Office	do.
Wellington	Post and Telegraph Office	Government possess a building.
Wentworth	do.	do. do.
Werris Creek	Telegraph Office	Accommodation provided at Railway Station.
West Kempsey	Post and Telegraph Office	Government possess a building.
West Maitland	Post Office	Premises rented.
Do.	Telegraph Office	Government possess a building.
West Tamworth	Post and Telegraph Office	Premises rented.
Wickham	do.	do.
Wilcannia	do.	do.
William-street	do.	do.
Willow-tree	do.	do.
Windsor	Telegraph Office	Government possess a building.
Wingham	do.	Premises rented.
Wiseman's Ferry	Post and Telegraph Office	do.
Wollombi	do.	do.
Wollongong	do.	Government possess a building.
Wolumla	Telegraph Office	Office provided by guarantors.
Woodburn	Post and Telegraph Office	Premises rented.
Yass	Post Office	do.
Do.	Telegraph Office	Government possess a building.
Yetman	do.	Premises rented.
Young	Post and Telegraph Office	Government possess a building.

APPENDIX D.

LIST of Stamp-sellers on the 31st December, 1879.

Name.	Residence.	Date of Appointment.	Name.	Residence.	Date of Appointment.
Abbott, Elizabeth	107, Oxford-street	21 June, 1873	Fortier, Wm.	89, Sussex-street	14 Nov., 1866
Abrahams, M. C.	342, Elizabeth-street	13 Nov., 1877	Fowler, H. V.	309, Castlereagh-street	17 Feb., 1869
Abrou, A. F.	398, George-street	6 Aug., 1867	Fowles, Geo.	Buckland-st., Waterloo	27 Mar., 1876
Armstrong, E. A.	Tintalra, Victoria	6 Dec., 1876	Foxall, W. S.	Auburn-st., Goulburn	14 Feb., 1877
Arnold, A.	Newtown	24 Mar., 1879	Fryer, Thomas	Kemp-street, Wallsend	19 July, 1879
Asser, N. F.	Scone	3 Mar., 1863	Fultcn, W.	Penrith	23 Jan., 1877
Bale, Mary	Woollahra	11 May, 1870	Gazzard, Moses	Church-st., Parramatta	8 Aug., 1876
Ball, E.	Goulburn	30 Dec., 1862	Gerrard, Mrs.	Newtown	20 Jan., 1873
Banks, Mrs. Ellen	Liverpool Road, Ashfield.	28 Oct., 1879	Gibb, James	Liverpool Road, Ashfield	15 Feb., 1878
Barker, F. J.	85, Sussex-street	23 June, 1870	Gibbs, Shallard, & Co.	70, Pitt-street	17 Aug., 1868
Barratt, Mrs. M.	152, King-street	14 Jan., 1878	Goodrick, Thomas	Abercrombie-place and Cleveland-street.	26 Mar., 1879
Beare, J. C.	192, William-street	25 June, 1868	Gordon & Gotch	357, George-street	8 April, 1865
Beck, Miss Eliza	Burrowa East	29 Nov., 1878	Greison, Martin	260, George-street	16 Feb., 1871
Bennett, G. M.	135, King-street	17 Sept., 1869	Guinery, A.	1, Argyle-street, Miller's Point.	17 Aug., 1870
Bennett, Alfd	Evening News Office, 148 & 150, Pitt-street.	29 Sept., 1869	Gulliver, John	Newcastle	30 June, 1869
Bent, Chas.	368, George-street	13 Aug., 1869	Hall, C.	Crown Road & Quarry-street, Ultimo.	4 Sept., 1879
Berry, W. H. C.	Menindie	10 Feb., 1879	Hall, William	Mudgee	24 Oct., 1879
Black, J. M.	Ayrdaie, Merimbula	4 Dec., 1874	Hardy, Thomas	Morehead-st., Redfern	7 April, 1879
Bluhdorn, J. H.	159, Phillip-street	26 June, 1877	Hardy, Edward	King-street, Newtown	17 April, 1879
Bohrmann, M. C.	39, Oxford-street	10 May, 1869	Harper, W.	65, Upper William-st., South.	24 June, 1869
Bowyer, George	410, Elizabeth-street South.	26 May, 1865	Harrison M.	93, Castlereagh-street.	20 Aug., 1875
Breckenridge, Rbt.	Newcastle	14 Aug., 1876	Harry, H.	Pitt and Wells Streets, Redfern.	17 Oct., 1879
Brown, Mrs.	4, Argyle-place	17 April, 1879	Harvey, T. F.	Pitt and Wells Streets, Redfern.	25 June, 1878
Bruce, W. L.	Railway Store, North Wagga.	19 June, 1879	Heather, A.	113, George-st. North.	5 July, 1879
Buist, H.	113, King-street	13 June, 1870	Hickey, W.	115, George-street	7 June, 1877
Bullard, William	342, George-street	7 Aug., 1879	Hill, Geo.	796, George-street	13 Feb., 1877
Butler, Thos.	163, York-street	22 Dec., 1870	Hill, J.	792, George-street	16 June, 1858
Callaghan, M. J.	Mort-street, Balmain	16 June, 1874	Hill Brothers	130, William-street	19 Oct., 1877
Callaway, R.	140, King-st., Sydney.	4 Oct., 1877	Hinchcliffe, S. A.	Waterloo	2 Aug., 1875
Campbell, James	Pitt-street, Redfern	3 Aug., 1875	Hinder, E. J.	Glebe Road	10 Oct., 1877
Caselman, Mrs. R.	Noumea, New Caledonia	30 Dec., 1872	Hobbs, W. J.	Newcastle	6 Oct., 1870
Casperson, Mrs. L.	Tumut	29 May, 1871	Holder, Thos.	Australian Club	28 Nov., 1870
Castner, J. L.	Redfern Railway Station	10 Feb., 1875	Hordern, J. L.	211, Pitt-street	17 Mar., 1877
Clark, C. M.	High-street, West Maitland.	14 Feb., 1876	Hoy, Alfred	Wallangra, near Warialda.	5 Nov., 1877
Clarke, Henry	Stanmore Road, Newtown.	21 Feb., 1879	Hughes William	Cooma-street, Yass	4 Nov., 1879
Clarke, J. W. R.	5 & 6, Market-buildings, George-street.	14 May, 1879	Hunter, W. C.	Wagga Wagga	19 July, 1869
Clarke, E.	193, Oxford-street	24 Dec., 1868	Isaacs, Levien	Sydney	24 July, 1877
Clifford, James	Botany Road, Redfern	20 Sept., 1865	James, D.	41, Oxford-street	27 April, 1870
Coates & Tost	60, William-street	27 April, 1872	James & Co.	515, George-st., Sydney	17 May, 1877
Cole, E. R.	394, George-street	22 Oct., 1867	Jansen, F.	78, Market-street	29 Sept., 1877
Cole, J.	Enmore Road, Newtown	6 Feb., 1875	Jerrens, Charles	37, George-st., West	2 May, 1879
Colman, G.	178, Albion-street, Surry Hills.	17 Dec., 1879	Jones, A.	46, George-st., West	2 Oct., 1868
Colwell, J.	88, Gipps-street, Surry Hills.	5 Nov., 1875	Jones, J. R.	Bathurst	1 Dec., 1862
Conlon, M.	Cooma-street, Yass	1 Nov., 1879	Jones, Saml.	Glebe Store, Glebe, Newcastle.	25 May, 1876
Cook, Chester T.	Tamworth	18 Sept., 1879	Jordan, Mrs. Jane	124, Market-st., Sydney	24 Sept., 1878
Coull, W.	Picton	27 Aug., 1864	Kavanagh, M.	Liverpool and Harbour Streets.	2 Aug., 1877
Dalby, James	Anson-street, Orange	24 July, 1877	Kerr, A. A.	Goulburn	13 June, 1872
Davis, E.	Parramatta	22 Mar., 1871	Kingcott, J.	Kingston, Newtown	14 Aug., 1876
Davis, Mrs. L.	32, Kent-street	17 Jan., 1878	Kirby, Mrs. S. S.	190, Pitt-street	11 Oct., 1878
Dawson, Mrs. Margaret.	28, Sussex-street	9 June, 1879	Kline, J.	Campbell's Hill, West Maitland.	9 June, 1875
Deacon, Thomas	Milson's Point, St. Leonards.	1 July, 1869	Knaggs & Co.	Newcastle	29 June, 1865
Dixon, Thomas	Parramatta	31 May, 1870	Knowles, E. H.	209, Sussex-street	2 Nov., 1874
Dixon, E.	Greta, Anvil Creek	2 Aug., 1875	Lansdown, John	Goulburn	7 Dec., 1878
Dodd, A.	Grey-street, Glen Innes	28 Feb., 1877	Lawrence, Richard	66, Oxford-street	13 Feb., 1877
Dole, James	Glebe Road	2 June, 1865	Lee & Ross	53, Market-street	14 June, 1879
Downes, R.	281, Pitt-street, Sydney	20 Aug., 1877	Lunt, Thomas	Luntvale, Tarcutta	19 Jan., 1871
Drake, Henry	Hercules-street and Liverpool Road, Ashfield.	22 Jan., 1879	Lynch, John W.	South Head Road, Paddington.	14 July, 1879
Dugdale, T. W.	Taree	4 Jan., 1876	M'Phail, Emma	90, William-street	3 Dec., 1872
Dunn, Patrick	Mulwala	8 Dec., 1864	M'Neil, J.	70, Sussex-street	20 Mar., 1860
Eames, W. D.	14, Oxford-street	28 Jan., 1864	Maddock, W.	381, George-street	6 Aug., 1863
Edwards, John	Leichhardt-street, Waverley.	10 June, 1879	Mallam, H. G.	Beardy-st., Armidale	9 Feb., 1877
Egan, Elizabeth	Old Newtown Road	27 Oct., 1873	Marshall, F.	Glen Innes	8 Dec., 1876
Eve, Jas.	159, Pitt-street	13 Nov., 1877	May, Wm.	Legislative Assembly	11 July, 1879
Fairfax & Sons	Hunter & Pitt Streets	5 April, 1864	Meads, Mrs. C.	188, William-street	23 April, 1879
Fieldhouse, E. & W.	Campbelltown	8 Aug., 1864	Menser, L.	Church-st., Parramatta	16 Feb., 1877
Fitzosborne, James	Howick-st., Bathurst	12 Nov., 1878	Miller, Mrs.	57, New Pitt-street	4 Dec., 1874
Fitzpatrick, Mary A.	35, King-street	17 May, 1873	Mills, M.	Newtown	19 Dec., 1873
Flanagan, E. F.	586, George-street	28 June, 1864	Montgomery, Hugh	Marulan	17 Sept., 1867
Foot, H. B.	Yass	21 Mar., 1868	Mooney, M.	136, Oxford-street	23 Aug., 1878
Ford, Eliza	Ocean-street, Woollahra	8 Feb., 1871	Moore, Mrs.	William-st., Bathurst	17 Dec., 1877
Ford, Mrs.	Parramatta	3 Aug., 1877	Moore, J.	554, George-street	23 July, 1856
			Morgan, Francis Mrs.	Regent-st., Newtown	16 Mar., 1877
			Mountford, Martha	230, George-street	11 Aug., 1871

Name.	Residence.	Date of Appointment.	Name.	Residence.	Date of Appointment.
Muirhead, Robt.	Grafton	15 Aug., 1876	Scriven, E.	West Maitland	15 April, 1875
Murphy, Sidney	Elizabeth and King Sts.	16 Aug., 1876	Sheridan, E.	King-street, Newtown	1 May, 1879
Murphy, Felix	Bourke and Fitzroy Sts.	30 Jan., 1879	Short, E. T.	Bathurst	21 Dec., 1878
Murray, P.	Cowra	28 June, 1879	Sigmont, F. M.	Park and Pitt streets	13 June, 1874
Musgrave, T.	84, Windmill-street	25 Nov., 1864	Sippel Bros.	520, George-street	7 July, 1871
Muspratt, E.	144, William-street	18 Jan., 1860	Sippel Bros.	Young	1 Nov., 1862
Nagle, J. H.	West Maitland	2 June, 1873	Slater, Geo.	9, George-street West.	5 Mar., 1879
Nash, Wm.	649, George-street	20 Jan., 1873	Smith, J.	Deniliquin	26 April, 1875
Neumann, J. H.	609, George-st., Sydney	9 Feb., 1870	Smith, Thos. L.	399, George-street	28 Jan., 1879
Newman, Mrs. E. M.	George-street, Bathurst	18 Oct., 1878	Smith, James	167, George-st. North.	5 July, 1879
Noake, John	320 & 446, George-st.	14 Feb., 1872	Smith, D.	187, George-street	10 Aug., 1872
Norris, W. J.	Forest Lodge, Glebe	22 July, 1873	Smyth & Wells	Hunter & Phillip streets	28 Mar., 1859
Norwood, W. J.	Bathurst	13 April, 1876	Solomons, H. B.	West Maitland	18 Sept., 1879
O'Brien, Wm.	324, Castlereagh-street	18 July, 1870	Soul & Son	177, Pitt-street	13 Aug., 1874
Olson, S. E. W.	Newtown, Wagga Wagga.	5 Feb., 1879	Sparks, John G.	6, Macquarie-st., North	23 Sept., 1878
Page, Joseph	Ramornie, Grafton	17 July, 1872	Stallwood, R.	54, Castlereagh-street.	20 April, 1875
Page, G. W.	537, George-st., Sydney	21 Dec., 1876	Stevens, Joseph	Milson's Point, North Shore.	2 Feb., 1878
Perry, W. B.	Gipps and Macquarie Streets, Surry Hills.	23 Nov., 1872	Strong, A.	Elgin-st. West Maitland	28 Sept., 1878
Phillip, Mr.	415, Crown-street, Surry Hills.	13 Dec., 1870	Sweeney, T. F.	562, George-street	4 Aug., 1879
Phillips, Alfred F.	Regent-street, Redfern	26 Sept., 1879	Taylor, S.	12, Bridge-street	22 Aug., 1870
Pierce, T.	Yurong & Stanley Sts.	9 July, 1860	Thompson & Henderson.	46, Erskine-street	28 Mar., 1879
Plowman, R.	March and Hill Streets, Orange.	7 Dec., 1878	Thomson, John	72, Pitt-street	22 Aug., 1871
Poolc, R. L.	Bolton-st., Newcastle	8 June, 1878	Tilbury, W. T.	86, Woolloomooloo-st.	27 April, 1872
Popplewell, Mrs. E.	776, George-street	1 Mar., 1871	Tisdale, James	Queen-st., Woollahra.	7 Feb., 1879
Potts, W. E.	Tamworth South	20 Nov., 1878	Turner & Henderson.	16 & 18, Hunter-street	9 Dec., 1864
Purchase, Edward	4, Change Alley Buildings, New Pitt-st.	22 July, 1879	Vial, Emma	302, Riley-street	21 Jan., 1876
Randerson, R. S.	Albion-st., Surry Hills	13 Dec., 1876	Volikers, H. A.	Prince-street, Grafton.	25 Sept., 1876
Rcay, F. W.	Platsburg, Wallsend	9 Aug., 1877	Wallace, Geo.	125, King-street	30 April, 1873
Redgate, Wm.	292, Bourke-street	25 Feb., 1873	Walsh, G.	Goulburn	25 May, 1864
Reilly, P.	2, Macquarie-st. South	8 April, 1863	Watson, R. A.	Alfred and Castlereagh streets.	17 April, 1868
Reuben Brothers	Maitland-st., Narrabri	10 July, 1879	Watters, Thomas.	Blue's Point, St. Leonards.	12 July, 1878
Reynolds, P. E.	410, George-st., Sydney	13 July, 1876	Webb & Co., E.	George-street, Bathurst	16 Aug., 1879
Richardson, Jane	Merrygoen	17 May, 1869	Webber, Mrs.	45, Pitt-street	12 Oct., 1878
Richardson, R.	Church-st., Parramatta	4 June, 1877	Weber, P.	Araluen	14 Feb., 1870
Riley, W. R.	Goulburn	27 Nov., 1862	Wells, Henry	Darley-st., Newcastle.	23 April, 1877
Riordan James	Union Club	21 Jan., 1879	Whiting, Joseph	Taralga	19 July, 1866
Roberts, Jas.	Craigie, near Delegate	4 Aug., 1871	Whyte, Henry P.	Bombala	2 Oct., 1878
Robertson, G.	361, George-street	13 Aug., 1878	Wilkinson, W. M.	Grafton	14 Nov., 1876
Rose, Frank W.	116, King-street	25 Feb., 1873	Williams, Walter N.	115, Harbour-street	25 Sept., 1879
Rowling Thomas	William-st., Double Bay	8 July, 1879	Wills, John	192, Princes-street	16 Jan., 1879
Saddling John	98, Phillip-street	9 Mar., 1866	Wilshire, W. J.	"Royal Hotel," Sydney	30 Dec., 1875
Sattier, J. J.	63, Botany-st., Surry Hills.	7 Feb., 1868	Wilson, E. S.	St. George's Parade, Waterloo.	21 June, 1877
Salmon, J.	King-street, Newtown	21 Oct., 1878	Winmill, H.	Myall Creek, Bingera.	18 Aug., 1875
Sandon, C. T.	310, George-street	16 Feb., 1857	Winton, E. S.	St. Leonards	11 Aug., 1870
Sands, Robert	374, George-street	25 Sept., 1873	Worley, J. E. S.	East Gosford	22 Sept., 1879
Savage, F. J.	Narrandera	26 April, 1866	Wright, Wm.	24, Sussex-street	25 Aug., 1879
Saywell, T. R.	6, Park-street	7 April, 1863	Yeo, T. R.	183, Pitt-street	24 Sept., 1874

APPENDIX E.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails from 1st January, 1879.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of Termination of Contracts.
Names.	Addresses.					
		WESTERN, SOUTHERN, AND NORTHERN ROADS.			£ s. d.	
		Orange, March, Shepherd's Creek, Ironbarks, Black Rock, Wellington, and Montefiores; and Orange, March, Shepherd's Creek, Molong, Rexcourt, Black Rock, Wellington, and Montefiores.	Three...			
		Wellington, Montefiores, Maryvale, Murrumbidgee, Eschol, and Dubbo.	Three...			
		Dubbo, Minor, Timbriehungie, Warren, Cannonbar, Willeroon, Gongolgon, and Bourke.	Six			
		Dubbo, Minor, Timbriehungie, Warren, Cannonbar, Willeroon, Gongolgon, and Bourke.	Two ...			
		Carcoar, Mandurama, Lyndhurst, Sheet of Bark, and Cowra.	Six			
*1 Cobb & Co.	Sydney	Wagga Wagga, Cookardinia, Morven, Grogery, and Albury via Mangoplah.	Three...	2 or 4 horse coach.	16,280 0 0	31 Dec., 1879.

* In consequence of the extension of the Railway to Warrah, that portion of contract between Railway Station, Murrurundi, Willow-tree, and Warrah Railway Station cancelled from 13th August, 1877, and in consequence of the extension of the Railway to Tamworth, that portion of contract between Willow-tree and Tamworth Railway Station cancelled from the 15th October, 1878. Contractors relieved of Tamworth Railway Station and Post Office portion of contract from 1st March, 1879.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of Termination of Contracts.
Names.	Addresses.					
2 Cobb & Co.	Sydney	Tarcutta and Wagga Wagga	No. of times per week. Three...	2 or 4 horse coach.	£ s. d. 4,640 0 0	31 Dec., 1879.
		Wagga Wagga, Urana, Jereelderie, Coree, Conargo, and Deniliquin, via Brookong.	Four ...			
		Railway Station, Murrurundi, and Post Offices, Haydinton, Murrurundi, Willow-tree, Wallabadah, Goonoo Goonoo, Tamworth, Moonbi, Bendemeer, Carlisle Gully, Uralla, and Armidale.	Six.....			
		Bendemeer, Kingstown, Bundarra, Stanborough, and Inverell, via Carlisle Gully.	Three...			
		Railway Station and Post Offices, Blayney and Carcoar.	Six.....			
		Railway Station, Newbridge, and Post Offices, Newbridge and Trunkey Creek.	Three...			
		Railway Station, Bowning, and Post Offices, Bowning, Bookham, Jugiong, and Coolac.	Three...			
		Railway Station, Cootamundra, and Post Offices, Cootamundra, Coolac, Gundagai, South Gundagai, Adelong Crossing-place, Hillas Creek, Tarcutta, Kyamba, Little Billabong, Garryowen, and Germanton.	Six.....			
		Wagga Wagga and Germanton	Seven...			
		From Germanton to Woomargama, Mullengandra, Bowna, Thurgoona, and Albury.	Thirteen			
From Albury to Thurgoona, Bowna, Mullengandra, Woomargama, and Germanton.	Fourteen					
WESTERN ROADS.						
1 John Stein	Parramatta	Railway Station and Post Office, Parramatta.	Four times or oftener daily.	Horseback	58 0 0	31 Dec., 1879.
2 Thos. Thompson ...	Pennant Hills ...	Parramatta, Field of Mars, and Pennant Hills.	Six.....	Horseback	58 0 0	31 Dec., 1880.
3 James Clark, junr. (Transferred to John Cassidy from 1 May, 1879.)	Nelson via Baulkham Hills.	Parramatta Railway Station, and Post Offices, Parramatta, Baulkham Hills, and Rouse Hill.	Six.....	Horseback	90 0 0	31 Dec., 1881.
4 James Fishburn ...	Castle Hill	Baulkham Hills, Castle Hill, and Dural.	Six	Horseback	50 0 0	31 Dec., 1880.
5 Richd. Wall.....	Blacktown	Blacktown, Prospect, and Eastern Creek.	Six.....	Horseback	50 0 0	31 Dec., 1881.
6 H. J. Kirwan	Windsor	Windsor and Wilberforce, via the new bridge.	Six.....	Horseback	47 10 0	31 Dec., 1880.
7 Chas. Hawkins...	Wilberforce	Wilberforce, Ebenezer, and Sackville Reach.	Three	Horseback	20 0 0	31 Dec., 1880.
8 Mathew Thompson	Pitt Town	Sackville Reach & Lower Portland	Three	Horseback	30 0 0	31 Dec., 1879.
9 H. J. Kirwan	Windsor	Windsor and Pitt Town	Six.....	Horseback	45 0 0	31 Dec., 1880.
10 Thomas Thompson	Pitt Town	Pitt Town, Wiseman's Ferry Central M'Donald, and St. Alban's.	Two.....	Horseback	70 0 0	31 Dec., 1881.
11 John Fuller	Wiseman's Ferry	Wiseman's Ferry and Mangrove Creek.	One	Horseback	17 0 0	31 Dec., 1881.
12 William George Cross.	Wiseman's Ferry	Wiseman's Ferry and Lower Hawkesbury.	One	Horseback	16 0 0	31 Dec., 1879.
13 C. Houghton	Richmond	Richmond, North Richmond, and Kurrajong.	Six.....	Horseback or by 4-wheeled conveyance	55 0 0	31 Dec., 1880.
14 Michael Gill.....	Colo	Kurrajong and Colo	Two.....	Horseback	34 0 0	31 Dec., 1879.
15 David Hayman ...	Colo	Colo, Putty, and Howe's Valley...	One.....	Horseback	70 0 0	31 Dec., 1881.
16 Geo. Stanfield * ..	Bringelly	Richmond, Castlereagh, Penrith, Mulgoa, Luddenham, and Bringelly.	Three....	Horseback	100 0 0	31 Dec., 1880.
17 Geo. Nash.....	Penrith.....	Penrith Post Office, and Railway Station, Penrith.	three times or oftener daily.	Horseback	30 0 0	31 Dec., 1879.
18 John Worthington	St. Mary's	Railway Station, South Creek, and Post Office, St. Mary's.	Twelve ...	Horseback	30 0 0	31 Dec., 1879.
19 Charles Hoy.....	Hartley.....	Railway Station, and Post Office, Mount Victoria; and Railway Station, Mount Victoria, and Post Offices, Mount Victoria, Little Hartley, and Hartley.	Twice or oftener daily. Seven..	Horseback	110 0 0	31 Dec., 1881.

* Richmond and Castlereagh portion of line discontinued, and communication on other portion increased to six times a week from 17th March, 1879.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of Termination of Contracts.
Names.	Addresses.					
20 Henry Sharp *	Hartley	Hartley and Hartley Vale	No. of times per week. Five	Horseback	£ s. d. 27 0 0	31 Dec., 1881.
21 David Burke	Yorkey's Creek via Hartley.	Hartley and Lowther	One	Horseback	10 15 0	31 Dec., 1879.
22 Cobb & Co.	Sydney	Wallerawang Railway Station, and Post Offices, Wallerawang, Lidsdale, Cullen Bullen, Capertee Camp, Ilford, Cudgegong, Apple-tree Flat, and Mudgee.	Six	2 or 4-horse coach.	711 0 0	31 Dec., 1879.
23 David Thomson ... (Transferred to Joseph Hughes, from 1 July, 1879.)	Capertee Camp	Capertee Camp, Glen Alice, and Rylstone, via Gallagher's Coco, the Crown, and Bogie.	Two	Horseback	119 0 0	31 Dec., 1881.
24 John W. Jackson... (Transferred to Henry Bisley, from 1 April, 1879.)	Rylstone	Ilford and Rylstone	Three	Spring cart or coach.	96 0 0	31 Dec., 1879.
25 Henry Bisley	Rylstone	Rylstone, Dungaree, and Mudgee	Three	2-horse coach.	185 0 0	31 Dec., 1881.
26 Thomas Harland...	Ilford	Ilford, Crudine, and Sofala	Two	Horseback	70 0 0	31 Dec., 1881.
27 † J. H. Gorrie	Avisford	Mudgee, Grattai, Windeyer, Pure Point, Campbell's Creek, Long Creek, Upper Pyramul, and Crudine, with a branch mail to and from Grattai, Avisford, and Hargraves.	Two	Horseback	168 0 0	31 Dec., 1880.
28 Thos. G. Markwell, junior.	Mudgee	Mudgee, Cullenbone, and Guntawang.	Two	Horseback	65 0 0	31 Dec., 1879.
29 Martin Nash	Mudgee	Mudgee, Merrendee, Burrendong, and Ironbarks.	Two	Horseback	127 0 0	31 Dec., 1879.
30 Martin Nash	Mudgee	Mudgee, Cooyal, Barragon, and Wollar.	Two	Horseback	95 0 0	31 Dec., 1879.
31 Thos. Trotter	Cassilis	Mudgee, Budgee Budgee, & Cassilis	Two	Horseback	127 0 0	31 Dec., 1879.
32 † Cobb & Co.	Sydney	Mudgee, Euruuderee, Home Rule, and Gulgong; and Gulgong, Cobhora (via Goodaman's), Muntooran, Gilgandra, Curban, Gulargambone, and Coonamble.	Six	2 or 4 horse coach.	1,530 0 0	31 Dec., 1881.
			Two ...			
33 Walter A. Robbins	Guntawang	Guntawang and Two-mile Flat ...	Two	Horseback	50 0 0	31 Dec., 1881.
34 Michael Byrnes ...	Home Rule	Home Rule and Canadian Lead ...	Six	Horseback	29 0 0	31 Dec., 1879.
35 † Cobb & Co.	Sydney	Gulgong, Denison Town, and Coolah. (Contractor to travel via Tallewang instead of via Barney's Reefs, if required.)	Two	2 or 4 horse coach.	130 0 0	31 Dec., 1879.
36 Isaac Blekemore ...	Boonley, Cobhora	Dubbo and Cobhora	Two	Horseback	144 0 0	31 Dec., 1880.
37 Cobb & Co.	Sydney	Muntooran, Binnaway, and Coonabarabran, via Luckey's, Caigan, Mobala, and Belar.	Two	2 or 4 horse coach.	355 0 0	31 Dec., 1880.
38 B. Leeson	Coolah	Muntooran and Coolah, via Queensborough Flat, Bothero, Digilah, and Dunikimini.	One	Horseback	85 0 0	31 Dec., 1879.
39 Francis Klumm ...	Muntooran	Muntooran and Baradine, via Bundella, Yarragron, Bearbong, Bidden, Youlbong, Tunderbrine, Gumiu Gumin, Tenandra, Panta, Wingadgen, and Goorinowa.	One	Horseback	166 0 0	31 Dec., 1881.
40 William Pincham	Coonabarabran	Coonabarabran and Tambar Springs, via the Box Ridges and Saltwater Creek.	One	Horseback	60 0 0	31 Dec., 1879.
41 Cobb & Co.	Sydney	Gilgandra, Burslem's, and Dubbo, via Terramungamine, Talbragar Bridge, and Coal Boggie Creek.	Two	2 or 4 horse coach.	235 0 0	31 Dec., 1880.
42 E. S. Donnelly ...	Quambone	Gilgandra, Collie, Tenandra, and Quambone, via Haddon Riggs, Ingelgar, Carwell, and Burgess.	One	Horseback	180 0 0	31 Dec., 1880.
43 † Jas. M'Dougall ...	Corrodgerie, Collie	Gulargambone and Quambone	One	Horseback	80 0 0	31 Dec., 1880.
44 E. S. Donnelly	Quambone	Quambone and Carinda, via M'Quade's and Flynn's Stations.	One	Horseback	80 0 0	31 Jan., 1879.
45 James M'Cullough	Coonamble	Coonamble and Walgett, via Nebea, Urawilky, Terembone, Bogawan, and Billeroy, Colwell's Station (to follow the Castlereagh River between Bogawan and Walgett, travelling via Kidgear, Yowendah, and Euroka.)	One	Horseback	227 0 0	23 Feb., 1879.
46 Cobb & Co.	Sydney	Coonamble, Buggil, and Walgett, via Yowee, Bundy, Wingadee, and Nugal.	Two	2 or 4 horse coach.	592 10 0	31 Dec., 1880.
47 R. J. Nowland ...	Gunnedah	Coonamble and Baradine, via Nebea, Teridgerie, Billeroy, Terembone, and Urawilky.	One	Horseback	116 0 0	31 Dec., 1879.

* Contractor allowed the additional sum of £15 per annum to convey mails twice a week extra, from 1st December, 1879.
 † Contractor performed service as follows:—From 15 September, 1879, viz., Mudgee, Avisford, Hargraves, Windeyer, Pure Point, Campbell's Creek, Long Creek, Upper Pyramul, and Crudine.
 ‡ Contractor's allowed £120 per annum extra to convey the Coonamble, &c., mails from Gulgong to Mudgee immediately after they arrive at Gulgong, by a buggy or other light vehicle, from 20 February, 1879.
 § Contractors travelled via Tallewang, from 15 May, 1879.
 || Contractors' sureties, Samuel Meares and W. Hall carrying out contract.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of Termination of Contract.	
Names.	Addresses.						
48	Thos. Baker.....	Meadow Flat ...	Rydal, Meadow Flat, Mitchell's Creek, and Yetholme.	Three ...	Horseback	£ 99 s. 19 d. 0	31 Dec., 1880.
49	Duncan Ferguson..	Palmer's Oakey	Mitchell's Creek and Palmer's Oakey.	Two	Horseback	30 0 0	31 Dec., 1879.
50	John B. Keen	Oberon	Tarana, Mutton's Falls, and Oberon.	Three ...	Horseback	66 0 0	31 Dec., 1880.
51	L. P. Haurahan ...	Campbell's River Black Springs.	Oberon, Black Springs, Jerrong, Curraweela, and Taralga, via Yokeborough.	One	Horseback	64 0 0	31 Dec., 1880.
52	*John Batchelder..	Gingkin	Oberon and Gingkin	One	Horseback	20 0 0	31 Dec., 1880.
53	John B. Keen	Oberon	Oberon and Fish River Creek	Three	Horseback	18 0 0	31 Dec., 1880.
54	Geo. Roberts	O'Connell	Macquarie Plains and O'Connell, with a branch mail to and from O'Connell and Dirty Swamp.	Three } Two ...	Horseback	45 0 0	31 Dec., 1879.
55	Geo. Roberts	O'Connell	O'Connell and Essington	Two ...			
56	Jas. E. Marsden ...	Kelso.....	Railway Station, Kelso, and Post Office, Kelso	Twelve ...	Horseback	30 0 0	31 Dec., 1881.
57	Jas. E. Marsden ...	Kelso.....	Kelso and Glanmire, via Raglan ..	Six.....	Horseback	50 0 0	31 Dec., 1879.
58	H. H. Nichols	Bathurst	Railway Station and Post Office, Bathurst.	Twelve or more.	2 or 4 wheeled vehicle.	69 10 0	31 Dec., 1879.
59	Job Boardman	Evans' Plains ...	Bathurst and Dunkeld	Three ...	Horseback	36 0 0	31 Dec., 1880.
60	Job Boardman	Evans' Plains ...	Bathurst, Evans' Plains, and Fitzgerald's Valley.	Three ...	Horseback	76 0 0	31 Dec., 1880.
61	J. Ewer.....	Gowan, Chamber's Creek.	Bathurst and Chambers' Creek ...	One	Horseback	60 0 0	31 Dec., 1879.
62	Matthew Walsh ...	Bathurst	Bathurst and Esrom	Six.....	Horseback	24 10 0	31 Dec., 1879.
63	Cobb & Co.	Sydney.....	Bathurst, Peel, Wattle Flat, and Sofala.	Six.....	Coach—2 or 4 horses.	298 10 0	31 Dec., 1881.
64	Thomas W. Short	Bathurst	Bathurst and Hill End, via the Bridle Track.	Three ..	Horseback	200 0 0	31 Dec., 1879.
65	Archibald McKinnon.	Limekilns.....	Peel, Clear Creek, and Limekilns	Two	Horseback	30 0 0	31 Dec., 1879.
66	Joseph Hall	Millamurra	Peel, Duramana, and Millamurra	Two	Horseback	20 0 0	31 Dec., 1881.
67	Emanuel Lewis ...	Junction, Palmer's Oakey.	Sofala and Upper Turon (junction of Palmer's Oakey Creek with the Turon River).	Two	Horseback	36 10 0	31 Dec., 1879.
68	William Cole	Box Ridge	Sofala and Box Ridge	Two	Horseback	23 0 0	31 Dec., 1879.
69	William Moloney..	Sofala	Sofala and Hill End	Three ...	4-horse coach.	190 0 0	31 Dec., 1879.
70	J. S. Willard	Tambaroora.....	Hill End and Tambaroora	Six.....	Horseback	65 0 0	31 Dec., 1881.
71	†William Pilley ...	Hargraves	Tambaroora and Hargraves	One	Horseback	29 0 0	31 Dec., 1880.
72	James Tier	Cow Flat	George's Plains Railway Station and Post Offices, Cow Flat and Rockley.	Six.....	Horseback	99 10 0	31 Dec., 1880.
73	Albert Whiteman..	The Lagoon	Cow Flat and The Lagoon	Two	Horseback	18 0 0	31 Dec., 1879.
74	Patrick Cullen.....	Swallow's Nest..	Rockley, Swallow's Nest, and Burrage, via Sewell's and Warby's, Eagle Vale.	One	Horseback	37 0 0	31 Dec., 1881.
75	John Hade	Trunkey Creek..	Railway Station, Newbridge, and Post Offices, Newbridge and Caloola.	Three ...	Horseback	30 0 0	31 Dec., 1880.
76	‡James Vaughan...	Reedy Creek, Newbridge.	Railway Station, Newbridge, and Post Offices, Newbridge, Moorilda, and Teesdale.	One	Horseback	25 0 0	31 Dec., 1880.
77	John Hade	Trunkey Creek..	Trunkey Creek and Long Swamp	One	Horseback	17 10 0	31 Dec., 1880.
78	John Hade	Trunkey Creek..	Trunkey Creek and Thena	One	Horseback	37 0 0	31 Dec., 1880.
79	Martin Hickey	Blayney	Blayney and Brown's Creek	Three ...	Horseback	25 0 0	31 Dec., 1879.
80	Mary J. B. Lee ...	King's Plains ...	Blayney and King's Plains	Two	Horseback	20 0 0	31 Dec., 1880.
81	Martin Hickey	Blayney	Blayney and Vittoria	Two	Horseback	27 0 0	31 Dec., 1879.
82	§Cobb & Co.	Sydney.....	From Railway Station, Blayney, to Post Offices, Blayney and Carcoar.	Six.....	2 or 4 horse coach.	104 0 0	Contract to terminate at one month's notice on either side.
83	George Lobleby.....	Mount Macquarie	Carcoar, Shaw, and Mount Macquarie.	Two	Horseback	39 12 0	31 Dec., 1879.
84	Mathew O'Brien ...	Sheet of Bark ...	Sheet of Bark and Canowindra, via "The Islands."	Three ...	Horseback	88 0 0	31 Dec., 1881.
85	James Lynch	Sheet of Bark ...	Sheet of Bark, Wood's Flat, and Milburn Creek; and	Three } Two ...	Horseback	75 10 0	31 Dec., 1881.
86	Frank S. Ruel	Forbes	Milburn Creek and Darby's Falls				
87	John Fagan	Carcoar.....	Cowra, Goolagong, and Forbes ...	Three ...	2-horse waggonette	200 0 0	31 Dec., 1879.
88	Alex. Fraser.....	Grenfell	Cowra and Grenfell	Three ...	4-horse coach.	300 0 0	31 Dec., 1879.
89	James Bell	Grenfell	Grenfell and Marsden's	Two	Horseback	130 0 0	31 Dec., 1879.
89	James Bell	Wood's Creek, near Grenfell.	Grenfell and Brundah Creek	Two	Horseback	30 0 0	31 Dec., 1879.
90	Thos. M'Farland...	Grenfell	Grenfell and Goolagong, via Waraderry Creek and Tin Pot.	One	Horseback	52 0 0	31 Dec., 1879.

* Contractor allowed £12 per annum extra to convey mails an additional once a week from 17 March, 1879.
 † Contractor allowed £6 per annum extra to extend contract to Hill End, from 1 November, 1879.
 ‡ Contractor allowed £15 per annum extra to substitute for this contract a weekly mail service to and from Newbridge, Moorilda, and Mount Macquarie, via Five Islands, from 1 November, 1879.
 § Contract cancelled, 31 December, 1879.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of Termination of Contracts.
Names.	Addresses.					
91 Thos. M'Farland	Grenfell	Grenfell, Morangarell, and Temora, via Moonbuca and Narraburra.	No. of times per week. One	Horseback	£ s. d. 170 0 0	31 Dec., 1879.
92 Wm. Webb	Spring Grove	Spring Grove Railway Platform and Post Office, Spring Grove.	Three	Horseback	33 6 8	31 Dec., 1880.
93 Wm. Webb	Spring Grove	Spring Grove and Guyong	Three	Horseback	33 6 8	31 Dec., 1880.
94 Wm. Hagar	Forest Reefs	Spring Grove and Forest Reefs; and Forest Reefs and Cadia	Two	Horseback	52 0 0	31 Dec., 1880.
95 Wm. Webb	Spring Grove	Guyong, Byng, and Icelly	Three	Horseback	33 6 8	31 Dec., 1880.
96 William Walsh	Orange	Railway Station and Post Office, Orange.	Six or more.	Spring cart 1 or 2 horses.	95 0 0	31 Dec., 1879.
97 Charles Slack	Orange	Orange and Lucknow	Six	Horseback	80 0 0	31 Dec., 1880.
98 Thomas Barrett	Orange	Orange, Cave Creek, and Cargo	Three	4-wheeled vehicle, 2 horses.	125 0 0	31 Dec., 1881.
99 John M'Connell	Ophir	Orange and Ophir, via Lewis Ponds.	Two	Horseback	45 0 0	31 Dec., 1881.
100 Joseph Collins and John Francis Collins.	Springside	Orange, Springside, Cadia, and Carcoar, via Burnt-yards.	One	Horseback	70 0 0	31 Dec., 1880.
101 Cobb & Co.	Sydney	Orange, Borenore, Cheeseman's Creek, Cudal, Toogong, Murga, Eugowra, and Forbes.	Six	Coach, 3 or 4 horses.	1,080 0 0	31 Dec., 1880.
102 Cobb & Co.	Sydney	Orange and Molong	Three	2 or 4 horse coach.	60 0 0	31 Dec., 1880.
103 *Geo. D. Smith	Carr's Creek	Receiving Office, Irvinstone, and Carr's Creek.	Six	Horseback	45 0 0	Contract to terminate at one month's notice on either side. 31 Dec., 1881.
104 William Walsh (Transferred to Thomas Barrett from 1 July, 1879.)	Orange	Cargo and Canowindra	Three	4-wheeled coach, 2 or more horses.	75 0 0	31 Dec., 1881.
105 Cobb & Co.	Sydney	Forbes, Bedgerehong, Monwonga, Borambil, and Condobolin.	Two	4-horse coach.	325 0 0	31 Dec., 1879.
106 Cobb & Co.	Sydney	Forbes, Bedgerehong, Monwonga, Borambil, and Condobolin.	One	2 or 4-horse coach.	202 0 0	31 Dec., 1879.
107 Peter Dogger	Parkes	Forbes, Tichborne, M'Guigan's, Parkes, and Billabong, via Welcome Lead and London.	Three	Coach, 2 or 3 horses.	129 0 0	31 Dec., 1879.
108 James O'Neil	Cargo	Forbes and Dandaloo, via Blow-clear, Gunning Bland, the Troughs, Gobondry, Burra Burra, Mumble Plains, Block H, Woodlands, and Albert Waterholes.	One	Horseback	174 0 0	31 Dec., 1881.
109 William Gill	The Gap, Forbes	Forbes and Marsden's via Bundaburra and the Gap.	Two	Horseback	130 0 0	31 Dec., 1879.
110 Mark Robinson (Transferred to H. G. Lees from 1 July, 1879.)	Condobolin	Condobolin and Eauabalong	One	2-horse coach.	91 0 0	31 Dec., 1881.
111 A. W. Robertson and J. Wagner.	Melbourne, Victoria.	Condobolin, Eauabalong, Lake Cudgellico, Willanthy, Hillston, Whealbah, and Booligal.	Two	4-horse American coach.†	645 0 0	31 Dec., 1880.
112 John Buckley	Eauabalong	Eauabalong & Cobar, via Welsh's, Dine Dine, Ercmeran, Nangribone, Connelly's Overflows, Babinda, (Wright's), Rosett's, Nimigi, Rock Holes, and Limekilns. (Contractor to perform the service on horseback, if required, for £220 per annum.)	One	4-horse coach.	345 0 0	31 Dec., 1881.
113 William Budd	Lake Cudgellico	Lake Cudgellico and Rankin's Springs.	One	Coach, 2 or more horses	75 0 0	31 Dec., 1879.
114 Thomas Budd	Hillston	Hillston, Merribung, Gilgunnia and Cobar, via Roto, Maroopa, Mummuon, Herme's Hotel, M'Kellar's, M'Donald's, Sumner's Priory, Gwynne's, and Hurley's.	One	Coach, 4 or more horses	450 0 0	31 Dec., 1880.
115 Thomas Healy	Ironbarks	Molong, Farnham, an Ironbarks	Three	Horseback	109 0 0	31 Dec., 1879.
116 Joseph Still	Forbes	Molong, Merranburn, Dulladulladerry, Bumbery, and Parkes.	Six	3-horse coach.	595 0 0	31 Dec., 1880.
117 †Henry Paton	Obley	Molong, Yullundry, Goodrich, and Obley.	Three	Horseback	190 0 0	31 Dec., 1879.
118 John P. Smith	Blayney	Black Rock and Red Hill	Three	Horseback	46 16 0	31 Dec., 1879.
119 George F. Millgate	Bell River, via Molong.	Parkes and Bulgandramine, via Ginnaniguy and Coragery.	Two	Horseback	139 0 0	31 Dec., 1879.
120 A. Mazoudier	Parkes	Parkes and Condobolin, via Watkin's, Gunning Bland Head Station, Bogan Gate Old Gunning Bland, and Burrawang.	One	Horseback	120 0 0	31 Dec., 1879.
121 Jas. Deaning (Transferred to Jacob Mathews from 3 August, 1879.)	Molong	Obley, Bulgandramine, and Dandaloo. (Contractor to travel once a week via Wanda Wondong, and once a week via Graham's Dillederry.)	Two	Horseback	235 0 0	31 Dec., 1880.

* Contract cancelled, 17 May, 1879.

† Contractor deceased. One of his sureties (John Leary) performed service from 28th July, 1879.

Contractors'		Postal Lines	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of Termination of Contracts.
Names.	Addresses.					
122 Walter Patterson	Minore via Dubbo.	Obley and Dubbo, via Wambangallang, The Springs, and the Meadows.	One	Horseback	£ s. d. 70 0 0	31 Dec., 1879.
123 James Denning ... (Transferred to Henry T. Pratt from 1 April, 1879.)	Obley	Dandaloo and Cannonbar	Two	Horseback	254 0 0	31 Dec., 1881.
124 Henry T. Pratt ...	Cannonbar	Nyingen and No. 2 West Bogan (Contractor is required to meet the Dandaloo and Cannonbar mailman at Nyingen.)	Two	Horseback	35 0 0	31 Dec., 1881.
125 P. J. Hennessy ...	Arthurville	Wellington, Ponto, and Arthurville, via Bushrangers' Creek.	One	Horseback	34 0 0	31 Dec., 1881.
126 Herman Sadleing	Wellington	Wellington, Kaiser, Lincoln, Goolma, and Gulgong, via the Crossing over Reedy Creek.	Two	Horseback	180 0 0	31 Dec., 1879.
127 Ronald Gillis	Spicer's Creek, Wellington.	Wellington, Goodrich, and Parkes, via Buckinbar.	Two	Horseback	190 0 0	31 Dec., 1880.
*128 Cobb & Co.	Sydney	Warren, Mount Harris, and Wamnerawa, via Drungalec.	Two	Horseback	275 0 0	31 Dec., 1879.
129 W. H. Dean	Tenandra	Warren and Tenandra	One	Horseback	32 0 0	31 Dec., 1879.
130 P. Gilmartin	Brewarrina	Willeroon and Brewarrina (to travel along the left bank of the Marra Creek).	One	Horseback	120 0 0	31 Dec., 1879.
131 Cobb & Co.	Sydney	Gongolgon and Brewarrina	Two	2 or 4 horse coach	174 0 0	31 Dec., 1880.
132 P. Gilmartin	Brewarrina	Brewarrina and Enngonia, via The "Horse and Jockey Hotel" (Biree), Biree Station, Cocklerina, Kimibri, Colless', Corella, Linapper, Colless' Springs, and Shearer's Garari Station.	One	Horseback	125 0 0	31 Dec., 1879.
133 Alick Moffatt... (Transferred to John Newton from 1 April, 1879.)	Biree Creek, Brewarrina.	Brewarrina, Goodooga, and Brenda, via Moorabilla, Bundabulla, Willah, Muckerawah, Bumble, and Bree Police Station.	One	Horseback	100 0 0	31 Dec., 1879.
134 J. T. Rogan (Transferred to Henry Connelly from 1 October, 1879.)	Brewarrina	Brewarrina, Talawanta, Brenda, and Goodooga, via Bundabulla, Llangboyde, on the Biree, Wellmoringh Station, on the Culgoa, Tatala, Guomery, and the Biree Station.	One	Horseback	119 0 0	31 Dec., 1880.
135 Thos. R. Hancock	Bourke	Bourke, Mungunyah, Enngonia, and Barrington, via Perillie and Lela, or Belalie, or Bourke, and Cameron's, Cuttaburra Creek.	One	Coach, 2 or more horses	175 0 0	31 Dec., 1880.
136 N. M'Phee	Wilcannia	Bourke, Hoodsville, and Hungerford, via Ford's Bridge, Yantabulla-bulla, and Brindigabba.	One	Horseback	208 0 0	31 Dec., 1879.
137 Chas. Warren ...	Bourke	Bourke, Cobar, and the Cornish, Scottish, & Australian Copper Mines.	One	Coach ...	290 0 0	31 Dec., 1880.
138 Chas J. Conway...	Mungunyah	"Mungunyah Hotel," on the Warrego River, and Yantabulla-bulla Springs, via Lagoon Station, Wapwailah, Irrira, and Brewarra, on the Cuttaburra Creek.	One	Horseback	139 10 0	31 Dec., 1881.
SOUTHERN ROADS.						
1 F. H. Eyre	Bankstown	Rookwood, Bankstown, and Upper Bankstown.	Six	Horseback	25 0 0	31 Dec., 1881.
2 Joseph H. Stanfield	Liverpool	Liverpool, Denham Court, (on return by Kemp's Creek), and Bringelly.	Six	Horseback	99 0 0	31 Dec., 1881.
3 Arthur Morehead...	Greendale	Bringelly and Greendale	Six	Horseback	30 0 0	31 Dec., 1880.
†4 James Waterworth	Camden	Railway Station and Post Office, Campbelltown.	Five times or oftener daily.	.....	30 0 0	Contract to terminate at one month's notice on either side.
5 James Waterworth	Camden	Railway Station, Campbelltown, and Post Offices, Campbelltown, Narellan, and Camden.	Twelve ...	2-horse coach	65 0 0	31 Dec., 1879.
6 James Waterworth	Camden	Railway Station, Campbelltown, and Post Offices, Campbelltown, Appin, Bulli, Woonona, and Wollongong.	Six	Coach, 3 or more horses.	375 0 0	31 Dec., 1879.
7 Jane T. Wasson ...	Brownlow Hill..	Camden and Brownlow Hill	Six	Horseback	50 0 0	31 Dec., 1880.
8 Thomas Cummings	Cobbitty	Narellan and Cobbitty	Six	Horseback	40 0 0	31 Dec., 1881.
‡9 Geo. Mercer	Albion Park	Wollongong, Fig-tree, Charcoal Creek, Dapto, Albion Park, Jamberoo, and Kiama. (Contractor to carry out service as follows if required, at £225 per annum, viz. :—Wollongong, Fig-tree, Charcoal Creek, Dapto, Albion Park and Shellharbour, and Kiama.)	Six	2-horse coach.	240 0 0	31 Dec., 1879.

* Arrangements made with Contractor to perform in lieu of this contract a services to and from Warren Mount Harris, and Carinda via Willary, from 1 June, 1879.

† Contract cancelled 31 December, 1879.

‡ Contractor adopted route via Shellharbour from 1 June, 1879.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of Termination of Contracts.
Names.	Addresses.					
*10 William Raftery	Albion Park	Albion Park and Shellharbour.....	No. of times per week. Seven	Horseback or by 1-horse cart.	£ s. d. 52 0 0	31 Dec., 1881.
11 Wm. Christie	Gerrigong	Kiama, Gerrigong, and Broughton's Creek.	Six	Horseback	130 0 0	31 Dec., 1879.
12 Wm. Kennedy	Bomadary	Broughton's Creek and Bomadary	Three	Horseback	50 0 0	31 Dec., 1880.
13 Levi White	Wilton	Douglass Park and Wilton	Three	Horseback	30 0 0	31 Dec., 1880.
(Transferred to Sarah White from 1 July, 1879.)						
14 Jas. Cracknell	Picton	Picton Railway Station, and Post Office, Picton.	Two or three times daily.	Horseback	15 0 0	31 Dec., 1879.
15 Francis Gray	Picton	Picton and Bargo	Two	Horseback	18 0 0	31 Dec., 1879.
16 Francis Gray	Picton	Picton and Oaks	Six	Horseback	33 0 0	31 Dec., 1879.
17 Phillip Reilly	Lacey's Creek, via Burragorang.	Oaks and Burragorang	Three	Horseback	30 0 0	31 Dec., 1881.
18 P. J. O'Reilly	Cox's River	Burragorang and Cox's River	Three	Horseback	30 0 0	31 Dec., 1879.
19 John Fitzpatrick	Jamba, Burragorang.	Burragorang and Upper Burragorang.	Two	Horseback	30 0 0	31 Dec., 1881.
20 Jas. V. Hanrahan	Moss Vale	Railway Station, and Post Office, Moss Vale.	Fifteen or oftener.	4-wheeled vehicle, 2 horses.	40 0 0	31 Dec., 1881.
21 Henry Taylor	Moss Vale	Post Offices, Moss Vale and Berrima.	Twelve	Horseback	60 0 0	31 Dec., 1880.
22 Jas. V. Hanrahan	Moss Vale	Moss Vale and Sutton Forest	Seven	4-wheeled vehicle, 2 horses.	35 0 0	31 Dec., 1881.
23 †Thomas James Cosgrove, jun.	Sutton Forest	Moss Vale, Burrawang, Robertson, East Kangaloon, Kangaloon, and Bowral, with a branch mail to and from Burrawang and Wild's Meadow.	Three	Horseback	120 0 0	31 Dec., 1881.
24 ‡George Thomson	Nowra	Moss Vale, Barren Ground, Barren-garry, Kangaroo Valley, Cambewarra, Bomadary, and Nowra, via the Bomadary Ferry.	Six	Horseback and two-wheeled coach.	365 0 0	31 Dec., 1880.
25 Thomas Sewell	Sutton Forest	Sutton Forest and Cross Roads	Four	Horseback	20 0 0	31 Dec., 1879.
26 § Thos. Graham	Burrawang	Kangaroo Valley, Broughton's Creek, and Coolangatta.	Six	Horseback	111 0 0	31 Dec., 1880.
27 Adam Ulrick	Wattamolla	Kangaroo Valley and Wattamolla	Two	Horseback	25 0 0	31 Dec., 1879.
28 George Thomson	Nowra	Nowra, Tomerong, Wandandian, Yattheyattah, and Milton; and Milton and Ulladulla	Three	Coach	210 0 0	31 Dec., 1880.
			Three	Horseback or coach.		
29 ¶C. M. Bindon	Terara	Nowra, Terara, Numba, and Pyree, via Green Hills.	Six	Horseback	43 0 0	31 Dec., 1880.
30 Rodk. McDonald	Burrier	Nowra and Burrier	Two	Horseback	28 0 0	31 Dec., 1879.
31 James Tyrrell	Wollomin, Tomerong.	Tomerong and Huskisson	Three	Horseback	28 0 0	31 Dec., 1879.
32 Thomas Brown	Marulan	Marulan and Murrumbah	Three	Horseback	34 0 0	31 Dec., 1880.
33 Thomas Brown	Marulan	Marulan and Bungonia	Seven	Horseback and spring cart on Saturdays.	84 0 0	31 Dec., 1881.
34 Mathew M'Mahon	Long Reach	Marulan, Long Reach, and Big Hill.	Three	Horseback	34 15 0	31 Dec., 1881.
35 James Armstrong	Bungonia	Bungonia and Windellama	Two	Horseback	35 0 0	31 Dec., 1881.
36 Mathew M'Mahon	Long Reach	Long Reach and Greenwich Park	Three	Horseback	14 0 0	31 Dec., 1881.
37 Peter Millane	Goulburn	Railway Station and Post Office, Goulburn.	Twelve or more.	Vehicle	39 19 0	31 Dec., 1880.
38 ¶John Howard	Crookwell	Goulburn, Woodhouselee, Laggan, and Crookwell.	Two	Vehicle or on horseback.	94 0 0	31 Dec., 1880.
39 **John Millane, jun.	Goulburn	Goulburn, Mummell, Gullen, and Wheeo, with a branch mail to and from M'Aleer's and Woore. (Contractor to perform the service by coach if required for £115 per annum and convey letters, &c., on mail-days to and from the Wheeo Post Office and the Wesleyan Chapel at Wheeo.)††	Two	Horseback	83 0 0	31 Dec., 1881.
40 J. Kingsland and O. Malone.	Braidwood	Goulburn, Tarago, Boro, Manar, and Braidwood.	Six	2 or 4 horse coach.	310 0 0	31 Dec., 1879.
41 Michael Purcell	Collector	Goulburn and Currawang	Three	Horseback	78 0 0	31 Dec., 1881.
42 Samuel Yeadon	Tarlo	Goulburn and Middle Arm	Two	Horseback	55 0 0	31 Dec., 1879.

* Arrangements made with Contractor to substitute for this Contract a tri-weekly mail service between Albion Park and Jamberoo, from 1 August, 1879.

† Contractor allowed £30 per annum extra to travel via Mount Murrumbidgee from 10 March to 5 September, 1879. Contractor relieved of Burrawang and Wild's Meadows service from 1 June, 1879.

‡ Contract cancelled, 14 October, 1879. (See Supplementary Notice.)

§ Contract cancelled, 31 December, 1879.

¶ Contractor allowed £4 per annum extra, in consequence of the removal of the Pyree Post Office, from 1 March, 1879.

‡ Contractor allowed £71 per annum extra to convey mails an additional once a week, and to perform the service by coach from 1 April, 1879.

** Contractor allowed £180 per annum to perform, in lieu of this contract, a tri-weekly mail service by coach from 1 April, 1879.

†† Should it be determined to include Woore in the route, instead of providing it with a branch mail from M'Aleer's, Contractor will be required to do so as long as the horseback service is in operation.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of Termination of Contracts.
Names.	Addresses.					
43 *Wm. Wilson	Goulburn	Goulburn, Tarlo, Myrtleville, and Taralga, via Chatsbury. (Contractor to carry out a coach service, if required, at £102 per annum.)	Two	Horseback	£ 80 0 0	31 Dec., 1879.
44 †Henry G. Chard.	Peelwood	Laggan and Peelwood; and Peelwood and Tuena	Two One	Horseback	90 0 0	31 Dec., 1879.
45 Wm. Ritchie, sen.	Fullerton	Laggan and Fullerton	Two	Horseback	36 0 0	31 Dec., 1879.
46 ‡Jeremiah Tierney	Crookwell	Crookwell, Binda, Junction Point, and Tuena.	Two	Vehicle or on horseback.	105 0 0	31 Dec., 1880.
47 A. E. M'Donald	Binda	Binda, Bigga, and Reid's Flat, via Markdale	Two	Horseback	99 0 0	31 Dec., 1879.
48 George Ridley	Greenmantle	Bigga, Greenmantle, & Lyndhurst	One	Horseback	55 0 0	31 Dec., 1879.
49 Elizabeth Jennings	Pomerooy, Woore	Woore, Pejar, and Crookwell	One	Horseback	28 0 0	31 Dec., 1879.
50 §Bernard M'Sorley	Wheeo	Wheeo, Narrawa, Reid's Flat, Graham, Darby's Falls, and Cowra via Buckley's, Sierson's, Smith's, and Harris's.	One	Horseback	117 16 0	31 Dec., 1879.
51 Bernard M'Sorley	Wheeo	Wheeo and Dalton	Two	Horseback	57 0 0	31 Dec., 1879.
52 †Thos. Moran	Goulburn	Tarago or Boro, Fairy Meadow, Bungendore, and Queanbeyan.	Three	2 or more horse coach	100 0 0	31 Dec., 1880.
53 Thos. Smith	Foxlow	Bungendore, Molonglo, and Foxlow; or Bungendore and Molonglo three times a week, and Molonglo and Foxlow, six times a week.	Three	Horseback	45 0 0	31 Dec., 1880.
54 Patk. Griffin	Boro	Boro and Mulloon	Three	Horseback	18 0 0	31 Dec., 1881.
55 James Fines	Boro	Boro and Mayfield	Two	Horseback	12 0 0	31 Dec., 1879.
56 Thos. Smith	Foxlow	Queanbeyan, Molonglo, & Foxlow	One	Horseback	20 0 0	31 Dec., 1880.
57 Arch. M'Donald	Queanbeyan	Queanbeyan and Uriarra, via Yarralumla.	One	Horseback	26 0 0	31 Dec., 1880.
58 P. C. Palmer	Queanbeyan	Queanbeyan, Lanyon, and Cuppacumbalong.	Three	Horseback or 1-horse coach.	50 0 0	31 Dec., 1879.
59 †Thos. Moran	Goulburn	Queanbeyan, Michelago, Collington, Bredbo, and Cooma.	Six	2 or more horse coach	484 0 0	31 Dec., 1880.
60 Owen Maloney	Hoskins' Town.	Foxlow and Hoskins' Town	Two	Horseback	15 0 0	31 Dec., 1881.
61 Wm. Freebody	Woolway, via Cooma.	Cooma, Gegendzerick, and Buckley's Crossing-place, via Woolway.	Two	2-horse waggonetto.	160 0 0	31 Dec., 1881.
62 Joseph Gregory... (Transferred to William Goodwin, from 1 July, 1879.)	Cooma	Cooma, Numeralla, Whinstone Valley, Ballalaba, and Braidwood, via Farringdon.	One	Horseback	122 0 0	31 Dec., 1881.
63 F. Pooley and J. Malone.	Queanbeyan	Cooma, Nimitybelle, Bibbenluke, and Bombala.	Four	4-wheeled vehicle.	580 0 0	31 Dec., 1879.
64 Mark Rollason	Cooma	Cooma and Bobundarah	Two	Horseback	105 0 0	31 Dec., 1881.
65 **Frank Lett (Transferred to William Sharp, from 1 April, 1879.)	Kiandra	Cooma, Dry Plain, Adaminaby, and Kiandra, via Dairyman's Plains, Wambrook, Queengallery, and Bolera.	One	Horseback	125 0 0	31 Dec., 1881.
66 ††Alex. Gilbert	Adaminaby	Cooma, Adaminaby, Russell's, and Kiandra, via Middling Bank.	One	Horseback	116 0 0	31 Dec., 1881.
67 William Freebody	Woolway, via Cooma.	Gegendzerick and Jindabynno	Two	Horseback or 1-horse vehicle.	55 10 0	31 Dec., 1881.
68 Patk. M. Quinlivan	Nimitybelle	Nimitybelle, Brown Mountain, and Bega, via Benbooka Station, and W. Hanscombe's, Numbugga.	One	Horseback	72 0 0	31 Dec., 1879.
69 George Reed	Bombala	Bombala, Craigie, and Delegate	One	Horseback	135 0 0	31 Dec., 1879.
70 Robert Turbet	Wyndham, Pambula.	Bombala and Delegate	Two	Conveyance		
		Bombala and Mila, via Mahratta.	One	Horseback		
70 Robert Turbet	Wyndham, Pambula.	Bombala, Cathcart, Rocky Hall, and Pambula.	One	Horseback	70 0 0	31 Dec., 1879.
71 Robert Turbet	Wyndham, Pambula.	Bombala, Cathcart, Rocky Hall, and Pambula.	One	Horseback	88 0 0	31 Dec., 1879.
72 Giovanni Diversi	Bombala	Bombala, Cathcart, Candelo, and Merimbula.	One	4-horse coach and on horseback.	80 0 0	31 Dec., 1881.
73 F. Pooley and J. Malone.	Queanbeyan	Bobundarah, Duke's Springs, and Bombala, via Gunningrah and Buckalong.	One	4-wheeled vehicle or horseback.	145 0 0	31 Dec., 1879.
74 John Collins	Corrowong	Delegate and Corrowong	Three	Horseback	38 0 0	31 Dec., 1881.
75 Patrick Quinlivan	Glen Bog, Nimitybelle.	Candelo, Kameruka, and Brown Mountain, via Benbooka Station.	One	Horseback	42 0 0	31 Dec., 1879.
76 John Collins, jun.	Mogilla	Candelo and the School-house at Mogilla.	One	Horseback	15 10 0	31 Dec., 1881.

* Contractor allowed £142 per annum to perform, in lieu of this contract, a tri-weekly mail service by coach from 1 April, 1879.

† Contractor allowed £52 per annum extra to convey mails an additional once a week from 1 April, 1879.

‡ Contractor allowed £95 per annum extra to convey mails an additional once a week, and to perform the service by coach between Crookwell and Binda, from 1 April, 1879.

§ Arrangements made with Contractor to travel from Graham to Cowra, via Harris's, Bennett's Springs, returning to Graham, via Darby's Falls, from 8 April, 1879.

¶ In consequence of Contractor's failure to carry out his contract, arrangements made with Frederick Pooley to perform service from 23rd October to 31 December, 1879, at £50 per month.

‡ In consequence of Contractor's failure to carry out his contract, arrangements made with Frederick Pooley to perform service from 15 October to 31 December, 1879, at £150 per month.

** Contract cancelled, 31 December, 1879.

†† Contract cancelled, 31 December, 1879.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of Termination of Contracts.
Names.	Addresses.					
77 J. Kingsland and O. Malone.	Braidwood	Braidwood, Bell's Creek, Upper Araluen, Araluen, Snaphook, Mullenderee, and Moruya; with a branch mail to and from Braidwood and Reidsdale.	Six	4-wheeled conveyance 1 or more horses.	450 0 0	31 Dec., 1879.
78 Joseph Gregory	Cooma	Braidwood, Charleyong, Tomboy, Nerriga, and Nowra.	Two	Horseback		
79 B. Malone	Braidwood	Braidwood and Monga	Two	Horseback	20 0 0	31 Dec., 1880.
80 Michael Dowling	Glenbower, Braidwood.	Braidwood and Nelligen	Two	Horseback	77 0 0	31 Dec., 1879.
81 James Allen	Braidwood	Braidwood and the School-house, near Little Bombay.	One	Horseback	8 6 8	31 Dec., 1881.
82 Michael Dowling	Glenbower, Braidwood.	Braidwood, Jembaicumbene, and Major's Creek.	Three	Horseback	37 0 0	31 Dec., 1879.
83 Joseph M. Ellis	Major's Creek	Major's Creek and Ballalaba	Two	Horseback	16 0 0	31 Dec., 1881.
84 M. N. O'Connell	Braidwood	Ballalaba and Fairfield	One	Horseback	29 0 0	31 Dec., 1879.
85 Charles Crapp	Kiora	Moruya and Kiora	Two	Horseback	13 0 0	31 Dec., 1881.
86 Edmond Corrigan	Moruya	Moruya, Bergalia, Turlinjah, Bodalla, Eurobodalla, Cobargo, Dry River, Brogo, and Bega.	Three	Horseback	267 0 0	31 Dec., 1879.
87 Edmond Corrigan	Moruya	Moruya, Bergalia, Turlinjah, Bodalla, and Eurobodalla.	Three	Horseback	90 0 0	31 Dec., 1879.
88 Edmond Corrigan	Moruya	Eurobodalla, Cobargo, Dry River, Brogo, and Bega.	Three	Horseback	243 0 0	31 Dec., 1879.
89 Wm. Murphy	Eurobodalla	Eurobodalla and Nerrigundah	Two	Horseback	26 0 0	31 Dec., 1880.
90 Wm. Murphy	Eurobodalla	Eurobodalla and Wagonga	One	Horseback	22 0 0	31 Dec., 1880.
91 Charles Brico	Eurobodalla	Eurobodalla and Wagonga	One	Horseback	29 0 0	31 Dec., 1880.
92 Wm. M. Hobbes	Tilba Tilba	Cobargo and Tilba Tilba; and Cobargo and Tilba Tilba, via Bermagui.	One	Horseback	51 0 0	31 Dec., 1880.
		(Contractor to be paid at the rate of £46 per annum only from 1st January, 1880.)	One	Horseback		
93 Angus M'Fadyen	Bega	Bega, Wolumia, Merimbula, Pambula, and Eden.	Two	Horseback	90 0 0	31 Dec., 1879.
94 Michael Flood	Bega	Bega, Kameruka, and Candelo	Two	Horseback	37 0 0	31 Dec., 1879.
95 William Davis	Tanja	Bega and Tanga	One	Horseback	15 0 0	31 Dec., 1879.
96 *Alex. Cameron	Taralga	Taralga and Golspie	One	Horseback	12 0 0	31 Dec., 1879.
97 Ann Lillis	Taralga	Taralga and Banaby	Two	Horseback	32 0 0	31 Dec., 1881.
98 Michael Purcell	Collector	Breadalbane and Collector	Three	Horseback	41 12 0	31 Dec., 1880.
99 Thomas Morton	Breadalbane	Breadalbane and Gurrundah	One	Horseback	17 0 0	31 Dec., 1879.
100 Rd. Calthorpe	Merrilla	Breadalbane and Merrilla, via the schoolhouse at Parkesbourn.	Three	Horseback	35 0 0	31 Dec., 1880.
101 †John Taylor	Gunning	Railway Station, Gunning, and Post Office, Gunning.	Seven	Horseback	37 0 0	31 Dec., 1879.
102 Thos. Moran	Queanbeyan	Railway Station, Gunning, and Post Offices, Lower Gundaroo, Upper Gundaroo, Ginnindera, Canberra, and Queanbeyan; and Lower Gundaroo, Upper Gundaroo, Sutton and Queanbeyan.	Three	Coach	270 0 0	31 Dec., 1879.
		(Contractor to carry out service as follows, if required, viz:—Railway Station, Gunning, and Post Office, Lower Gundaroo, three times a week; Lower Gundaroo, Upper Gundaroo, Ginnindera, Canberra, and Queanbeyan, twice a week; and Lower Gundaroo, Upper Gundaroo, Sutton, and Queanbeyan, twice a week.)	One .....	.....	33 0 0	31 Dec., 1879.
103 Richd. Sherriff	Gunning	Gunning and Dalton	Two	Horseback	26 0 0	31 Dec., 1879.
104 Joseph Newman	Greenwattle Flat, via Dalton.	Dalton and Rye Park	One	Horseback	45 0 0	31 Dec., 1881.
105 Joseph Newman	Greenwattle Flat, via Dalton.	Rye Park and Burrowa	One	Horseback	20 0 0	31 Dec., 1881.
106 Henry J. Sampson	Yass	Yass Railway Station and Post Office, Yass, including the clearing of the Letter Receiver at North Yass.	Twelve	4-wheeled vehicle, 2 horses.	60 0 0	31 Dec., 1880.
107 Patrick Carey	Cavan	Yass and Cavan, via Brassell's Inn, Warro, and the Cavan Homestead	One	Horseback	50 0 0	31 Dec., 1881.
108 Alex. Dyce	Gundaroo	Yass, Murrumbateman, Greenfield Farm, Lower Gundaroo, and Upper Gundaroo, via Nanima Station. (To travel alternately, if required, by Nanima and by Yass River routes.)	Two	Horseback	70 0 0	31 Dec., 1879.
109 John Johns	Murrumbateman	Yass and Murrumbateman	One	Horseback	12 0 0	31 Dec., 1880.
110 Jas. R. Slater	Greenfield Farm	Yass and Greenfield Farm	One	Horseback	15 0 0	31 Dec., 1879.
111 John Flanagan	Good Hope	Yass and Good Hope	Two	Horseback	26 0 0	31 Dec., 1880.
112 E. J. Dempsey	Tangmangaroo	Bowning and Tangmangaroo	Two	Horseback	24 0 0	31 Dec., 1880.
	(Transferred to John Kelly from 1 July, 1879.)					
113 ‡John Carberry	North Gobarralong.	Jugiong and North Gobarralong	Two	Horseback	50 0 0	31 Dec., 1880.

* Contractor allowed £24 per annum extra to convey mails an additional once a week from 1 April, 1879.
 † Contractors sureties (H. T. Best and Richard Grovenor) performed service from 18 May, 1879.

‡ Contractor allowed £10 per annum extra to substitute for this contract a bi-weekly mail service between Coolac and North Gobarralong, from 1 March, 1879.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of Termination of Contracts.
Names.	Addresses.					
114 J. H. Fitzgerald..	Gundagai	Gundagai, Naugus, and Clarendon, via Kimo, Tenandra, and Wantabadgery.	No. of times per week. Two	Horseback	£ s. d. 60 0 0	31 Dec., 1879.
115 Cobb & Co.....	Sydney	Adelong Crossing-place, Shepard's Town, Adelong, Gilmore, and Tumut.	Six	4-wheeled coach, 1 or more horses	255 0 0	31 Dec., 1880.
116 James M'Glynn..	Tumberumba ...	Adelong, Reedy Flat, Bago, and Tumberumba.	Two	Horseback	140 0 0	31 Dec., 1880.
117 *E. J. Everitt ...	Mundarloo, via Gundagai.	Clarendon and Wagga Wagga, via Oura and Eunyharceenyha.	Two	Horseback	65 0 0	31 Dec., 1879.
118 Thomas Bridle ...	Tumut	Tumut, Blowering, and Kiandra..	One	Horseback	95 0 0	31 Dec., 1881.
119 William Eggleton	Tumut	Tumut and Brungle	Two	Horseback	30 0 0	31 Dec., 1879.
120 James M'Glynn..	Tumberumba ...	Tumberumba, Tooma, Welaregang Station, Tintalra (Victoria), Welaregang Station, Ournie, and Bowna, via Camberoona, Wagra, Dora Dora, Talmalmei, Meracket, Jingillic, and Ournie Diggings. (Contractor to travel main road between Camberoona and Wagra)	Two	Horseback	260 0 0	31 Dec., 1881.
121 B. O'B. Hackett..	Welaregang, via Tooma.	Tooma and Khancoban, via Opossum Point.	One	Horseback	53 6 8	31 Dec., 1881.
122 William Carter and John Carter.	Binalong	Railway Station, Binalong, and Post Offices, Binalong and Burrowa; and	Six	4-wheeled coach, 1 or more horses.	375 0 0	31 Dec., 1880.
123 James Carter	Binalong	Burrowa, Marengo, and Young ... Burrowa and Frogmoor; and	Three .. Two	4-wheeled coach, 1 or more horses	125 0 0	31 Dec., 1881.
124 Edward Morgan..	Marengo	Frogmoor and Reid's Flat, via Hovell's Creek and Phil's Creek. Marengo & Cowra, via Bang Bang, Watemandra, and Crowther.	One	Horseback		
125 †Cobb & Co.	Sydney	Railway Station, Murrumburrah, and Post Offices, Murrumburrah, Wombat, Young, Musgrave, and Grenfell.	Two	2-horse buggy.	100 0 0	31 Dec., 1880.
126 Thos. Confoy	Barwang	Murrumburrah and Barwang	Six	2 or 4 horse coach.	490 0 0	31 Dec., 1881.
127 ‡A. W. Robertson and J. Wagner.	Melbourne, Victoria.	Murrumburrah, Wallendbeen, Cootamundra, Cungegong, Bethungra, Junee, Wallaceon, Wagga Wagga, and Narrandera; and Narrandera, Darlington Point and Hay, via Angel's Station.	Three .. Three .. Two	4-wheeled vehicle, 1 or more horses.	1,525 0 0	31 Dec., 1879.
128 George Burgess ...	Cudgel Creek, Young.	Young, Morangarell, & Marsden's	Two	Horseback	190 0 0	31 Dec., 1881.
129 Jas. Marshall.....	Morangarell ...	Morangarell and Wyalong, via Tarangalay and Barmedman.	One	Horseback	65 0 0	31 Dec., 1879.
130 Andrew Young ...	Marsden's.....	Marsden's and Wollongough, via Hiawatha.	Two	Horseback	143 0 0	31 Dec., 1881.
131 Denis Toohey.....	Parkes	Grenfell and Forbes	Two	Coach, 4 horses.	210 0 0	31 Dec., 1881.
132 Mary Angove.....	Cootamundra ...	Railway Station and Post Office, Cootamundra.	Six	Horseback or by coach.	30 0 0	31 Dec., 1880.
133 Robert Harris ...	Narraburra, via Temora.	From Cootamundra to Temora, via Dacey's, Davidson's Station, Geraldra, Telford's, Grogan's Station, and Keane's, Narraburrah Station, returning to Cootamundra, via Commin's, of Combaning, and O'Brien's, Gundabingle Station.	One	Horseback	109 10 0	31 Dec., 1879.
134 James Armstrong	Muttama Reef...	Muttama Reef and the nearest point passed by the coach on the trip from and to Cootamundra and Colac.	Two .....	.....	45 0 0	31 Dec., 1881.
135 Denis Kaveneh ...	Sebastapol	Junee Railway Station, Junee, The Reefs, and Sebastapol, via Erinvale	One	Horseback	50 0 0	31 Dec., 1879.
136 §Cobb & Co.	Sydney	Wagga Railway Station, and Post Offices, Wagga Railway Station and Wagga Wagga.	Six	2 or 4 horse conveyance	250 0 0	31 Dec., 1879. Contract to terminate at one month's notice should tramway be laid.
137 ¶R. J. Montgomery	Wagga Wagga...	From Wagga Wagga to Downside, Marrar, The Rocks (M'Donald's), Mimosa, Quandary, Broken Dam, and Ariah, returning to Wagga Wagga, via Warri, Murrill Creek, Cowabee, Kindra, and Downside.	One	Horseback or coach.	126 0 0	31 Dec., 1880.

* Contractor's sureties—W. Bootes and R. Beaver—carrying out contract.

† Contractors allowed £50 per annum extra to convey mails an additional once a week from 17 May, 1878. Murrumburrah Platform made terminus of line instead of Murrumburrah Railway Station from 9 September, 1879.

‡ In consequence of the extension of the railway to Cootamundra that portion of contract between Murrumburrah and Cootamundra cancelled from 1st November, 1877.

§ In consequence of the extension of the railway to Bethungra that portion of contract between Cootamundra and Bethungra cancelled from 16th April, 1878.

¶ In consequence of the extension of the railway to Junee that portion of contract between Bethungra and Junee cancelled from 6th July, 1878.

§ Contract cancelled 1st September, 1879.

¶ Contractor allowed £48 per annum extra to convey mails once a week between Broken Dam and Wallandry from 1 August, 1879.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of Termination of Contracts.
Names.	Addresses.					
138 R. J. Montgomery	Wagga Wagga...	From Wagga Wagga, via Houlaghan's Creek (Downside), Kindra, Cowabee, Murrill Creek, Warri, Ariah, Broken Dam, Quandary, Mimosa, The Rocks, Marrar, and Downside to Wagga Wagga.	No. of times per week. One	Horseback	£ s. d. 126 0 0	31 Dec., 1880.
139 James Clarke.....	Brucedale, near Wallaceton.	Wagga Wagga, Brucedale, and Wallaceton.	Two	Horseback	45 0 0	31 Dec., 1879.
140 H. A. Crawford and Co.	Beechworth, Victoria.	Urana, Colombo Creek, and Narrandera, via Urana Station, Coonong, Widgieva, Yarrabee, Cundle Township, and Gillenbar.	Two	Coach, 2 or 4 horses.	186 0 0	31 Dec., 1879.
141 H. A. Crawford and Co.	Beechworth, Victoria.	Urana, Daysdale, Lowesdale, Annan Vale, and Corowa; and Jereelderie and Daysdale.	Two ... One ...	Horseback and by 2 or more horse coach when practicable.	200 0 0	31 Dec., 1881.
142 H. A. Crawford and Co.	Beechworth, Victoria.	Narrandera and Rankin's Springs, via Medium, Mumbledool, Barrellan, North Gogeldra, Binya, Ballandra, and Coonapaira.	One	Horseback	175 0 0	31 Dec., 1879.
143 Michael H. Enright.	Rankin's Springs	Rankin's Springs and Wollongough, via Eurathra, Malonga, Nannah, Willendray, Bulygulman, and Merringham.	One	Horseback	156 0 0	31 Dec., 1879.
144 A. W. Robertson and J. Wagner.	Melbourne, Victoria.	Hay, Wanganella, and Deniliquin	Six	4-wheeled coach, 1 or more horses.	1,450 0 0	31 Dec., 1880.
145 *Thos. Parsons ...	Mossgiel	Hay, Maude, Oxley, and Balranald; and Hay, Maude, Oxley, and Balranald, via Gilam.	One ... One ..	Horseback	360 0 0	31 Dec., 1879.
146 Cobb & Co.....	Sydney.....	Hay and Booligal	Two	Coach, 2 or 4 horses.	500 0 0	31 Dec., 1879.
147 A. W. Robertson and J. Wagner.	Melbourne, Victoria.	Railway Station and Post Office, Deniliquin.	Twelve, or more.	Horseback	75 0 0	Contract to terminate at three months' notice on either side.
148 Deniliquin and Moama Railway Company.	Deniliquin	Deniliquin, Mathoura, Moama, and Echuca.	Six or more	Railway..	900 0 0	Contract to terminate at three months' notice on either side.
149 A. W. Robertson and J. Wagner.	Melbourne, Victoria.	Deniliquin, Moulamein, and Balranald, via Moolpar.	Two	Coach, 4 horses.	647 0 0	31 Dec., 1881.
150 A. W. Robertson and J. Wagner.	Melbourne, Victoria.	Moama and Perricoota (Thompson's); and Perricoota and Rogers' Womboota; With a branch mail to and from Moama and F. Edwards', at Womboota, via R. Varcoe's, Caloola.	Six..... One	Horseback.	80 0 0	31 Dec., 1879.
151 Chas. J. Silvester	Balranald.....	Balranald, Tooleybuc, and Swan Hill.	Two	2-horse coach.	240 0 0	31 Dec., 1879.
152 Hy. Huggins	Balranald.....	Balranald and Ivanhoe, via Darling Block D, Hatfield Hotel, Til Til, Clare, Manfred and Kilfera Station.	One	Coach, 2 horses.	280 0 0	31 Dec., 1879.
153 †Z. & S. Burton...	Swan Hill, Victoria.	Balranald and Euston; and Euston, Gol Gol, and Wentworth (Contractor to carry out a twice a week service if required, at £800 per annum.)	Two	2-horse coach...	675 0 0	31 Dec., 1880.
154 Thos. Parsons ... (Transferred to A. W. Robertson and J. Wagner, from 16 November, 1879.)	Mossgiel	Booligal, Mossgiel, Ivanhoe, and Wilcannia.	Two	4-horse coach.	750 0 0	31 Dec., 1879.
155 Z. & S. Burton ...	Wentworth	Wentworth, Pooncarie, Menindie, and Wilcannia.	One	Coach, 4 horses.	1,067 0 0	31 Dec., 1879.
156 Geo. Miller.....	Menindie	Menindie and Mount Gipps.....	Once a fortnight	Horseback	89 10 0	31 Dec., 1881.
157 Donald N. Morrison and Malcolm Morrison.	Bourke	Wilcannia, Tankerooka, Louth, Toorale, and Bourke, travelling on either side of the Darling River.	One	Coach, 4 horses.	490 0 0	31 Dec., 1881.
158 Thomas Parsons	Mossgiel	Wilcannia and Hungerford	One	Coach, 4 horses.	420 0 0	31 Dec., 1881.
159 Jno. Saunders, Junr	Wilcannia	Wilcannia, Gnalta, and Mount Gipps, via Sturt's Meadows and Poolamacca. (Contractor to carry out either of the following services if required by the Postmaster General to do so at any time during the currency of this contract, viz—Wilcannia, Gnalta, and Mount Gipps, via Sturt's Meadows, and Poolamacca, once a fortnight, for £350 per annum; Wilcannia and Thackeringa by same route (omitting Mount Gipps, if required) once a fortnight for £400, or once a week for £600 per annum.)	One	Horseback	550 0 0	31 Dec., 1879.

* Contract cancelled 14 April, 1879. See Supplementary Notice.

† Contractors commenced bi-weekly service on 1 March, 1879.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of Termination of Contracts.
Names.	Addresses.					
160 Duncan M'Intyre	Yanko Station, via Jereelderie.	Jereelderie and Wilson.....	No. of times per week. Two	Horseback	£ s. d. 50 0 0	31 Dec., 1881.
161 Thos. J. Kennedy	Yamina, Jereelderie.	Jereelderie, Argoon, Waddai, and Darlington Point.	One	Horseback	120 0 0	31 Dec., 1879.
162 E. Fletcher.....	Jereelderie	Jereelderie and Colombo Creek, via Yanko Creek, and Bundure Head Station.	Two	Horseback	132 0 0	31 Dec., 1879.
163 S. W. Abbott.....	Murraguldrrie ...	From Tarcutta to Murraguldrrie, via Oberne, returning to Tarcutta, via Hartnett's and Nugent's, on the south side of the Tarcutta Creek.	Two	Horseback	39 0 0	31 Dec., 1880.
164 James Crichton...	Germanton	Germanton, Yarrara, and Tumberumba.	Two	Horseback	100 0 0	31 Dec., 1879.
165 H. A. Crawford & Co.	Beechworth, Victoria.	Albury, Bungowannah, Howlong, Corowa, Mulwalla, Tocumwall, and Deniliquin.	Two	Coach, 2 or more horses or in times of flood on horseback.	492 0 0	31 Dec., 1881.
166 H. A. Crawford & Co.	Beechworth, Victoria.	Albury, Dight's Forest, <i>Burrumbuttock</i> , Walbundrie, and Mohonga.	Two	Horseback or 4-wheeled conveyance.	148 0 0	31 Dec., 1881.
167 Francis H. Drew..	Howlong	Howlong, Moorwatha, and Goombargona.	Two	Horseback	69 0 0	31 Dec., 1881.
168 William Pettiford	Goombargona ...	Goombargona and Carnsdale	One... ..	Horseback	24 0 0	31 Dec., 1879.
169 H. A. Crawford & Co.	Beechworth, Victoria.	Corowa and Wahgunyah	Twelve ...	Coach or buggy, 1 or more horses.	25 0 0	31 Dec., 1879.
170 Wolter Woltersdorff.	Jinderra, via Dight's Forest	Dight's Forest, <i>Ebenezer</i> , and Walla Walla Station.	Two... ..	Horseback	60 0 0	31 Dec., 1879.
171 Ed. Lynch*	Mullenderree ...	Bateman's Bay, Mogo, Mullenderree, and Moruya. (It is clearly understood that the mails shall leave Bateman's Bay immediately after the arrival there of the steamer from Sydney, and shall leave Moruya in time to meet the steamer leaving Bateman's Bay for Sydney, the Contractor finding adequate means for both requirements.)	Two	Coach, 4 horses.	39 0 0	31 Dec., 1879.
172 E. G. Ladmore ...	Mogo.....	Nelligen, Bateman's Bay, and Milton, via Woodburn.	One	Horseback	55 0 0	31 Dec., 1879.
173 W. Rixon	Bega	Merimbula, Wolumla, and Bega, or Tathra, Wolumla, and Bega, on arrival and departure of steamer.	.....	4-horse coach.	60 0 0	31 Dec., 1880.
174 John Haywood ...	Pambula	Merimbula Wharf, and Post Offices, Merimbula, Pambula, and Eden.	One	Horseback	35 0 0	31 Dec., 1880.
175 Frederick Schäfer	Merimbula	Merimbula and Candelo, on arrival of steamer at Merimbula.	On arrival of steamer at Merimbula.	Horseback or Coach if required.	42 0 0	31 Dec., 1881.
176 Michael Corcoran	Towamba.....	Eden and Towamba	One	Horseback	26 0 0	31 Dec., 1879.
NORTHERN ROADS.						
1 C. C. Fagan†	Gosford.....	Sydney, St. Leonards, Lane Cove, Hornsby, Peat's Ferry, Gosford, and Kincumber.	Two	Horseback	375 0 0	Contract to terminate at three months' notice on either side.
2 J. F. Foster	Mount Vincent..	Gosford, Blue Gum Flat, Wyong Creek, Cooranbong, and Mount Vincent.	Two	Horseback	95 0 0	31 Dec., 1880.
3 Irvine Coulter‡ ...	Gosford.....	Gosford and Wamberal.....	Two	Horseback	24 0 0	31 Dec., 1880.
4 William N. Cain	Gosford.....	Gosford and Blackwall	Two	Boat	28 0 0	31 Dec., 1879.
5 Jno. Collins	Pitt Water, via Manly.	Manly and Barrenjoey, via Brady's, Jenkins's, Wilson's, and Collins's.	One	Horseback	36 0 0	31 Dec., 1880.
6 Mathew Downie..	Newcastle	Newcastle Wharf, Post Office, and Railway Terminus.	Fourteen or more.	Spring van	89 0 0	31 Dec., 1880.
7 Wm. H. Rinker..	Stockton	Newcastle and Stockton	Six or more	Boat	35 0 0	31 Dec., 1879.
8 George Smith.....	Higham Road ...	Newcastle, Glebeland, & Charlestown.	Six.....	Horseback	60 0 0	31 Dec., 1880.
(Transferred to Mungo Penman, from 16 December, 1879.)						
9 John Gordon	Lambton	Charlestown and Higham Road ...	Three ...	Horseback	12 0 0	31 Dec., 1879.
10 John Gordon	Lambton	Charlestown, Belmont, and Catherine Hill Bay, via Lake Macquarie Heads.	Two	Horseback	54 5 0	31 Dec., 1879.
11 George T. Cole ...	Tomago.....	Tomago and Williamstown	Two	Horseback	17 0 0	31 Dec., 1881.
12 Edward Garner ...	Nelson's Plains..	Raymond Terrace and Nelson's Plains.	Six.....	Horseback	30 0 0	31 Dec., 1879.
13 C. M'Intyre	Raymond Terrace	Raymond Terrace, Limeburners' Creek, Booral, and Stroud.	Four	2-horse coach.	259 0 0	31 Dec., 1880.

(*) Contractor allowed £10 per annum extra to convey mails an additional once a week from Bateman's Bay to Mogo, Mullenderree, and Moruya, from 1 March, 1879.

(†) Contract cancelled, 1 August, 1879.

(‡) Contractor allowed £6 to relinquish contract from 1 August, 1879.

Contractors'		Postal Lines,	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of Termination of Contracts.
Names.	Addresses.					
*14 Henry G. Tuck and Henry J. Adams.	West Maitland.	Stroud, Langworthy's, Ward's River, Gloucester, Tinonee, and Taree.	Three ...	4-wheeled coach 2 horses.	£ 790 0 0	31 Dec., 1881.
15 John Convery.....	Cundletown.....	Tinonee, Taree, Cundletown, Ghinni Ghinni, Croki, Cooper-nook, Camden Haven Punt, and Port Macquarie.	Three ...	Horseback twice a week coach once a week	400 0 0	31 Dec., 1880.
16 Chris. Felten	Kempsey	Port Macquarie, Telegraph Point, East Kempsey, and Kempsey, via the Telegraph line.	Three ...	Twice a week by coach & once a week on horseback.	192 0 0	31 Dec., 1880.
17 Patrick Flanagan	Bulahdelah	Booral and Bulahdelah	Three ...	Horseback	88 15 0	31 Dec., 1880.
18 Daniel Young.....	Gloucester	Gloucester, Nowendoc, and Walcha.	One	Horseback	128 0 0	31 Dec., 1881.
†19 John M'Leiman ...	Barrington	Gloucester, Barrington, and Back Creek.	Three ...	Horseback	74 10 0	31 Dec., 1879.
20 Robert Herkes ...	Gloucester	Gloucester and Rawden Vale, via Berrico.	Two	Horseback	48 0 0	31 Dec., 1879.
21 Patrick O'Neill ...	Bulahdelah	Bulahdelah, Upper Myall, Fire-fly Creek, and Cape Hawke (Clarkin's Crossing-place) via Bunyah Station, and Waterloo.	One	Horseback	41 0 0	31 Dec., 1879.
22 Patrick Flanagan	Bulahdelah	Bulahdelah, Boolambayte, Bung-wall Flat, and Forster, via M'Rae's Sawmills and Burraduc.	Two	Horseback	140 0 0	31 Dec., 1881.
23 Patrick O'Neill ...	Bulahdelah	Bulahdelah and Hawke's Nest ...	One	Horseback	41 0 0	31 Dec., 1879.
24 Patrick O'Neill ...	Bulahdelah	Bulahdelah and Coolongolook	One	Horseback	33 0 0	31 Dec., 1880.
25 Donald M'Kinnon	Wollamba River, Cape Hawke.	Cape Hawke (Clarkin's Crossing-place), Tinonee, and Taree.	One	Horseback	58 0 0	31 Dec., 1879.
‡26 Henry M'Cabe ...	Woola Woola, Taree.	Manning River Steamers and Post Offices, Taree and Wingham, and Taree and Tinonee, as required.	.....	Horseback	30 0 0	31 Dec., 1881.
27 C. Wallace	Dingo Creek ...	Tinonee, Wingham, and Dingo Creek; and Dingo Creek and Marloe	Three } Two ...	Horseback	70 0 0	31 Dec., 1879.
28 J. R. Hawkins ...	Redbank	Tinonee and Redbank	Two ...	Horseback	45 0 0	31 Dec., 1880.
29 Thos. Murray.....	Kimbriki	Tinonee and Kimbriki, via Martin's, Latimer's, Monk's, Chapman's, Moore's, Murray's Weatherley's, Mossman's, and Smith's.	Two	Horseback	28 0 0	31 Dec., 1881.
30 Jas. Andrews.....	Woodside.....	Wingham and Woodside, Upper Manning.	Two	Horseback	50 0 0	31 Dec., 1879.
31 J. M'Pherson.....	Dingo Creek ...	Dingo Creek and Wherrol Flat. (Contractor to travel via Dingo Creek Bridge in times of flood.)	Two	Horseback	18 0 0	31 Dec., 1880.
32 James Brown.....	Upper Manning, Woodside.	Woodside, Knorrit Flat, and Nowendoc, via Cooplacurripa.	One	Horseback	85 0 0	31 Dec., 1880.
33 George Saville ...	Lansdown	Cundletown and Lansdown	Two	Horseback	38 0 0	31 Dec., 1879.
34 John Robson, senr.	Cundletown	Cundletown and Oxley Island.....	Two .....	.....	20 0 0	31 Dec., 1880.
35 D. Williams	Camden Haven..	Camden Haven Punt, Camden Haven, and Laurieton.	Two	Horseback	34 0 0	31 Dec., 1879.
36 E. Maher	Ashburner's Hill, Port Macquarie	Port Macquarie, Huntingdon, and the junction of the Ellenborough and Hastings Rivers.	Two	Horseback	58 0 0	31 Dec., 1879.
37 William A. Spence	Port Macquarie.	Port Macquarie and Ennis, via Fernbank Creek.	Two	Horseback	35 0 0	31 Dec., 1879.
38 G. Melville	Walcha	Ellenborough, Yarras, & Walcha, via Lahey, Yarrowitch, Lia Liara, Waterloo, Europambola, and Ohio.	One	Horseback	109 0 0	31 Dec., 1879.
39 Thos. Farrowell...	Telegraph Point.	Telegraph Point and Rolland's Plains.	Three ...	Horseback	52 0 0	31 Dec., 1880.
40 Warren Bowen ...	Warneton.....	Kempsey, West Kempsey, Greenhill, and Warneton.	Three ...	Horseback	25 0 0	31 Dec., 1881.
41 Chris. Felten	Kempsey	Kempsey and Frederickton; and Frederickton, Seven Oaks, Gladstone and Summer Island. (Mails to be conveyed between Kempsey, Frederickton, and Gladstone by boat in times of flood.)	Three... } Two ... }	Horseback or vehicle when required.	48 0 0	31 Dec., 1880.
42 J. S. Ducat.....	Moonaba, Kempsey.	West Kempsey and Ingliston	One	Horseback	15 0 0	31 Dec., 1879.
43 Geo. Henderson...	Nambucca	Frederickton, Nambucca, Deep Creek, East Raleigh, Nambucca River Heads, Ferimount, and Boat Harbour.	Two	Horseback	120 0 0	31 Dec., 1880.
44 Geo. Henderson...	Nambucca	Nambucca and Bowraville	Two	Horseback	46 0 0	31 Dec., 1881.
45 Jas. M'Nally.....	Rainbow Reach	Summer Island and Rainbow Reach	Two	Horseback	18 10 0	31 Dec., 1879.
46 John Cox & Fred. Cox.	Rainbow Reach	Rainbow Reach and Arakoon (Trial Bay).	One	Horseback and boat.	30 0 0	31 Dec., 1880.
47 John Gordon	Lambton	Railway Station, Waratah, and Post Office, Waratah.	Six or seven.	Coach.....	18 0 0	31 Dec. 1880.
48 John Gordon	Lambton	Railway Station, Waratah, and Post Offices, Waratah, Lambton, and Wallsend.	Six	Horseback & coach.	67 0 0	31 Dec., 1880.

(*) Contract cancelled, 30th April, 1879. See Supplementary notice.

(†) Contractor allowed £30 per annum extra to convey mails an additional once a week, from 1 May, 1879:

(‡) Contractor's sureties—Andrew Thomson and Adam Herkes—performed service from 1 September, 1879.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of Termination of Contracts.
Names.	Addresses.					
49 R. J. Fitzgerald...	West Maitland..	Hexham Railway Station and Raymond Terrace. (Mails to be conveyed in one hour and a half.)	Seven ..	Coach, 2 or more horses.	£ s. d. 175 0 0	31 Dec., 1879.
50 John M. Gill	Minmi	Hexham and Minmi	Six	Horseback	52 0 0	31 Dec., 1879.
51 Henry Fry	Paterson	East Maitland, Largs, and Paterson, to travel via Belmore Bridge in times of flood, with a branch mail from and to Largs and Woodville.	Seven	2 or 3-horse coach.	62 0 0	Contract to terminate at 3 months' notice on either side.
52 Sarah Ann Avison, and Thomas Avison.	Buchanan	East Maitland, Buchanan, and Mount Vincent.	Three	Horseback	55 0 0	
53 James Wells	Paterson	Paterson, Vacy, and Gresford	Six	2-horse coach	88 0 0	31 Dec., 1881.
54 James Wells	Paterson	Paterson, Wallarobba, and Dungog	Three	3-horse coach.	80 0 0	31 Dec., 1881.
55 John Turnbull	Lostock	Gresford and Lostock	Three	Horseback	29 15 0	31 Dec., 1881.
56 H. J. Sivyver	Eccleston	Gresford, Lewinsbrook, and Eccleston.	Three	Horseback	59 0 0	31 Dec., 1880.
57 S. Fitzgerald, sen.	West Maitland..	Railway Station, High-street, and Post Office, West Maitland.	Twenty-eight or more.	1-horse mail-cart	49 0 0	31 Dec., 1879.
58 Thos. Johnson, jun	Wollombi	West Maitland, Bishop's Bridge, Cessnock, Millfield, and Wollombi, with branch post to and from Millfield and Ellalong.	Three	Horseback twice a week; and 2-horse coach once a week.	137 10 0	31 Dec., 1881.
59 P. J. Tierney	Rosebrook, West Maitland.	West Maitland, Aberglasslyn, Rosebrook, Lamb's Creek, and Elderslie, along the left bank of the Hunter River, calling at Hillsborough, Irishtown, and Stanhope.	Two	Horseback	80 0 0	31 Dec., 1879.
60 George Sternbeck, junr.	Laguna	Wollombi and Laguna	Three	Horseback	13 0 0	31 Dec., 1880.
61 S. Fitzgerald, sen.	West Maitland..	From Morpeth to Hinton; and from Hinton to Morpeth.	Fourteen Seven...	2 or 4 horse coach or horseback.	70 0 0	31 Dec., 1880.
62 H. S. Carpenter...	Miller's Forest...	Morpeth and Miller's Forest Post Offices (or 1 mile beyond the present site of Miller's Forest Post Office, in case of the removal of that office.)	Six	Horseback	70 0 0	31 Dec., 1879.
63 R. J. Fitzgerald...	West Maitland..	Hinton, Seaham, Clarence Town, Brookfield, and Dungog. (If floods prevent the mails being conveyed between Hinton and Seaham, Contractor must travel via West Maitland and the Belmore and Dunmore Bridges.)	Three	Coach, 3 or more horses or horseback	139 0 0	31 Dec., 1879.
64 C. F. Holmes	Woodside, near Clarence Town.	Clarence Town and Glen William	Three	Horseback	2 0 0	31 Dec., 1879.
65 Sarah Pilbeam	Dungog	Dungog, Bendolba, and Bandon Grove.	Three	Horseback	50 0 0	31 Dec., 1881.
66 John Monaghan	Monkerai	Dungog and Monkerai	One	Horseback	16 0 0	31 Dec., 1879.
67 Robert Kelly	Bendolba	Bendolba and Underbank	Two	Horseback	29 17 0	31 Dec., 1880.
68 Jas. Thompson	Bandon Grove	Bandon Grove and Underbank	One	Horseback	24 0 0	31 Dec., 1880.
69 Donald Titcume	Monkerai	Monkerai and Langworthy's	One	Horseback	18 0 0	31 Dec., 1879.
70 Jas. A. Tulloch	Branxton	Railway Station and Post Office, Branxton.	Fourteen or more.	Horseback	35 0 0	31 Dec., 1880.
71 W. E. Hughes	Branxton	Branxton, Rothbury, and Pokolbin	Three	Horseback	55 0 0	31 Dec., 1879.
72 William Tierney	Elderslie	Branxton and Elderslie	Two	Horseback	25 0 0	31 Dec., 1879.
73 Wm. Claxton, sen.	Lochinvar	Railway Station and Post Office, Lochinvar.	Thirteen or more.	2-horse omnibus.	40 0 0	31 Dec., 1879.
74 Jas. P. Quinn	Singleton	Railway Station and Post Office, Singleton.	Fourteen or more.	Covered conveyance.	35 0 0	31 Dec., 1879.
75 Edward Ball	Warkworth	Singleton, Boggy Flat, Warkworth, and Jerry's Plains, via Thorley's.	Three	Waggonette.	100 0 0	31 Dec., 1880.
76 Timothy Moroney	Broke	Singleton, Vere, and Broke	Three	Horseback	43 0 0	31 Dec., 1881.
77 Hugh M'Gowan	Warkworth	Singleton, Scott's Flat, Sedgfield, Westbrook, and Glendon Brook.	Two	Horseback	46 15 0	31 Dec., 1880.
78 George Crittenden	St. Clair	Singleton, Bridgeman, and St. Clair.	Two	Horseback	40 0 0	31 Dec., 1881.
79 William Harris	Warkworth	Warkworth and The Bulga	Three	Horseback	40 0 0	31 Dec., 1879.
80 John A. Bower	Goorangoola	Bridgeman and Goorangoola	Two	Horseback	28 0 0	31 Dec., 1881.
81 Geo. Wells	Howe's Valley	The Bulga and Howe's Valley	One	Horseback	28 0 0	31 Dec., 1881.
82 Dennis Grant	Camberwell	Glennie's Platform and Post Office, Camberwell. (Contractor to convey the mails arriving by the evening train when the steamer arrives too late at Newcastle for them to be forwarded by the mail train.)	Six	Horseback	34 0 0	31 Dec., 1880.
83 Thos. Linene	Muswellbrook	Railway Station and Post Office, Muswellbrook.	Fourteen or more.	Horseback	50 0 0	31 Dec., 1880.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of Termination of Contracts.
Names.	Addresses.					
* 84 Cobb & Co.	Sydney	Muswellbrook, Denman, Gungal, Merriwa, and Cassilis. (Contractors are required to provide boat at Denman, and to convey an extra mail from Muswellbrook to Denman on Saturdays.)	No. of times per week. Three	2 or 4-horse coach.	£ s. d. 915 0 0	31 Dec., 1880.
85 William Nowland	Wybong	Muswellbrook and Wybong	Two	Horseback	55 0 0	31 Dec., 1881.
86 Thomas F. Guy ...	Kayuga	Muswellbrook and Kayuga	Three	Horseback	18 0 0	31 Dec., 1879.
87 James Parkinson..	Denman	Denman and Kerrabee, via Rosemount, Richmond Grove, and Bellmont.	Three	Horseback	76 0 0	31 Dec., 1881.
(Transferred to Isaac Gallimore from 1 October, 1879.)						
88 James Parkinson..	Denman	Kerrabee and Wollar, via Bylong	Two	Horseback	74 0 0	31 Dec., 1879.
(Transferred to Isaac Gallimore from 1 October, 1879.)						
89 Farquhar M'Donald.	Merriwa	Merriwa and Craeton (M'Rae's, Krui River), via Terragong Mountain Station, Cream of Tartar Creek, and Messrs. Bourke and Simmons' residence.	Two	Horseback	65 0 0	31 Dec., 1880.
90 Thos. Trotter	Cassilis	Cassilis, Turee, and Coolah	Two	Horseback	87 0 0	31 Dec., 1879.
91 Edward Bishop ...	Borambil, via Cassilis.	Cassilis, Uarbry, and Denison Town, via Lamb's, O'Mally's, and Piper's Hotel.	Two	Horseback	100 0 0	31 Dec., 1881.
92 James Lennox ...	Summer Hill, Cassilis.	Cassilis and Wollar	One	Horseback	50 0 0	31 Dec., 1879.
		(Contractor to carry out a twice a week service, if required, at £75 per annum.)				
93 John Higgins, jun.	Coolah	Coolah, Binnaway, and Coonabarabran.	One	Horseback	100 0 0	31 Dec., 1880.
94 R. J. Nowland ...	Gunnedah.....	Coolah, Tambar Springs, and Gunnedah. (Contractor to travel on Wednesdays via Limekiln (Thomson's), Wondobuh, Mellaley, Bando, &c. returning on Saturday by same route, and on Sunday via Black Jack, Basin Plain, Mellaley, Bando, &c., returning by same route.)	Two	Horseback or coach.	225 0 0	31 Dec., 1879.
95 R. J. Nowland ...	Gunnedah	Coonabarabran, Rocky Glen, and Gunnedah, via Clark's Cattle Station, Jackson's Goolhi, and Garrawilli.	Two	2 or more horse coach.	200 0 0	31 Dec., 1881.
96† R. J. Nowland..	Gunnedah	Coonabarabran, Baradine, and Pilliga, via Yarragan, Gorah, Kianbri, Merriwee, Erinbri, Merebene, Wangan, Etoo, and Terembone.	One	2 or more horse coach.	120 0 0	31 Dec., 1881.
97 W. J. Weston, jun.	Cobbora	Denison Town, Bolaro, and Cobbora.	Two	Horseback	63 0 0	31 Dec., 1879.
98‡ Joseph Tripp ...	Aberdeen	Aberdeen and Rouchell Brook ...	One	Horseback	13 0 0	31 Dec., 1880.
99 W. Harper	Scone	Scone, Gundy, and Moonan Brook	Two	Horseback	80 0 0	31 Dec., 1879.
100§ Hugh Eipper ...	Scone	Scone, Bunnau, and Merriwa, via Owen's Gap, Wybong, and Hall's Creek.	One	Coach.....	90 0 0	31 Dec., 1880.
101 Edward Edmonds	Timor	Blandford and Timor (Silver Mines)	One	Horseback	30 0 0	31 Dec., 1880.
102 Geo. Inman, jun.	Murrurundi.....	Railway Station, Murrurundi, and Post Offices, Haydonton and Murrurundi.	Twice a day.	1-horse buggy.	40 0 0	31 Dec., 1879.
103 Hy. Hall.....	Murrurundi.....	Murrurundi, Glasston, Blackville, Yarraman, Bundella, and Tambar Springs. (Contractor to travel by the Black Creek Road as far as what is called the Cattle Creek, following the cattle track to Mr. Glass's head station at Miller's Creek, travelling via M'Donald's Creek (Mrs. Sevil), Taylor's Creek (Holme's), Yarraman Creek, and Philip's Creek (Hook's), Cattle Creek (Darby's), calling at the selector's places on Black Creek, on the road to Blackville)	Two	Horseback	277 0 0	31 Dec., 1880.
104|| R. J. Nowland...	Gunnedah	Willow Tree, Quirindi, Quipolly, Breeza, Gunnedah, Boggabri, and Narrabri; and Tamworth, Somerton, Carroll, and Gunnedah.	Three... Two...	Coach.....	1,900 0 0	31 Dec., 1879.
105 Hugh O'Neile.....	Quirindi	Railway Station and Post Office, Quirindi.	Twelve or more.	Horseback or vehicle.	35 0 0	31 Dec., 1879.
106 Denis J. Hogan...	Wallabadah.....	Quirindi and Wallabadah, via Quirindi Station and Main Road.	Six.....	Horseback	85 0 0	31 Dec., 1879.

(*) Contractors allowed £175 per annum extra to convey mails six times a week between Muswellbrook and Merriwa from 1 July, 1879.

(†) Contract cancelled, 31 March, 1879. (See supplementary notice.)

(‡) Contractor allowed £13 per annum extra, to convey mails an additional once a week, from 16 November, 1879.

(§) Arrangements made with contractor to substitute for this contract a bi-weekly Mail Service between Scone and Bunnau, from 1 July, 1879.

(||) In consequence of the extension of the railway to Quirindi, that portion of contract between Willow-tree Post Office and Quirindi Railway Station cancelled from 13 August, 1879; in consequence of the extension of the railway to Breeza, that portion of contract between Quirindi and Breeza cancelled from 25 March, 1879; and in consequence of the extension of the railway to Gunnedah, that portion of contract between Breeza and Gunnedah cancelled from 11 September, 1879. Communication between Breeza and Gunnedah increased to six times a week, from 25 March, 1879.

Contractors'		Postal Lines	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of Termination of Contracts.
Names.	Addresses.					
107* R. J. Nowland..	Gunnedah	Quirindi Railway Station and Post Offices, Quirindi, Quipolly, Breeza, and Gunnedah.	One	2 or more horse coach.	£ s. d. 287 10 0	31 Dec., 1879.
108 Fredk. Dew	Webland, via Pine Ridge.	Quirindi, Warrah Ridge, (A. Nowland's), Pine Ridge and Colly Blue, via Mooki Springs, Kickerbil, and Webland.	Two	Horseback	90 0 0	31 Dec., 1879.
109 John O'Neill	Walhollow, via Quirindi.	Quirindi, Spring Kidge, and Tallyho, via Walhollow, Darby's Downs, M'Clolland, and Goran Lake.	Two	Horseback	140 0 0	31 Dec., 1881.
110 Edward Swain ...	Ranger's Valley, Wallabadah.	Wallabadah, Davis Town, and Nundle, via Mrs. Cropper's, at Deep Creek, M'Ardle's at Goonoo Goonoo Company's Gate, Ranger's Valley, and Back Creek.	Two	Horseback	120 0 0	31 Dec., 1881.
111 Eugene A. Whelan	Maule's Creek, Boggabri.	Boggabri and Barraba, via Guest's, Chamberland's, Wolfe's, Clifford's, Carter's, Douse's, Harvey's, Eather's, Billecoona, Cox's Station, Fitzgerald's, Leard's, Goldman's, Birreny, Coolah Station (Lloyd's), and Burinda Station (St. Clair's).	One	Horseback	104 0 0	31 Dec., 1879.
112 R. J. Nowland ...	Gunnedah	Narrabri, Wee Waa, Pilliga, and Walgett.	Three ...	Coach, 2 or more horses.	2,200 0 0	31 Mar., 1879.
113 James Woods..... (Transferred to Geo. H. Thorley, from 1 September, 1879.)	Wee Waa.....	Narrabri, Rocky Glen, and Coonabarabran, via Bohemia, Robinson's, Ryan's, Bowle's, Kain's, Cucubi, Pebbles, Borah, Yaminal, Sandbank, Dundy, and Slattery's.	One	Horseback	139 0 0	31 Dec., 1881.
114 R. J. Nowland ...	Gunnedah	Narrabri, Millie, Bumble, and Moree.	Three ...	Coach, 2 or more horses.	800 0 0	31 Dec., 1881.
115 James Ward, senr.	Eulah Creek, Narrabri.	Narrabri and Dunmore's, via Gregory's, Arndell's Farm, Baker's, Billingsley's, Davis's, Capell's, Roache's, Orman's, Stanford's, Pratt's, Sorel's, Thirkettle's, Miller's, and Ward's, Eulah Creek.	One	Horseback	45 0 0	31 Dec., 1880.
116 Geo. H. Thorley	Narrabri	Narrabri and New Oriel, via Clay's, Gundemaine, Cobcroft's, Barker's, Hardy's, Holland's, Wrightman's, Shanahan Walls, Shanahan Hall's, Power's, Wyatt, Bacon, Mitchell, Pallett, Tooladunnah, Boocarroll, The Woodland's, Belarbo, and Nooley Station.	One	Horseback	100 0 0	31 Dec., 1881.
117 C. J. Walker.....	Barraba.....	Narrabri, Eulourie, and Bingera, via Killarney, Edgeroi, Irwin's (Gurly Out-station), Single's, Berrigal (Terri-hi-hi Out-station), Rocky Creek, Pallal, and Derra Derra.	One	Horseback	150 0 0	31 Dec., 1880.
118 George Millar.....	Wee Waa.....	Wee Waa and Baradine, via Coghill, Cubble Yuligle, Cumble, Upper Cumble, and Gibbean.	One	Horseback	100 0 0	31 Dec., 1879.
119 Alexander Cormie	Pilliga	From Pilliga to Capp's, Millie; thence to Bucklebone, Burren, Capel's, and Cryan, returning to Pilliga by the same route.	One	Horseback	84 0 0	31 Dec., 1881.
120 J. T. Rogan	Brewarrina	Walgett, Brewarrina, and Bourke, via Moorabie (to travel once a week on north side of river, via Milrea, Boorooma, Ulah, and Gingi.)	Two	Horseback	439 0 0	31 Dec., 1879.
121 John Doyle.....	Mogil Mogil.....	Walgett, Mogil Mogil, and Mungindie, via Collarenebri and Barrington.	One	Horseback	145 0 0	31 Dec., 1879.
122 R. J. Nowland ...	Gunnedah	Walgett, Currawillinghi, Yarrambah, Goodooga, and Brenda (Tate's Station, Culgoa River), via "Gideon's Inn," Forrester's, on the Barwon and Narran River, and Thorold's, on Bokhara River. (Contractor to travel between Currawillinghi and Goodooga, on south side of the Bokira and Biree Rivers, via the "Finger Post Inn" and Doyle's Station.)	One	Horseback	165 0 0	31 Dec., 1879.
123 R. J. Nowland ...	Gunnedah	Walgett, Goodooga, and Brenda...	One	2 or more horse coach.	350 0 0	31 Dec., 1881.

* In consequence of the extension of the railway to Breeza, that portion of contract between Quirindi and Breeza cancelled from 25 March, 1879. Remaining portion cancelled from 11 September, 1879.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
Names.	Addresses.					
124 R. J. Nowland ...	Gunnedah	Millie and Mogil Mogil, via Bunna Bunna, Munyga, Oriel, Buleori, Colleytudula, Merriwynebone, Pockataroo, Collimungie, and Werribilli. (Contractor to travel by the following route if required, viz., via Bunna Bunna, Buleori, Oriel, Munyga, Burrundoon, Collimungie, and Werribilli.)	One	Horseback	£ s. d. 130 0 0	31 Dec., 1879.
125 E. B. Purser	Moree	Moree, Pallamallawa, and Warialda, via Boolooroo, and Mungie Bundie (McDonald's New Head Station).	Two	Horseback	130 0 0	31 Dec., 1879.
126 R. J. Nowland ...	Gunnedah	Moree and Kunopia, via Bogree, Midkin, Welbon, Garah, and Whalan.	Two	2 or more horse coach.	170 0 0	31 Dec., 1879.
127 R. J. Nowland ...	Gunnedah	Moree and Meroo, via Combadello	Two	Packhorse or 2-horse coach.	120 0 0	31 Dec., 1881.
128 John Doyle.....	Mogil Mogil.....	From Mogil Mogil to Currawillinghi, via Bagot's, Medicott's, Brown's, and Hill's Stations, returning from Currawillinghi to Mogil Mogil, via Bloxson's.	One	Horseback	99 0 0	31 Dec., 1879.
129 Frederick Moody	Myall Plain, Kunopia.	Kunopia and Mungindi, via Graman, Colunah, Champain's, and Myall Plain.	One	Horseback	80 0 0	31 Dec., 1880.
130 R. Dowding	Goondawindi ...	Kunopia and Goondawindi	One	Horseback	69 0 0	31 Dec., 1879.
131 R. J. Nowland ...	Gunnedah	Garah and Mungindi	Two	2 or more horse coach.	125 0 0	31 Dec., 1879.
132 John Holcombe...	Goonoo Goonoo..	Currabubula and Goonoo Goonoo. (Contractor to carry out a service to and from the proposed Railway Platform, at 171 miles north (North Currabubula) and Goonoo Goonoo, if required, for £80 per annum.)	Six.....	Horseback	100 0 0	31 Dec., 1879.
133 Alex. McClelland	Nundle	Tamworth, Dungowan, Woolloomon, Bowling Alley Point, Nundle, and Hanging Rock, via Mount Pleasant.	Three.....	Horseback and by coach when necessary.	227 10 0	31 Dec., 1881.
134 Geo. Wilkinson & A. L. Bowden.	Tamworth	Tamworth, Attunga, Manilla, Upper Manilla, Barraba, Cobbadah, Bingera, and Warialda, via Barker's, North Bingera.	Two.....	Coach, 2 horses.	745 0 0	31 Dec., 1879.
135 Geo. Wilkinson & A. L. Bowden.	Tamworth	Tamworth, Attunga, Manilla, Upper Manilla, Barraba, Cobbadah, Bingera, and Warialda, via Barker's, North Bingera.	One	Horseback	250 0 0	31 Dec., 1879.
136 *Thomas Bridges..	Moor Creek	Tamworth and Moor Creek	One	Horseback	26 0 0	31 Dec., 1879.
137 C. J. Walker.....	Barraba.....	Barraba and Moree, via Tareela, Mount Lindsay, Currangandi, Ullebarella, Eulourie, Pallal, Derra, Banghet, Ginerol, Gravesend, Binnigi, and Baldwin's.	One	Horseback	120 0 0	31 Dec., 1880.
138 E. B. Purser	Moree	Barraba, Cobbadah, and Moree via Crawley's station, Currangandi, Ullebarella, Eulourie, Rocky Creek, Terri-hi-hi, and Ticanna.	One	Horseback	100 0 0	31 Dec., 1879.
139 Thomas Parkinson	Inverell.....	Bingera, Little Plain, and Inverell	One	Horseback	79 0 0	31 Dec., 1881.
140 William Brown ...	Keira, via Bingera.	Bingera and Bundarra, via Coorangoora, Keira, Beverley, and Long Reach.	One	Horseback	80 0 0	31 Dec., 1879.
141 Geo. S. Hope.....	Rothbury.....	Warialda, Yetman, Boggabilla, and Goondawindi, via Gournama and Wallangra.	Two	Horseback	230 0 0	31 Dec., 1881.
142 George Wilkinson	Tamworth	Warialda, Boggabilla, and Goondawindi, via Oragon, Gunyerwarildi, Yalaroi, Tooloona, and Coppermarenbillen.	One	Horseback	122 10 0	31 Dec., 1880.
143 John Crane	Warialda	Warialda, Boggabilla, and Goondawindi, via Oragon, Gunyerwarildi, Yalaroi, Tooloona, Coppermarenbillen, and New Gunyerwarildi.	One	Horseback	115 0 0	31 Dec., 1880.
144 Martin Fitzgerald	Keepit	Somerton and Keepit.....	Two	Horseback	60 0 0	31 Dec., 1881.
145 Lloyd M'Ginty...	Bendemeer	Bendemeer and Walcha; and Walcha and Glen Morrison.	Two	Horseback	139 0 0	31 Dec., 1880.
			One			
146 William Osborne	Stanborough ...	Stanborough and Tingha	Three	Horseback	45 0 0	31 Dec., 1879.
147 Thos. Parkinson	Inverell	Inverell and Warialda, via Banockburn, Piersby Hall, Reedy Creek, Gragin, and Myalla.	Two	Horseback	169 0 0	31 Dec., 1879.
148 Patk. Wade	Armidale	Inverell, Bukkulla, Ashford, and Bonshaw, via Byron (contractor to travel once a week via Edgerton).	Two	Horseback	195 0 0	31 Dec., 1879.

* Contractor allowed £12 to convey mails once a week extra from 1 June to 31 December, 1879.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.	
Names.	Addresses.						
149	Thos. S. Morgan	Tenterfield	Bonshaw and Tenterfield, via Clifton Station, Mole Station, and the south side of the Severn River.	No. of times per week. Two	Horseback	£ s. d. 140 0 0	31 Dec., 1879.
150	Robert White	Texas, Queensland ..	Bonshaw and Texas (Queensland)	One	Horseback	40 0 0	31 Dec., 1880.
151	R. C. Smith	Armidale	Armidale and Uralla; and Uralla, Salisbury Plains, and Walcha.	One	2-horse coach.	82 0 0	31 Dec., 1879.
152	*Cobb & Co.	Sydney	Armidale, Guyra, Falconer, and Glen Innes, via Ben Lomond, with a branch mail from Armidale to Puddledock three times a week.	Two			
153	†Wm. Diamond	Armidale	Armidale and Bundarra	Two	Horseback	160 0 0	31 Dec., 1880.
154	‡Gabriel Nixon, jr.	Armidale	Armidale and Oban, via Guyrah, Rock Vale, Aberfoil, and Ward's Mistake head station.	Two	Horseback	140 0 0	31 Dec., 1880.
155	§Patk. Wade	Armidale	Armidale, Wandsworth, Kangaroo Camp, Elsmore, and Inverell, via Eversleigh, Ollera, Moredon, Paradise Creek, and Newstead.	Three	Horseback	450 0 0	31 Dec., 1880.
156	Joseph M. M'Naugh. (Transferred to John Barrie from 1 May, 1879.)	Kempsey	Armidale and Kempsey, via Toorookoo, Nulla Nulla, Peedre Creek, Towel Creek, Long Flat, Giogla, Wollumbic, and Hillgrove.	One	Horseback	95 0 0	31 Dec., 1879.
157	¶John S. Williams	Grafton	Armidale and Grafton, via Gara Station.	One	Horseback	150 0 0	31 Dec., 1881.
158	Jas. M'Crossin	Uralla	Uralla and Rocky River	Three	Horseback	20 0 0	31 Dec., 1879.
159	Cobb & Co.	Sydney	Glen Innes, Dundee, Deepwater, Tenterfield, Wilson's Downfall, Amosfield, and Maryland.	Three	2 or 4 horse coach.	1,700 0 0	31 Dec., 1879.
160	†Patk. Wade	Armidale	Glen Innes, Clarevaux, and Wellingrove.	Two			
			Wellingrove, Swanbrook, and Inverell, via King's Plains.	One	Horseback	158 0 0	31 Dec., 1879.
			Wellingrove, Swanbrook, and Inverell, via Waterloo.	One			
161	Cobb & Co.	Sydney	Glen Innes, Y. Water, and Vegetable Creek.	Three	2 or 4 horse coach.	200 0 0	31 Dec., 1880.
162	Jas. Braham	Glen Innes	Glen Innes, Dalmorton, South Grafton, and Grafton, via Shambigne, Buccarimbi, Broad Meadows, Newton Boyd, and the Big Hill.	Two	Coach	500 0 0	31 Dec., 1879.
163	**Jeremiah Ladri-gan	Red Range via Glen Innes	Glen Innes and Red Range	One	Horseback	18 4 0	31 Dec., 1881.
164	John Kiernen	Deepwater	Deepwater, Tableland, and Silent Grove, via Nine-mile.	One	Horseback	52 0 0	31 Dec., 1879.
165	William Krauss	Wellingrove	Wellingrove and Vegetable Creek, via Strathbogie.	One	Horseback	48 0 0	31 Dec., 1879.
166	Kenneth M'Kenzie	Tent Hill	Vegetable Creek and Tent Hill ...	Three	Horseback	38 0 0	31 Dec., 1880.
167	James Devlin	Glen Innes	Vegetable Creek and The Gulf ...	One	Horseback	52 0 0	31 Dec., 1879.
168	††Thos. S. Morgan	Tenterfield	Tenterfield, Timbarra (Commissioner's Camp), Lunatic Reefs, Tabulam, Copmanhurst, and Grafton, calling at Eatonswill, Smith Flat, Newbold Grange Station, the new Copper Mines, Gordon Brook, Yulgilbar, Drake, Darcy's public-house, and Barney Down Station (in times of flood to travel by the surveyed road).	Two	Horseback	250 0 0	31 Dec., 1880.
169	T. Walsh	Casino	Tabulam and Toooloom	One	Horseback	40 0 0	31 Dec., 1879.
170	John Rush	Iluka	Clarence River Steamers, and Post Office, Iluka, as required to meet steamers that arrive and depart or that pass up and down the river; and Post Offices, Iluka and Clarence River Heads.	Two	Boat and horseback.	102 0 0	31 Dec., 1879.
171	John Lang	Woodburn	Iluka, Woodburn, Wyrallah, Gundurimba, and Lismore. (Contractor to convey mails to and from Selman's Sawmills, North Arm, Clarence River, instead of Iluka, on 3 months notice being given by the Postmaster-General, and to be paid at the rate of £185 per annum only for such service).	Two			

* A deduction of £30 per annum made from this contract in consideration of Contractors being relieved of the conveyance of the branch mails to and from Puddledock, from 1 April, 1879.

† Contract cancelled 30 April, 1879. (See Supplementary Notice.)

‡ Contractor allowed £40 per annum extra to travel once a week via Coningdale, Kilcoy on the Chandler, Camperdown and Aberfoil, from 1 April, 1879.

§ Contractor allowed £225 per annum extra to convey Monday's mails by coach from Armidale to Kangaroo Camp by main road, calling at Booroolong and Ollera, leaving main road at Kangaroo Camp and travelling via Tingha, Cope's Creek Station, and Gilgai to Inverell; also to dispatch a mail on horseback from Wandsworth to Inverell via Moredon, Paradise Creek, Newstead, and Elsmore, returning by the same route to meet the coach at Wandsworth on its way to Armidale, from 5 May, 1879; also allowed £10 per annum extra to call at Gilgai (Greer's), between Tingha and Inverell, from 16 November, 1879.

¶ Contractor's sureties—W. J. Hyde and T. Dellow—performed service from 22 July, 1879.

‡ Contractor allowed £25 per annum extra to travel via Weaver's Sheep Station, Nullamanna, A. M'Leod's and Brown's, from 16 April, 1879.

** Contract cancelled 20 May, 1879. (See Supplementary Notice.)

†† Contractor allowed £20 per annum extra to travel between Sandy Creek (Darcy's) and Tabulam via Boorook and Drake instead of via Drake and Lunatic Reefs, from 1 April, 1879; also allowed £5 per annum extra in consequence of the removal of the Copmanhurst Post Office, from 1 September, 1879.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.	
Names.	Addresses.						
172	John Lang	Woodburn	Woodburn, Kilgin, Broadwater, East Wardell, Wardell, and Ballina, via Green's.	Two	Boat	£ 96 0 0	31 Dec., 1881.
173	John Lang	Woodburn	Woodburn, Swan Bay, Coraki, Codrington, Tatham, and Casino.	Two	Horseback	90 0 0	31 Dec., 1881.
174	*E. W. Stocks	Alstonville	Wardell and Alstonville	Two	Horseback	41 2 6	31 Dec., 1880.
175	Charles Sanders	North Grafton	Steamers' Wharf, Grafton, and Post Office, Grafton, on arrival and departure of steamers.		Horseback and cart.	35 0 0	31 Dec., 1881.
176	James Bryce (Transferred to David Laird from 1 July, 1879.) (Transferred to James Mitchell from 1 December, 1879.)	Lionsville	Grafton and Lionsville. (Contractor to travel by the new line of road.)	One	Horseback	70 0 0	31 Dec., 1881.
177	Joseph Hann	Grafton	Grafton and Lawrence	Two	Horseback	75 0 0	31 Dec., 1879.
178	John R. Snodgrass	South Grafton	Grafton, South Grafton, Upper Kangaroo Creek, and Fernmount, via Kangaroo Creek Station, Mrs. Burns', and Glenreagh.	One	Horseback	124 0 0	31 Dec., 1881.
179	John Murphy	Grafton	Grafton and Southgate	Two	Horseback	24 0 0	31 Dec., 1879.
180	†William Drury	Casino	Lawrence, Casino, and Lismore	Two	4-horse coach.	180 0 0	31 Dec., 1881.
181	Thos. Jordan	Deep Creek, Tabulam.	Lawrence and Tabulam	One	Horseback	68 0 0	31 Dec., 1880.
182	Thos. Walsh	Casino	Casino and Tabulam, via Wooroolgin, Dyrnaba, and Sandiland.	One	Horseback	34 0 0	31 Dec., 1879.
183	‡William C. Grady	Casino	Casino and Unumgar (Sherwood's Station.)	One	Horseback	36 0 0	31 Dec., 1879.
184	Charles Barry	Tirrania	Lismore and Kynnumboon or Murwillumbah.	One	Horseback	98 0 0	31 Dec., 1881.
185	John Walsh	Tunstal, via Lismore.	Lismore and Tirrania	One	Horseback	11 0 0	31 Dec., 1881.
186	John L. Vesper	Casino	Lismore, Wollongbar, Alstonville, and Ballina.	One	Horseback	45 0 0	31 Dec., 1881.
187	Jas. Cox	Casino	Kynnumboon or Murwillumbah and Tweed Junction.	Three	Horseback or boat.	65 0 0	31 Dec., 1881.
188	William Shaw	Ballina	Tweed Junction and Tweed Heads, via Cudgen (Boyd's).	One	Boat	52 0 0	31 Dec., 1880.
189	Michael Rush	Rocky Mouth	Rocky Mouth and Chatsworth Island, on the days that the Grafton Steamers from Sydney arrive at Rocky Mouth.		Boat	39 15 0	31 Dec., 1879.
190	Alex. Campbell	Brush Grove	Brush Grove and Broadmouth Creek.	Two	Horseback	24 0 0	31 Dec., 1879.
SUBURBAN LINES.							
1	§Wm. Harmer	Watson's Bay	General Post Office, Sydney, and Watson's Bay.	Twelve	Steamer	60 0 0	31 Dec., 1879.
2	Charles Howe	Botany	General Post Office, Redfern Branch Post Office, Waterloo, Botany Road and Botany.	Twelve	Mail-cart or on horseback.	105 0 0	31 Dec., 1881.
3	Fitzwilliam H. Eyre.	Bankstown	General Post Office, Camperdown, Annandale, Ashfield, Enfield, DrUITT Town, Bark Huts, Bankstown, and Upper Bankstown.	Six	Omnibus, 3 horses.	75 0 0	31 Dec., 1881.
4	Wm. Lowe	Kogarah	General Post Office, Macdonald Town, St. Peter's, and Tempe; and Tempe, Arncliffe, Kogarah, and Gannon's Forest.	Twelve Six	} 2-horse car. }	90 0 0	31 Dec., 1881.
5	James Challinor	Coogee	General Post Office, Randwick and Coogee.	Twelve				1 or 2 horse conveyance.	80 0 0	31 Dec., 1880.
6	Edward M'Namara	108, Dowling-street, Sydney.	General Post Office, Sydney and Wharfs, on arrival and departure of English mails.		Springvans and drays.	80 0 0	Contract to terminate at one month's notice on either side.

* Contractor allowed £3 17s. 6d. per annum extra to travel via Dalwood, Richmond River, from 16 September, 1879.

† In consequence of contractor's default arrangements made with J. L. Vesper to perform the service from 22 April to 30 June at £200 per annum. Contractor's sureties—J. Jordan and T. M'Fadden—performed the service from 1 to 21 July, 1879. Arrangements made with J. L. Vesper to perform the service from 22 July to 14 October, 1879, at £275 per annum. Contract cancelled 14 October, 1879. (See Supplementary Notice.)

‡ Contractor's sureties—M. M. Campbell and T. M'Fadden—performed service from 1 January, 1879.

§ Contractor allowed £00 per annum extra to convey a mail from Watson's Bay to Sydney at 3 p.m., daily, from 1 July, 1879.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails, from the 1st February, 1879.

Nos.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Dates of termination of Contracts.
	Names.	Addresses.					
139	Charles Orchard	South Bowenfells	WESTERN ROAD. Bowenfells and South Bowenfells.	No. of times per week. Six	Horseback	£ s. d. 35 0 0	1879. 31 Dec.
*140	Cornelius Flynn	Mandurama	Mandurama and Walli, via Egan's and Cliefden.	Two	Horseback	29 10 0	31 Dec.
*177	William Napier	Joadja Creek	SOUTHERN ROAD. Mittagong and Joadja Creek..	Two	Horseback	20 0 0	31 Dec.
*178	Michael Phelan	Mount Airy, Murraguldrrie.	Murraguldrrie and Carbost, via Humula and the American Yards.	Two	Horseback	24 0 0	31 Dec.

*New lines.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 1st February, 1879.

No.	Contractor's		Postal Line.	Frequency of Communication.	Mode of Conveyance.	Annual amount payable to Contractor.	Date of termination of Contract.
	Name.	Address.					
141	J. A. M'Namara	Carinda	WESTERN ROAD. Quambone and Carinda, via M'Quade's and Flynn's Stations.	No. of times per week. Two	Horseback	£ s. d. 100 0 0	1880. 31 Dec.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails, from the 1st March, 1879.

Nos.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual amount payable to Contractors.	Dates of termination of Contracts.
	Names.	Addresses.					
*179	Cobb & Co.	Sydney	SOUTHERN ROAD. Little Billabong, Carabost, and Tumberumba.	No. of times per week. Two	Coach	£ s. d. 130 0 0	1879. 31 Dec.
*191	William Stevens	Hanging Rock	NORTHERN ROADS. Hanging Rock and Glen Morrison, via Callaghan's Swamps and Inglebar.	One	Horseback	60 0 0	31 Dec.
*192	James Dodds	Scone	Scone and Woodlands, via Margin's and Thornthwaite.	One	Horseback	24 0 0	31 Dec.
*†193	Thomas J. Hughes	Tamworth	Railway Station and Post Office, Tamworth.	Seven or more.	2-horse coach.	52 0 0	1881. 31 Dec.

*New line. † Contract cancelled 14th July, 1879. See particulars of contract commencing 15th July, 1879.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 1st April, 1879.

No.	Contractor's		Postal Line.	Frequency of Communication.	Mode of Conveyance.	Annual amount payable to Contractor.	Date of termination of Contract.
	Name.	Address.					
*112	R. J. Nowland	Gunnedah	NORTHERN ROAD. Narrabri, Wee Waa, Pilliga, and Walgett.	No. of times per week. Three	2 or more horse coach	£ s. d. 2,266 13 4	1879. 31 Dec.

* In lieu of No. 112, Northern Road, in general list.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails, from the 1st April, 1879.

Nos.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Dates of termination of Contracts.
	Names.	Addresses.					
*142†	Arthur Powell	Kurrajong Heights.	WESTERN ROAD. Kurrajong and Kurrajong Heights.	No. of times per week. Six	Horseback	£ s. d. 39 0 0	1879. Contract to terminate at one month's notice on either side.
‡180	John Saunders, junr.	Wilcannia	SOUTHERN ROADS. Gnalta and Mount Poole, via Noontharingie, Wonominta, Mordern, Cobham Lake, Coelly, and Sturt's Depôt Glen.	One	Horseback	350 0 0	31 Dec.
‡181§	Samuel M'Lauchlan	Jereelderie	Deniliquin and Cochran Creek, via Cobran and North Wakool.	One	Horseback or 1-horse conveyance.	90 0 0	1881. 31 Dec.

* New arrangement.

† Contract cancelled, 31st December, 1879.

‡ New line.

§ Contract cancelled, 31st May, 1879. (See list of contracts commencing 1st June, 1879.)

§ Contract cancelled, 31st May, 1879. (See list of

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 1st April, 1879.

No.	Contractor's		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractor.	Date of termination of Contract.
	Name.	Address.					
*96	R. J. Nowland	Gunnedah	NORTHERN ROAD. Coonabarabran, Baradine, and Pilliga, via Yarragan, Gorah, Kianbri, Merriwee, Erinbri, Merbone, Wangan, and Etoo.	No. of times per week. One	2 or more horse coach.	£ s. d. 120 0 0	1881. 31 Dec.

* In lieu of No. 96, Northern Road, in general list.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 15th April, 1879.

No.	Contractor's		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contract.
	Names.	Address.					
*145	Z. and S. Burton	Wentworth	SOUTHERN ROAD. Hay, Maude, Oxley, and Balranald; and Hay, Maude, Oxley, and Balranald, via Gilam.	No. of times per week. One	Horseback.	£ s. d. 338 0 0	1879. 31 Dec.

* In lieu of No. 145, Southern Road, in general list.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 22nd April, 1879.

No.	Contractor's		Postal Line.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractor.	Date of termination of Contract.
	Name.	Address.					
*144	William M'Cullough	Curraweela	WESTERN ROAD. Taralga and Curraweela	No. of times per week. One	Horseback	£ s. d. 19 0 0	1880. 31 Dec.

* Additional communication.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails, from the 1st May, 1879.

Nos.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Dates of termination of Contracts.
	Names.	Addresses.					
*194	Patrick O'Leary	Cooranbong	NORTHERN ROADS. Wallsend and Cooranbong	No. of times per week. One	Horseback	£ s. d. 20 0 0	1880. 31 Dec.
†153	William M. Stevenson ...	Armidale	Armidale and Bundarra	Two	Horseback	120 0 0	31 Dec.
‡ 14	H. G. Tuck and H. J. Adams.	West Maitland..	Stroud, Langworthy's, Ward's River, and Gloucester; and Gloucester, Tinonee, and Taree (Contractors to convey extra mails by other than mail coaches between Raymond Terrace and Gloucester if required.)	Four	} 2-horse coach.	897 0 0	1881. 31 Dec.
				Three ...			

* Re-established line. † In lieu of No. 153, Northern Road, in general list. ‡ In lieu of No. 14, Northern Road, in general list.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 20th May, 1879.

No.	Contractor's		Postal Line.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractor.	Date of termination of Contract.
	Name.	Address.					
*163	Thomas L. Ballard.....	Red Range	NORTHERN ROAD. Glen Innes and Red Range ...	No. of times per week. One	Horseback	£ s. d. 20 0 0	1879. 31 Dec.

* In lieu of No. 163, Northern Road, in general list.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 21st May, 1879.

No.	Contractor's		Postal Line.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractor.	Date of termination of Contract.
	Name.	Address.					
*195	Edward Taylor	Back Creek	NORTHERN ROAD. Back Creek and Copeland (Rainbow.)	No. of times per week. Three	Horseback	£ s. d. 18 0 0	Contract to terminate at one month's notice on either side.

* New line. Contract cancelled 20th June, 1879. See particulars of contract commencing 21st June, 1879.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails, from the 1st June, 1879.

Nos.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Dates of termination of Contracts.
	Names.	Addresses.					
*143	Joseph Yeomans	Bathurst	WESTERN ROADS. Bathurst and White Rock ...	No. of times per week. Six	Horseback	£ s. d. 50 0 0	1879 31 Dec.
*182	Thomas Dawson	Mount Hunter Creek	SOUTHERN ROADS. Camden and Mount Hunter Creek (Westbrook).	Three	Horseback	40 0 0	31 Dec. 1881.
+181	Edward H. Powell	Jereelderie	Deniliquin and Cochran Creek, via Cobran and North Warkool.	One	Horseback	94 10 0	31 Dec.
*183	Robert Gildea	Cobargo	Cobargo and Wandella	Two	Horseback	15 0 0	1879. 31 Dec.
‡184§	J. R. Battye	Burrawang	Moss Vale, Burrawang, and Robertson.	Three	Horseback	75 0 0	1881. 31 Dec.
*185||	John Wilson	Kiama	Robertson, Jamberoo, and Kiama.	Six	Horseback	114 10 0	31 Dec.

* New line. † In lieu of No. 181, Southern Road, in list of contracts, commencing 1st April, 1879. ‡ Additional communication.
§ Contractor allowed £15 per annum extra, to execute bond compelling him to travel via Burrawang, such route not being specified in his tender, from 6th August, 1879. || Contract cancelled 14th October, 1879. See list of contracts, commencing 15th October, 1879.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 16th June, 1879.

No.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractor.	Date of termination of Contract.
	Name.	Address.					
*189	William Goodrich	Clifton	SOUTHERN ROAD. Bulli and Clifton	No. of times per week. Six	Horseback	£ s. d. 45 0 0	1881. 31 Dec.

* New line.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 21st June, 1879.

No.	Contractor's		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractor.	Date of termination of Contract.
	Name.	Address.					
*195	Christopher M'Intyre	Copeland North..	NORTHERN ROAD. Copeland North and Copeland South.	No. of times per week. Three	Horseback	£ s. d. 24 0 0	Contract to terminate at one month's notice on either side.

* In lieu of No. 195, Northern Road, in list of Contracts commencing 21st May, 1879. Contract cancelled 31st December, 1879.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails, from the 1st July, 1879.

Nos.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Dates of termination of Contracts.
	Names.	Addresses.					
*145	Joseph Lye	Montefiores	WESTERN ROAD. Wellington, Montefiores, and Comobella. (Contractor to convey mails twice a week if required for the sum of thirty-five pounds (£35) per annum).	No. of times per week. One	Horseback	£ s. d. 25 0 0	1880. 31 Dec.

* New line.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails, from the 1st July, 1879—*continued.*

Nos.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual amount payable to Contractors.	Dates of termination of Contracts.
	Names.	Addresses.					
*186	James Milner	Belmore.....	SOUTHERN ROAD. Canterbury and Belmore	No. of times per week. Three.....	Horseback	£ s. d. 12 0 0	1879. 31 Dec.
*187	Thomas C. M'Guire..... (Transferred to A. W. Robertson and J. Wagner, from 1 July, 1879.)	Hay	Hay and Gunbar	One	Two-horse coach.	79 0 0	1881. 31 Dec.
*188	Thomas Roche.....	Blakney Creek ...	Dalton and Blakney Creek (Mr. Roche's) via Byrneville.)	One	Horseback	26 0 0	1879. 31 Dec.
†196	William Wheeler.....	Quipolly	NORTHERN ROAD. Railway Station and Post Office, Quipolly.	Two	Horseback	24 0 0	1880. 31 Dec.

* New line. † New arrangement.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 15th July, 1879.

No.	Contractor's		Postal Line.	Frequency of Communication.	Mode of Conveyance.	Annual amount payable to Contractor.	Date of termination of Contract.
	Name.	Address.					
*193	Charles White.....	Tamworth	NORTHERN ROAD. Railway Station, Tamworth, and Post Offices, West Tamworth and Tamworth.	No. of times per week. Seven or more.	Two-horse spring van.	£ s. d. 50 0 0	1880. 31 Dec.

* In lieu of No. 103, Northern Road, in list of Contracts, commencing 1st March, 1879.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 16th July, 1879.

No.	Contractor's		Postal Line.	Frequency of Communication.	Mode of Conveyance.	Annual amount payable to Contractor.	Date of termination of Contract.
	Name.	Address.					
*192	William Crain	Mount Adrah ...	SOUTHERN ROAD. Adelong and Mount Adrah ...	No. of times per week. One	Horseback	£ s. d. 35 0 0	1879. 31 Dec.

* New line.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails, from the 1st August, 1879.

Nos.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual amount payable to Contractors.	Dates of termination of Contracts.
	Names.	Addresses.					
*190	Andrew Robertson.....	Greenwell Point	SOUTHERN ROADS. Pyree and Greenwell Point ...	No. of times per week. Six.....	Horseback	£ s. d. 26 0 0	1880. 31 Dec.
*191	John Hopkins	Eden	Eden and Timbilica (Mr. R. Allens).	One	Horseback	45 0 0	31 Dec.
†197	Richard Porter, jun.	Gordon	NORTHERN ROADS. St. Leonards, Chatswood, Gordon, and Hornsby.	Six.....	Horseback	80 0 0	1880. 31 Dec.
†1	C. C. Fagan.....	Gosford.....	Sydney, St. Leonards, Chatswood, Gordon, Hornsby, Peate's Ferry, and Gosford.	One	Horseback	200 0 0	31 Dec.
*198	John Higgins	Copeland North	Copeland North and Bowman (Contractor to travel via the right hand Branch Machine, if required.)	Two	Horseback	49 10 0	1881. 31 Dec.
*199	Rock Davis (transferred to C. E. Jeanneret, from 16 October, 1879.)	Blackwall.....	Manly, Blackwall, Kincumber, and Gosford (the mails to be conveyed between Manly and the head of Pitt Water, by a two-horse waggonette, and between the head of Pitt Water and Gosford, by a screw steamer. In the event of bad weather preventing the steamer from crossing the bar, contractor is required to convey the mails on horse- back between Gosford and Patonga on the same day as despatched from Manly or Gosford).	Two	Two-horse waggonette and steamer.	220 0 0	1880. 31 Dec.

* New line. † Additional communication. ‡ In lieu of No. 1, Northern Road, in general list.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails, from the 1st September, 1879.

Nos.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Dates of termination of Contracts.
	Names.	Addresses.					
*193	Francis J. Lawliss	Gunning	SOUTHERN ROAD. Railway Station, Gunning, and Post Offices Gunning and Lower Gunderoo. (Contractor to carry out the service by a two-horse coach, if required, for the sum of ninety-five pounds (£95) per annum.	No. of times per week. Three	Horseback	£ s. d. 75 0 0	1879. 31 Dec.
†194	Finton Dunphy	Wagga Wagga...	Wagga Wagga Post Office and Travelling Post Office, Railway Station, South Wagga.	Six or more	2-horse coach.	51 0 0	Contract to terminate at one month's notice on either side.

* Additional communication.

† New Line.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 1st October, 1879.

No.	Contractor's		Postal Line.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contract.
	Names.	Address.					
*200	Cobb & Co.	Sydney	NORTHERN ROAD. Glen Innes, Dundee, Deepwater, and Tenterfield.	No. of times per week. Three	2 or 4 horse coach.	£ s. d. 475 0 0	1879. 31 Dec.

* Additional communication.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 1st October, 1879.

No.	Contractor's		Postal Line.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractor.	Date of termination of Contract.
	Name.	Address.					
*201	Patrick Wade	Armidale	NORTHERN ROAD. Armidale and Puddledock	No. of times per week. One	Horseback	£ s. d. 20 0 0	1881. 31 Dec.

* New Line.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails, from the 15th October, 1879.

Nos.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Dates of Termination of Contracts.
	Names.	Addresses.					
*185	T. J. Cosgrove, jun.	Moss Vale	SOUTHERN ROADS. Robertson, Jamberoo, and Kiama.	No. of times per week. Six	Horseback	£ s. d. 185 0 0	1881. 31 Dec.
‡24	George Thomson.....	Nowra	Moss Vale, Barren Ground, Barren-garry, Kangaroo Valley, Cambewarra, Bomadary, and Nowra, via the Bomadary Ferry.	Six	Coach when practicable otherwise on horseback.	415 0 0	31 Dec.
‡180	Alfred C. Simpson.....	Casino	NORTHERN ROADS. Lawrence, Casino, and Lismore.	Two	Two-horse coach.	273 0 0	31 Dec.
§202	Irvine Coulter.....	Gosford.....	Gosford and Kincumber	One	Horseback	12 10 0	31 Dec.

* In lieu of No. 185 Southern Road, in general list of contracts, commencing 1 June, 1879.

‡ In lieu of No. 180 Northern Road in general list.

† In lieu of No. 24 Southern Road, in general list.

§ Re-established line.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 1st November, 1879.

No.	Contractor's		Postal Line.	Frequency of Communication.	Mode of conveyance.	Annual Amount payable to Contractor.	Date of termination of Contract.
	Name.	Address.					
*203	George Newman.....	Scone.....	NORTHERN ROAD. Railway Station and Post Office, Scone.	No. times of per week. Fourteen or more.	One-horse vehicle.	£ s. d. 25 0 0	1881. 31 Dec.

* New arrangement.

MONEY ORDERS.

RETURN showing the Number and Amount of Money Orders issued and the Number and Amount of Money Orders paid at each Office in the Colony of New South Wales, during the year 1879.

Name of Office.	Orders issued.		Orders paid.		Name of Office.	Orders Issued.		Orders Paid.	
	Number.	Amount.	Number.	Amount.		Number.	Amount.	Number.	Amount.
Sydney (C.O.)	17,657	£ 71,947 0 4	75,248	£ 275,186 8 3	Coonamble	692	2,468 16 8	189	£ 678 2 10
Aberdeen	167	486 5 10	48	168 2 6	Cooranbong	214	659 2 3	45	223 7 3
Adaminaby	410	1,172 2 0	55	238 0 0	Copeland N.	937	3,156 1 2	629	3,028 16 8
Adelong	686	2,294 0 9	292	1,011 3 9	Coraki	162	515 13 10	27	112 0 6
Albury	806	2,244 5 9	802	2,741 8 0	Cootamundra	947	2,842 8 8	304	1,056 14 11
Amosfield	13	48 14 0			Corowa	208	667 6 9	198	655 3 6
Anvil Creek	501	1,903 1 10	162	558 14 11	Cow Flat	107	348 15 4	71	352 12 4
Appin	118	430 0 2	31	119 14 1	Cowra	505	1,681 13 9	140	625 18 1
Arakoon	79	274 5 1	5	15 10 0	Crookwell	301	857 18 10	38	156 6 3
Araluen	402	1,047 19 11	243	653 17 1	Cundletown	260	974 17 3	56	221 13 9
Armidale	1,181	4,424 13 2	612	2,119 6 0	Currabubula	103	280 11 5	13	47 16 10
Ashfield	236	641 2 4	245	898 11 5	Currawang	71	194 7 6	100	541 9 6
Ashford	51	170 12 11	9	28 7 4	Dalmorton	71	317 16 0	9	39 8 0
Avisford	25	28 4 6	9	18 15 0	Dandaloo	86	462 8 5	4	21 0 0
Ballina	390	1,586 2 2	69	321 0 3	Dapto	46	131 7 2	13	30 4 7
Balmain	645	1,964 3 11	955	3,546 14 8	Delegate	161	519 0 4	13	70 13 3
Balranald	524	2,204 12 5	128	574 13 6	Deniliquin	803	2,151 2 2	559	1,953 10 7
Baradine	166	417 18 11	17	80 16 10	Denman	238	599 1 0	79	301 3 3
Barraba	398	938 8 4	53	177 12 9	Dight's Forest	55	152 13 11	5	25 3 0
Batemans Bay	447	1,704 14 5	87	531 17 1	Dubbo	1,237	4,184 15 4	668	2,237 15 2
Bathurst	2,447	8,034 1 0	2,921	9,709 6 8	Dundee	40	86 10 8	25	107 7 11
Bega	977	3,735 6 4	400	1,456 10 9	Dungog	412	1,303 8 8	118	436 12 0
Bendemeer	357	1,407 18 3	38	144 13 4	East Maitland	781	2,562 8 4	624	2,494 8 0
Berrima	315	777 16 5	126	320 3 0	Eauabalong	98	424 6 0	13	30 13 0
Binalong	410	1,218 13 3	37	142 19 10	Eden	521	3,108 5 2	68	233 13 11
Bingera	466	1,616 0 0	116	512 14 7	Emu	56	177 6 11	76	232 8 11
Blackville	114	293 14 7	5	6 12 6	Euston	276	1,492 8 11	22	67 10 6
Blayney	588	1,986 0 11	221	912 6 2	Fermount	330	1,212 5 2	64	480 11 3
Bodalla	222	579 16 10	39	155 11 9	Forbes	1,193	4,257 5 8	511	1,864 4 3
Boggabri	396	1,073 0 9	65	277 1 11	Forest Reefs	85	251 14 7	30	153 18 9
Bombala	709	2,353 16 0	224	689 12 9	Frogmore	287	975 10 1	45	195 1 4
Booligal	182	599 7 6	47	228 7 4	Garden Palace	21	69 10 0		
Boorook	71	267 14 8	9	39 5 6	Gagedzerick	61	148 14 8	4	11 17 0
Botany	72	228 17 7	44	105 17 7	Germantown	383	1,135 8 7	52	207 5 10
Bourke	1,065	4,945 5 2	219	1,026 17 8	Gerogery	48	150 11 2		
Bourke-street	26	83 8 0	24	57 12 11	Gilgandra	107	351 17 9	7	35 17 6
Bowenfels	260	937 17 11	70	279 14 0	Gladstone	235	733 16 1	19	114 16 6
Bowna	21	84 12 6	5	16 6 3	Glebe	250	674 17 5	313	995 0 1
Bowning	309	1,036 15 1	103	432 10 6	Glen Innes	659	2,884 6 5	410	1,617 15 6
Braidwood	874	2,737 8 2	783	2,835 1 4	Goderich	56	137 7 3	34	185 8 11
Branxton	525	2,030 3 11	193	747 0 11	Gongolgon	192	680 12 9	7	32 16 0
Breeza	457	1,635 13 5	47	150 6 9	Goonoo Goonoo	96	204 7 9	18	84 6 0
Brewarrina	514	2,563 6 5	83	348 7 11	Gosford	594	2,701 2 3	81	411 15 7
Bringelly	54	128 19 0	20	84 1 10	Goulburn	2,530	8,224 7 2	2,751	8,900 2 10
Broughton Crk.	267	851 2 4	73	341 12 4	Grafton	1,382	5,472 12 1	949	3,593 9 7
Brushgrove	195	515 7 4	25	118 17 6	Grafell	574	1,741 19 6	225	869 18 1
Bulahdelah	335	1,678 3 9	49	217 4 11	Gulgong	611	1,621 17 6	509	1,815 17 10
Bulli	517	1,465 1 6	104	412 0 7	Gundagai	932	3,514 4 1	284	949 8 7
Bundarra	454	1,419 4 2	93	428 11 1	Gunnedah	1,137	4,287 18 7	421	1,408 6 3
Bungendore	462	1,146 7 6	87	279 18 1	Gunning	479	1,371 15 0	289	1,112 11 2
Bungwall Flat	63	131 0 0	3	8 11 10	Guyong	58	163 13 6	21	88 7 11
Burrawang	260	645 2 10	62	196 7 2	Hamilton	152	507 19 7	42	119 12 3
Burrows	598	2,180 11 8	162	452 19 0	Hargraves	147	582 15 5	11	31 17 6
Burwood	272	769 1 3	294	1,195 8 5	Hartley	716	5,224 0 7	166	525 3 1
Cadla	77	232 4 0	127	763 0 3	Hartley Vale	78	239 2 11	7	18 6 0
Cambewarra	72	217 13 5	8	27 5 6	Hay	953	4,069 19 9	379	1,402 0 11
Camden	356	938 10 0	328	1,105 14 11	Haymarket	2,111	7,658 5 7	1,238	3,983 15 9
Campbelltown	413	1,246 19 8	320	1,044 10 2	Hexham	158	578 12 6	234	1,000 10 9
Camperdown	82	235 8 6	93	375 6 7	Hill End	896	2,553 3 8	446	1,485 5 6
Cannonbar	295	1,075 14 5	46	192 12 2	Hillston	275	1,051 12 7	57	290 1 3
Candelo	208	641 13 1	24	81 18 6	Home Rule	188	675 8 7	180	770 15 1
Canowindra	175	464 18 0	18	79 5 0	Hoskinstown	35	92 10 2	2	15 0 0
Cape Hawke	135	280 18 10	19	107 12 0	Howlong	50	132 18 4	22	83 2 3
Carcoar	596	2,015 0 9	288	939 9 4	Iford	148	454 0 2	43	233 19 6
Cargo	224	846 8 7	33	158 14 4	Inverell	988	4,095 6 11	542	1,885 19 2
Carroll	97	209 14 8	20	131 5 1	Ironbarks	607	3,150 5 0	62	289 3 6
Casino	581	2,081 1 4	232	1,003 8 1	Jamheroo	142	431 6 7	47	148 15 5
Cassilis	330	1,043 15 2	104	386 14 11	Jorilerie	445	1,551 6 2	97	394 19 11
Catherine Hill Bay	70	214 0 7	5	12 14 6	Jordan's Crossg.	200	605 16 11	47	186 8 10
Chatsworth Island	233	918 14 0	25	138 4 4	Jugiong	61	261 2 3	2	13 10 0
Charlestown	90	246 11 7	7	9 0 0	Junce Railway Station	278	975 16 10	25	99 14 2
Clarencetown	401	1,307 4 4	75	327 12 4	Kangaroo Valley	37	118 12 3	5	17 18 3
Cobar	966	4,860 7 10	32	131 16 8	Kelso	251	1,093 2 3	80	248 14 0
Cobargo	314	1,013 12 11	32	106 8 11	Kempsey	502	1,920 14 7	141	558 14 11
Collector	87	285 19 10	26	100 3 7	Kiama	627	2,426 12 0	330	961 17 2
Colly Blue	17	23 19 3	1	3 0 0	Kiandra	305	1,363 19 8	34	126 1 5
Condobolin	485	2,018 9 3	84	373 8 10	Kincumber	98	621 19 1	6	23 18 6
Coolah	320	878 14 6	34	140 17 9	King-street	663	3,029 16 11	84	304 12 3
Cooma	1,125	4,469 11 1	415	1,468 10 4	Lake Cudgellico	41	211 19 10	3	16 12 3
Coonabarabran	381	1,287 6 4	145	570 8 3	Lambton	1,032	3,602 0 7	276	858 8 0
					Lawrence	249	989 10 11	29	107 11 3

F—continued.

Name of Office.	Orders issued.		Orders paid.		Name of Office.	Orders issued.		Orders paid.	
	Number.	Amount.	Number.	Amount.		Number.	Amount.	Number.	Amount.
Lidsdale	228	£ 852 2 7	147	£ 670 7 11	Rylstone	364	£ 827 9 4	146	£ 680 6 5
Lionsville	50	153 8 3	4	20 16 6	St. Leonards	305	860 18 9	227	677 1 10
Lismore	877	3,258 18 7	208	919 14 11	St. Mark's	72	250 15 8	30	76 15 0
Lithgow	1,178	3,433 4 8	284	984 6 6	St. Mary's	350	1,023 8 9	63	189 13 5
Little Hartley	270	1,279 4 1	15	56 9 0	St. Peter's	69	161 5 0	96	323 10 2
Liverpool	495	1,348 4 5	297	833 7 11	Scone	851	2,359 10 5	243	905 2 3
Lochinvar	183	512 18 3	242	1,145 1 6	Singleton	1,400	5,094 9 5	1,125	3,750 17 10
Lower Gundaroo	162	496 19 3	33	96 15 10	Sofala	395	925 19 1	167	479 6 3
Lucknow	179	590 0 3	79	311 0 7	Somerton	68	135 13 3	15	92 2 6
Lunatic Reefs	6	19 3 0	2	2 14 6	South Grafton	403	1,557 18 3	129	786 0 3
Major's Creek	179	594 3 7	125	296 6 7	South Bowenfels	139	558 18 1	21	78 16 4
Manilla	230	583 7 11	49	218 2 8	Spring Grove	21	54 8 2	5	20 3 4
Manly	231	727 0 1	115	342 12 3	Stanborough	220	1,934 19 6	11	37 18 3
Marulan	399	1,209 1 0	99	346 11 9	Stroud	566	3,306 1 5	101	363 9 3
Maryland	169	1,058 9 11	8	37 11 0	Summer Island	42	222 5 5	5	18 16 6
Mathoura	67	156 3 8	11	50 4 3	Swanbrook	2	16 0 0		
Menindee	243	1,175 19 2	19	86 11 11	Tambaroora	154	548 14 11	72	163 6 1
Merauburn	36	92 6 0	15	70 14 2	Tambar Springs	138	613 8 11	15	84 1 4
Merimbula	222	663 12 3	63	190 17 8	Tamworth	2,111	7,981 19 2	1,870	6,503 10 4
Merrilwa	375	1,359 12 2	112	410 14 6	Taralga	259	922 1 0	96	576 8 10
Michelago	270	661 17 1	28	97 14 6	Tarana	168	605 13 9	43	156 6 5
Miller's Point	573	2,680 12 7	84	236 14 8	Tarcutta	199	506 2 3	39	210 14 0
Millie	143	479 5 6	18	88 14 6	Taree	372	1,245 11 11	114	272 13 9
Milton	413	1,297 0 8	118	498 12 6	Tenterfield	527	1,843 4 3	237	997 19 5
Minni	648	2,364 8 2	129	277 8 6	Terara	377	1,195 12 11	109	360 11 4
Mittagong	755	2,424 9 2	355	1,009 15 9	Tighe's Hill	23	86 15 3	4	10 10 0
Moama	136	297 12 8	201	849 4 8	Tingha	212	1,185 9 2	41	156 17 6
Molong	902	2,995 17 5	226	799 18 3	Tinonee	230	661 5 11	37	134 0 5
Molonglo	170	259 5 2	19	71 1 10	Tocumwal	262	1,134 11 5	23	91 2 9
Monga	67	290 12 10	13	42 0 4	Trunkey Creek	243	1,152 4 11	64	311 1 1
Moree	290	1,238 16 2	82	441 3 5	Tuena	130	526 15 7	35	141 16 1
Morpeth	455	1,364 3 0	354	1,339 16 3	Tumberumba	323	1,050 0 6	52	238 6 2
Moriya	865	3,517 1 0	376	1,466 12 6	Tunnot	476	1,712 4 6	263	950 19 1
Mossgiel	31	107 17 2	7	20 3 9	Tweed Junction	92	247 13 4	52	309 2 6
Moss Vale	476	1,466 14 4	257	950 10 1	Ulladulla	64	205 18 6	19	65 5 8
Mount Victoria	516	1,847 7 0	88	323 2 5	Ullmarra	260	930 12 11	31	122 18 11
Mudgee	1,611	5,892 1 8	937	3,277 2 11	Upper Gundaroo	98	258 1 6	41	190 0 8
Murrumburrah	1,026	3,541 2 1	177	609 16 6	Uralla	736	3,072 3 11	179	643 14 2
Murrurundi	890	2,732 8 6	524	1,677 3 6	Urana	407	1,213 19 1	70	275 6 4
Muswellbrook	790	2,673 7 6	523	1,943 2 0	Vegetable Creek	869	3,335 19 6	110	363 3 0
Narrabri	706	2,846 3 10	345	1,262 15 10	Wagga Wagga	2,789	10,886 2 11	1,043	3,954 16 6
Narrandera	643	2,703 12 11	92	371 8 6	Wagga	11	38 10 1	1	2 14 6
Nelligen	343	1,081 1 0	53	172 3 8	Walcha	510	1,825 11 5	96	392 14 8
Nerrigundah	112	626 14 3	9	11 13 6	Walgett	526	2,251 5 5	66	316 3 10
Newcastle	5,207	18,985 5 5	3,035	10,600 18 7	Wallabadah	202	565 9 7	62	206 6 2
Newtown	760	2,550 8 8	971	3,374 17 2	Wallsend	985	3,158 1 11	461	1,633 7 9
Nimitybelle	338	981 15 8	54	207 19 9	Waratah	437	1,353 3 1	133	328 5 3
North Wagga	332	1,094 15 6	30	84 19 2	Wardell	235	760 2 3	50	261 11 1
Nowra	346	923 16 2	49	160 0 5	Warialda	395	1,304 16 2	108	410 18 11
Numba	186	627 3 0	37	136 14 11	Warren	493	2,027 11 8	47	216 4 7
Nundle	372	1,882 3 4	129	696 19 4	Watson's Bay	32	44 16 5	36	76 8 6
Oberon	376	1,232 4 0	64	269 2 2	Wattle Flat	173	458 3 11	73	251 5 1
Obley	106	369 0 3	18	60 9 2	Waverley	195	505 3 2	189	588 14 11
Orange	2,466	8,799 2 3	1,804	7,059 18 5	Wee Waa	290	1,178 13 1	23	82 5 11
Oxford-street	1,477	4,713 15 4	1,336	3,750 4 7	Wellinggrove	51	156 11 11	2	2 15 0
Paddington	434	1,395 10 11	487	1,759 10 9	Wellington	987	3,781 3 10	357	1,358 7 7
Pambula	209	795 19 8	33	106 15 2	Wentworth	536	2,219 3 11	106	413 4 8
Parkes	661	1,875 11 6	329	1,313 9 7	Werris Creek	396	1,123 11 7	18	98 9 0
Park-street	1,231	4,111 9 11	318	744 11 11	West Kempsey	401	1,475 7 7	104	422 13 9
Parramatta	1,048	3,219 19 9	1,545	4,667 6 7	West Maitland	2,153	8,082 14 4	3,218	11,168 4 1
Parramatta-st.	645	1,979 7 8	490	1,604 5 9	West Tamworth	340	1,252 2 5	103	433 13 1
Paterson	351	1,633 7 7	80	356 10 0	Wilcannia	965	4,864 9 11	117	656 17 1
Penrith	556	1,637 19 0	344	1,199 4 1	William-street	1,237	4,480 15 5	725	2,510 0 0
Petersham	246	503 11 9	277	1,292 19 2	Willow-tree	198	480 2 3	118	312 18 2
Pictou	468	1,314 11 9	188	592 10 5	Wilton	11	30 3 0	1	7 0 0
Pilliga	266	768 13 11	26	100 9 9	Windeyer	70	438 6 9	34	165 3 6
Port Macquarie	969	5,766 12 11	205	968 11 9	Windsor	814	2,935 14 8	481	1,826 18 8
Pyrmont	325	1,055 4 5	180	659 5 6	Wingham	842	6,278 16 6	67	311 0 2
Queanbeyan	827	2,479 9 5	375	984 8 4	Wiseman's Ferry	205	813 13 6	25	99 3 6
Quirindi	880	2,788 3 8	466	1,789 12 3	Wollar	71	284 6 7	6	26 10 0
Randwick	212	890 3 3	277	738 18 6	Wollombi	354	1,753 0 7	64	382 3 0
Raymond Ter- race	353	1,023 5 5	267	1,296 0 9	Wollongong	1,062	3,678 18 6	481	1,777 19 8
Redfern	670	1,890 17 6	940	2,824 4 2	Wombat	76	266 19 11	29	139 19 10
Reedy Flat	63	141 4 3	9	42 11 6	Woodburn	157	525 3 11	27	150 6 5
Richmond	601	1,868 8 2	278	1,204 4 9	Woollahra	133	429 9 2	198	521 2 11
Rockley	265	726 8 9	43	144 1 3	Woonona	150	524 3 1	41	178 10 4
Rocky Mouth	621	2,727 12 6	120	496 15 10	Yass	1,291	3,948 7 1	607	1,988 19 5
Rookwood	37	82 7 7	22	66 7 0	Young	1,072	3,550 19 2	628	2,137 11 8
Rydal	263	802 1 10	69	256 7 1					
Ryde	271	830 10 4	141	495 15 1					
					Total	159,897	582,422 14 8	142,201	515,075 17 11

G—continua.

Name of Branch.	Date of establishment.	Number of Accounts open at close of 1878.	Number of Accounts opened during 1879.	Number of Accounts closed during 1879.	Number of Accounts remaining open at close of 1879.	Balance on 31st Decem-ber, 1878.	Total Deposits, including Interest.		Total Withdrawals.		Balance at credit of Depositors at close of 1879.
							Number	Amount.	Number	Amount.	
						£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Newtown	1 Oct., 1871	784	317	221	380	9,338 0 9	2,456	8,508 5 3	726	6,966 7 4	10,940 4 8
North Wagga Wagga	2 Dec., 1878	4	22	7	19	40 4 0	124	468 17 0	21	278 19 5	236 1 7
Nowra	22 Sept., 1879	....	4	....	4	.....	10	18 10 2	2	10 0 0	8 10 2
Numba	12 July, 1875	28	9	9	23	452 0 11	32	109 10 11	14	288 12 0	272 17 10
Nundle	1 Sept., 1874	46	6	4	48	940 7 2	29	598 11 1	18	570 13 7	963 4 8
Orange	11 Dec., 1871	266	125	104	287	5,971 10 0	837	5,752 3 7	300	4,881 8 1	6,842 10 6
Oxford-street	11 Aug., 1873	1,205	692	485	1,412	23,832 0 3	5,550	22,860 15 5	1,958	21,478 15 7	25,214 0 1
Paddington	"	325	141	93	368	5,908 19 2	1,261	4,573 11 0	419	4,231 7 11	5,851 2 8
Parkes	1 Jan., 1874	75	29	12	92	1,362 1 0	223	753 15 6	65	751 9 10	1,364 6 8
Park-street	20 May, 1878	88	271	173	186	1,021 3 3	1,375	5,117 16 0	478	3,199 13 10	2,939 0 5
Parramatta	1 Oct., 1871	174	113	96	101	3,816 7 6	931	3,802 8 9	231	3,897 10 4	3,841 5 11
Parramatta-street	11 Aug., 1873	517	357	322	552	9,933 10 1	2,343	10,262 1 1	995	10,170 19 0	10,024 12 2
Paterson	12 July, 1875	19	8	5	22	245 19 6	24	175 16 5	8	53 18 0	367 17 11
Penrith	1 Oct., 1871	83	34	25	92	2,242 8 2	182	1,028 15 2	55	1,353 11 6	1,917 11 10
Petersham	1 Feb., 1875	109	33	33	104	1,226 10 3	328	1,666 2 5	131	1,565 2 4	1,327 10 4
Pictou	1 Sept., 1874	81	23	17	87	1,551 3 11	142	873 16 2	52	824 0 6	1,600 19 7
Port Macquarie	11 Dec., 1871	136	17	40	113	5,558 9 1	148	1,948 14 10	100	3,410 10 4	4,096 13 7
Pymont	1 Oct., 1871	51	50	60	51	640 16 4	542	1,195 17 2	102	922 2 4	914 11 2
Queanbeyan	11 Dec., 1871	58	7	13	52	339 13 0	265	290 16 0	45	336 5 1	294 4 0
Raymond Terrace	1 Sept., 1872	82	22	18	86	1,742 1 3	107	1,017 3 10	60	1,007 15 0	1,751 10 1
Redfern	1 Oct., 1871	325	184	136	373	4,328 1 2	1,457	4,517 17 9	442	3,665 17 8	5,180 1 8
Richmond	11 Dec., 1871	100	41	15	123	1,025 1 3	235	1,076 1 10	63	605 11 1	1,494 12 0
Rookwood	12 July, 1875	16	4	3	17	30 14 5	14	44 11 3	4	19 9 4	55 16 4
Rydal	1 Jan., 1874	54	6	11	49	2,440 17 8	56	814 8 11	30	1,352 9 2	1,902 17 5
Ryde	1 Feb., 1875	40	27	9	64	461 9 8	116	637 10 0	27	243 18 0	355 10 8
Rylstone	2 June, 1873	12	3	2	13	55 2 0	8	19 4 9	4	12 10 9	61 16 0
St. Leonards	1 Feb., 1875	212	123	84	256	2,380 13 10	986	2,732 2 0	255	2,220 11 4	2,883 4 6
St. Mary's	1 Sept., 1876	17	9	3	23	121 1 8	37	280 10 3	18	144 16 2	257 1 9
Scone	11 Dec., 1871	13	6	6	13	224 10 7	30	193 6 2	11	221 19 2	193 17 7
Singleton	1 Oct., 1871	264	58	53	269	3,507 5 1	555	2,977 6 1	166	2,097 6 4	3,787 4 10
Sofala	1 Sept., 1874	55	8	5	58	1,317 18 5	115	542 10 7	33	698 3 2	1,162 5 10
South Bowenfels (late Bowenfels.)	1 Feb., 1875	....	....	....	....	.....	.....	.....	.....	.....	.....
Spring Grove	22 Sept., 1879	....	6	1	5	.....	6	7 12 1	1	4 0 0	3 12 1
Stroud	1 Feb., 1875	39	8	10	37	1,388 8 9	74	293 5 8	26	756 4 5	930 5 0
Tamworth	11 Dec., 1871	163	181	72	222	2,350 8 1	522	4,412 0 4	188	2,727 0 2	4,536 8 3
Taree	1 Feb., 1875	47	20	15	52	907 11 3	76	628 3 6	24	705 15 11	829 18 10
Tenterfield	1 Sept., 1874	41	17	12	46	568 19 9	75	456 10 2	35	314 14 7	705 15 4
Terara	" 1872	121	15	20	116	3,742 18 6	109	1,133 16 10	78	1,549 17 1	3,331 18 3
Trunkay Creek	1 Feb., 1875	10	6	2	14	262 10 4	20	338 13 6	7	99 8 4	561 15 6
Tumut	"	36	15	7	44	649 0 6	69	364 13 7	27	303 1 8	710 12 6
Tweed Junction	1 Sept., 1874	18	13	2	24	167 10 6	52	561 7 10	4	52 7 8	676 10 8
Ulladulla	" 1872	21	2	2	21	304 3 0	20	77 4 7	5	70 8 10	301 18 9
Ulmara	12 July, 1875	16	4	4	16	233 4 11	19	210 4 2	20	331 3 3	162 5 10
Uralla	1 Mar., 1878	5	20	4	21	22 18 1	66	360 18 6	22	139 7 4	244 9 3
Vegetable Creek	1 Sept., 1874	85	49	29	105	2,910 18 8	161	1,941 12 10	65	1,451 9 11	3,401 1 7
Wagga Wagga	11 Dec., 1871	177	133	105	205	3,198 14 4	510	3,616 2 4	227	2,909 19 2	3,904 17 6
Wallsend	1 Sept., 1874	109	30	23	116	2,532 0 2	193	1,226 19 6	89	1,354 11 8	2,404 8 0
Waratah	11 Dec., 1871	35	7	10	32	639 13 8	72	424 19 4	21	272 11 2	842 1 10
Wardell	1 Jan., 1876	20	11	6	31	47 18 1	29	211 6 11	11	179 13 8	79 11 4
Warialda	1 Sept., 1874	4	8	3	9	43 14 1	19	252 2 9	10	121 10 1	174 6 9
Watson's Bay	1 Feb., 1875	15	15	6	24	55 17 0	79	118 13 5	14	32 17 4	1,114 3 1
Waverley	1 Aug., 1876	60	57	23	89	609 2 5	360	1,040 7 0	127	670 17 9	778 11 8
Wee Waa	11 Dec., 1871	30	9	6	33	281 10 9	30	172 4 6	10	130 12 11	823 2 4
Wellington	2 June, 1873	50	30	20	60	611 12 7	162	1,016 18 7	61	756 9 3	872 1 11
West Kempsey	1 Sept., 1874	35	6	8	33	310 8 7	48	242 7 4	14	303 10 9	249 5 2
West Maitland	1 Oct., 1871	78	60	30	108	2,249 17 4	331	1,948 16 4	121	1,612 12 0	2,581 1 8
West Tamworth	5 May, 1879	....	20	2	18	.....	54	305 7 5	3	7 6	285 19 11
Wilcannia	"	....	36	17	19	.....	79	370 8 8	18	208 0 0	171 8 8
William-street	11 Aug., 1873	861	382	318	925	16,343 15 10	3,480	13,543 17 1	1,139	12,264 18 6	17,622 14 5
Windsor	1 Oct., 1871	25	7	13	19	1,110 12 11	38	342 7 8	22	470 17 2	991 3 6
Wingham	11 Dec., 1871	16	2	4	14	682 0 5	16	195 19 7	17	447 7 10	430 12 2
Wollombi	"	11	4	2	13	647 8 6	22	126 5 4	10	169 6 0	604 7 10
Wollongong	1 Oct., 1871	136	70	56	150	3,666 1 11	417	2,972 16 2	137	2,610 5 1	4,028 13 0
Woodb	3 May, 1879	....	16	5	11	.....	22	118 0 11	4	20 16 2	97 4 9
Woollahra	8 Feb., 1872	119	32	30	121	1,211 7 0	249	1,172 0 11	93	926 14 8	1,456 13 3
Woonona	11 Dec., 1871	110	27	35	102	3,995 10 6	201	1,231 3 7	93	2,217 19 4	3,008 14 9
Yass	1 Sept., 1872	146	63	48	161	2,901 3 11	314	1,837 7 2	131	1,994 13 9	2,748 17 4
Young	11 Dec., 1871	177	45	52	170	3,189 3 5	336	1,956 0 5	117	2,143 0 3	3,002 3 7
" Shipping Master	1 April, 1876	2	....	....	2	72 7 2	4	38 12 11	1	5 0 0	106 0 1
General Total	.....	18,967	10,780	8,170	21,667	480,024 17 5	67,444	411,316 4 0	27,012	379,983 18 6	611,357 2 11

ACCOUNT of all deposits received and paid from 1st January to 31 December, 1879, together with a statement of the total amount due to all Depositors at the close of 1879.

	£	s.	d.		£	s.	d.	
Balance brought forward from 1878	480,024	17	5	By amount of Repayments during 1879	379,983	18	6	
To Cash received from Depositors during 1879	393,771	19	2	Balance as per Savings' Bank				
Interest added to Depositors' Accounts for 1879	17,544	4	10	Ledger	509,973	16	9	
				Unpaid Warrants	1,383	6	2	
					511,357	2	11	
	£	891,341	1	5	£	891,341	1	5

LIABILITIES AND ASSETS.

	£	s.	d.		£	s.	d.	
To Balance due to all Depositors at close of 1879	511,357	2	11	By amount of Securities in the Treasury Chest, being investments made on behalf of the Government Savings' Bank, viz. :—				
				New South Wales "Four per Cents," valued at 97%	374,096	13	11	
				Cash in hands of Controller	5,703	4	5	
				Ditto in Treasury not invested	127,307	8	9	
				Interest due on balance remaining uninvested to 31st December, 1879, computed at 4%	3,930	8	2	
Balance	1,464	7	4	Interest due on investments to 31st December, 1879	1,784	0	0	
	£	512,821	10	3	£	512,821	10	3

PROFIT AND LOSS ACCOUNT.

	£	s.	d.		£	s.	d.	
To Departmental Expenses for 1879	2,500	0	0	Balance from preceding Account	2,151	15	8	
Interest added to Depositors' Accounts for 1879	17,544	4	10	By amount of Interest on investments in "Four per Cents"	15,426	13	4	
				Interest due on balance in the Treasury, not invested on 31st December, 1879, at 4%	3,930	8	2	
Balance	1,464	7	4		21,508	12	2	
	£	21,508	12	2	£	21,508	12	2

F. W. HILL, Controller.
Money Order and Savings' Bank Department, Sydney, 10 February, 1880.

SAUL SAMUEL,
Postmaster General.

I certify that the foregoing Statement of all Deposits received and paid from 1st January to 31 December, 1879, has been examined and found to correspond with the Books and Accounts of the Government Savings' Bank.

17th March, 1880.

C. ROLLESTON,
Auditor General.

I.

ARTICLES OF AGREEMENT entered into this sixth day of May, in the year of our Lord 1879, between Her Most Gracious Majesty the Queen of the one part, and the Eastern Extension Australasia and China Telegraph Company Limited (hereinafter called "the Company"), of the other part.

1. The contract created by these presents is entered into on behalf of Her Majesty by the authority of the respective Governments of the Colonies of New South Wales and Victoria.

In consideration of the subsidy or payment hereinafter mentioned, the Company for itself and its successors agrees with Her Majesty and her successors as follows :—

2. The Company will construct, or cause to be constructed, in accordance with the specification contained in the Schedule hereto, and within eight calendar months from the 1st day of July, 1879, unless prevented by the act of God, or the Queen's enemies, inevitable accident, or other contingencies over which the Company shall have no control, or if so prevented within a period to be computed from the expiration of such eight calendar months equal to that during which the Company shall have been so prevented, lay, or cause to be laid, a Submarine Telegraph Cable or Cables from Penang to Singapore, and thence direct to Banjoewangie, and thence direct to Port Darwin, and erect and provide any stations, instruments, and apparatus, and provide and employ any operators, clerks and other persons which or who may be necessary for properly working and making use of such Cable or Cables, so that messages may within such period be transmitted by such Cable or Cables, and will keep the same open and ready for being used for the transmission of messages.

3. The Company will at all times during a period of twenty years, to be computed from the day when the Cable or Cables hereby agreed to be laid shall be laid and be ready and in proper working order and open for use as aforesaid, unless prevented by the act of God, or the Queen's enemies, inevitable accident, or other contingency over which the Company shall have no control, or if so prevented so soon afterwards as shall be reasonably practicable, or unless Her Majesty shall have purchased under the right to purchase hereinafter given to her, maintain and keep such Cable or Cables, and also the present Telegraph Cables of the Company between Madras and Batavia by way of Penang and Singapore, and between Rangoon and Penang, and between Banjoewangie and Port Darwin, and all stations, instruments, and apparatus necessary for properly working and making use of all the said Cables in good working order and condition, and provide and employ all such operators, clerks, and other persons as shall be necessary properly to attend to, keep and work the said stations, instruments, and apparatus in the usual course of business, and will keep all the said Cables open and ready to be used for the transmission of messages.

4. The Company will at all times from and after the date of these presents transmit by the Cable or Cables belonging to it and take all proper and necessary steps for procuring the transmission by the Cable or Cables or Telegraph line or lines belonging to other Telegraph Companies or to Governments of all telegraphic messages between England and the Colonies of New South Wales, or Victoria, or any other Australasian Colony or Colonies as to which it shall at any time hereafter be notified to the Company by the Agent-General of New South Wales that by virtue of any agreement or arrangement with the Governments of the Colonies of New South Wales and Victoria, it or they is or are entitled to take advantage of the rates fixed hereby, and will not until the subsidy hereinafter mentioned shall finally cease to be payable, charge for its own

own proportion of the charges for such telegraphic messages beyond the rates following, that is to say: For any Government message, 2s. 10d. per word; for any press message, 1s. 5d. per word; and for any other message, 5s. 8d. per word. And in case the Company shall at any time hereafter reduce its existing tariff of charges below the rate of 5s. 8d. per word, it will not during such reduction charge more than one-half of such reduced rate for any Government message, nor more than one quarter thereof for any press message. And the Company further agrees that any excess over the above stipulated rates charged at the date of these presents by any telegraph administration on behalf of the Company, shall be allowed to the sender of any Government or press message by way of discount. Any moneys which may be charged for Government or press messages, as hereinafter respectively defined, in excess of the rates hereby agreed upon, may be deducted out of the subsidy hereinafter agreed to be paid.

5. By "Government Messages" are meant messages sent from or to Her Majesty, Her Majesty's Principal Secretary of State for the Colonies, or any Government department in the United Kingdom, or the respective Agents-General for the Colonies of New South Wales, Victoria, or any other Australasian Colony or Colonies as to which it shall be notified as hereinafter mentioned, on the one hand, and the Governors, or Chief or Colonial Secretaries, of or any Government department of the various Colonial Governments on the other, or any of them, on matters relating to the administration of the Governments.

6. By "Press Messages" are meant messages addressed to newspapers duly published in accordance with the respective laws relating to the publication of newspapers in force in the United Kingdom, or the Colonies or Countries in which they are respectively published, and intended in good faith for publication in full in such newspapers, and shall include only such as are intelligible and written in English, in plain language, and without the use of cypher, code, groups of figures, or letters or words of concealed meaning.

7. The Company will at all times give priority in transmission to Government Messages as above defined.

In consideration of the premises, Her Majesty, for herself and her Successors, agrees with the Company and their Successors as follows:—

8. Her Majesty will, subject to the provisos and conditions hereinafter contained, cause to be paid out of the Consolidated Revenue fund of the Colony of New South Wales, and out of the Consolidated Revenue of the Colony of Victoria, to the Company in London, the annual subsidy or sum of £32,400, free of all deductions, by equal quarterly payments, for the period of twenty years, to be computed from the day when the said Cable or Cables shall be laid and be open for use, so that messages shall be capable of being continuously transmitted thereby, or if such last-mentioned day shall happen within eight calendar months from the said 1st day of July, 1879, then to be computed from the expiration of four calendar months after such last-mentioned day: Provided, nevertheless, and it is hereby agreed and declared, that if, at any time hereafter, the Governments of the said Colonies of New South Wales and Victoria shall agree with each other as to the proportions in which the said annual subsidy shall be paid by the said Colonies respectively, and shall give notice of such agreement to the Company, then, out of the said Consolidated Revenue fund of the Colony of New South Wales, shall thenceforth be paid such portion only of the said annual subsidy, as it shall have been so agreed between the said Governments, shall be paid by the Colony of New South Wales, and out of the Consolidated Revenue of the Colony of Victoria shall thenceforth be paid such portion only of the said annual subsidy as it shall have been so agreed shall be paid by the Colony of Victoria.

9. If the Company shall within eight calendar months from the said 1st day of July, 1879, have laid, or caused to be laid the cable or cables hereby agreed to be laid, and the same shall be open for use so that messages shall within such period be capable of being continuously transmitted by such Cable or Cables, the first of such quarterly payments shall be deemed to have become due at the expiration of seven calendar months from the said 1st day of July, 1879, but shall not be paid until the Cable or Cables shall be laid and open for use as aforesaid, and in any other event the first of such quarterly payments shall become due and be made at the expiration of three calendar months after the Company shall have laid the Cable or Cables hereby agreed to be laid, and opened the same for use so that messages shall be capable of being continuously transmitted thereby.

10. If there shall at any time or from time to time be a total interruption of telegraphic communication between Singapore and Port Darwin arising otherwise than by reason of war or any such like cause, a deduction at the rate of one 365th part of the said subsidy of £32,400 for every day exclusive of the day on which the interruption occurs, but inclusive of the day on which it ceases, during which there shall be such total interruption shall from time to time be made from the quarterly payment becoming due next after such interruption: Provided, nevertheless, that if such total interruption shall be caused by war or any such like cause, the Company will, if requested, restore communication with all possible despatch, the costs of so doing being borne and paid by Her Majesty.

And in further consideration of the premises, Her Majesty for herself and her successors, and the Company for itself and its successors, hereby further agree each with the other as follows:—

11. If the Agent General of New South Wales shall hereafter notify to the Company that any other Australasian Colony entitled to take advantage of the rates fixed hereby has agreed to contribute to the said subsidy, to an amount to be specified in the notice, the Company will thenceforth from time to time accept the payment of the agreed contribution by such Colony, if made with reasonable punctuality, in satisfaction of *pro tanto* of the subsidy hereby agreed to be paid.

12. Her Majesty may at any time during the period during which the said subsidy shall be payable (whether under these presents or under any Articles of Agreement in addition or supplemental to them) cause to be given to the Company notice of her intention to purchase on a day not less than 12 calendar months thereafter, and the Company, after receiving such notice, and upon payment of the price to be paid, in accordance with the provisions hereinafter contained, shall be bound to execute on such day, or on the day of payment of the said price which shall last happen, such instrument or instruments as may be necessary for conveying and assigning to Her Majesty, or to such persons or bodies corporate as she shall direct, the Cable or Cables by these presents agreed to be laid, and the Company's present Cables between Singapore and Batavia, and between Banjoewangie and Port Darwin, and any Cable or Cables which the Company may hereafter lay, or cause to be laid, between Singapore and Port Darwin, or between either of them, and any intermediate point, or between any intermediate points, and all the stations, instruments, and apparatus, and all other property which at the time of such notice shall be used by the Company in connection with the working and making use of such Cables, or any of them, and upon payment of the said price the said subsidy shall cease to be payable: Provided always that Her Majesty shall not be entitled to cause such notice to be given unless the Company shall for five years have paid a dividend of not less than £10 per centum for the year, or passed not less than £10 per centum for the year to its reserve or other accumulated fund.

13. The price to be paid to the Company shall be such an amount as taking into account the cost of construction, the probable duration of the Cables, and cost of repair and renewal, the profits earned by the Company, and other circumstances shall be equitable, and the other terms of the said purchase shall be fixed on an equitable basis, and if Her Majesty and the Company shall not be able to agree as to the amount which ought to be paid to the Company, or as to any other terms for the purchase, the matter in difference shall be determined by arbitration as follows:—

(a) The parties to the said arbitration shall be deemed to be the Governors for the time being of the said Colonies of New South Wales and Victoria, on behalf of Her Majesty, on the one side, and the Company on the other, and any request or notice which may have to be given to or served upon the said Governors shall be given to or served on the Agents General for the time being of the said Colonies on their behalf.

(b) Unless the Governors for the time being of the Colonies of New South Wales and Victoria on behalf of Her Majesty and the Company shall concur in the appointment of a single Arbitrator, each party on the request of the other party shall nominate and appoint an Arbitrator to whom such dispute, question, difference, or controversy shall be referred, and every such appointment of an Arbitrator shall be made on the part of the Governors under their hands or under the hands of the Agents-General of the said Colonies respectively, and on the part of the Company under their Corporate seal, and such appointment shall be made in duplicate and be delivered as to one part to the other party and as to the other part to the Arbitrator appointed on behalf of the party by whom the same shall be made, and after any such appointment shall have been made, neither party shall have power to revoke the same without the consent of the other, nor shall any vacancy or change in the office of Governor of either of the said Colonies operate as a revocation, and if for the space of one calendar month after a request in writing shall have been served upon the said Agents-General or the Company respectively or given to either of the said Agents-General or the Company as the case may be, by the one party or the other party to appoint an Arbitrator, such last-mentioned party fail to appoint an Arbitrator, then upon such failure the party making the request, and having appointed an Arbitrator, may appoint such Arbitrator to act on behalf of both parties, and such Arbitrator may proceed to hear and determine the matters which shall be in dispute, and in such case the award or determination of such single Arbitrator shall be final. (c)

(e) If before the matters so referred shall be determined, any Arbitrator appointed by either party die or become incapable the party by whom such Arbitrator was appointed, or the successor in office, or successors or assigns, of such party, may nominate and appoint, in writing, some other person to act in his place, and if for the space of one calendar month after notice in writing from the other party for that purpose he fail to do so, the remaining or other Arbitrator may proceed *ex parte*, and every Arbitrator so to be substituted as aforesaid shall have the same powers and authorities as were vested in the former Arbitrator at the time of such his death or disability as aforesaid.

(d) Where more than one Arbitrator shall have been appointed such Arbitrators shall, before they enter upon the matters referred to them, nominate and appoint, by writing under their hands, an Umpire, to decide on any such matters on which they shall differ or which shall be referred to him, and if such Umpire shall die or become incapable to act, they shall forthwith, after such death or incapacity, appoint another Umpire in his place, and the decision of every such Umpire on the matters so referred to him shall be final.

(e) If, in either of the cases aforesaid, the said Arbitrators shall refuse, or shall, for one calendar month after the request of either party to such arbitration, neglect to appoint an Umpire, the Secretary of State for the Colonies shall, on the application of either party to such arbitration, appoint an Umpire, and the decision of such Umpire on the matters in which the Arbitrators shall differ, or which shall be referred to him, shall be final.

(f) If, when more than one Arbitrator shall have been appointed or shall be proceeding *ex parte* under any of the provisions herein contained, such Arbitrator shall die or become incapable to act before he shall have made his award, the matters referred to him shall be determined by arbitration in the same manner as if no such Arbitrator had been appointed.

(g) If, where more than one Arbitrator shall have been appointed, either of the Arbitrators refuse, or for one calendar month neglect to act, the other Arbitrator may proceed *ex parte*, and the decision of such other Arbitrator shall be as effectual as if he had been a single Arbitrator appointed by both parties.

(h) If, when more than one Arbitrator shall have been appointed, and when neither of them shall refuse or neglect to act as aforesaid, such Arbitrators shall fail to make their award within six calendar months after the day on which the last of such Arbitrators shall have been appointed, or within such extended time (if any) as shall have been appointed for that purpose by both such arbitrators under their hands, the matters referred to them shall be determined by the Umpire to be appointed as aforesaid, and the Umpire shall make his award within three calendar months after the time when his duties shall commence, or within such extended time (if any) as shall have been appointed for that purpose by the Umpire under his hand.

(i) The said Arbitrator or Arbitrators, or their Umpire, may call for the production of any documents in the possession or power of either party which they or he may think necessary for determining the question in dispute, and may examine the parties or their witnesses on oath, and administer the oaths necessary for that purpose.

(j) The costs of every such arbitration and of the Award shall be in the discretion of the Arbitrator, Arbitrators, or Umpire, who may direct to and by whom and in what manner the same or any part thereof shall be paid.

(k) The arbitration shall take place and be conducted in London, and the Arbitrator or Arbitrators or the Umpire, as the case may be, shall deliver his or their award in writing to the said Agents-General, and the Agents-General shall retain the same and shall forthwith on demand, at their own expense, furnish a copy thereof to the Company, and shall at all times on demand produce the said award, and allow the same to be inspected or examined by the Company or any person appointed by them for that purpose.

(l) This submission to arbitration may be made a rule of the Supreme Court of Judicature in England or Ireland respectively, or of any division thereof on the application of either of the Agents-General or the Company.

14. Nothing in these presents contained shall prejudice or affect the Articles of Agreement dated the 24th day of July, 1875, and purporting to be made between His Excellency, the Marquis of Normanby, the Governor of the Colony of New Zealand, for and on behalf of the said Colony of the first part, His Excellency Sir Hercules Robinson, the Governor of the Colony of New South Wales, for and on behalf of the said Colony of the second part, and the Company of the third part, but the subsidy hereby granted is not to be taken to be a subsidy within the meaning, or to be a subsidy granted as contemplated by the 18th and 19th Articles of the said Agreement.

IN WITNESS whereof, William Forster, Esquire, the Agent-General of the Colony of New South Wales, and Graham Berry, Esquire, the Premier of the Colony of Victoria, have hereunto set their hands (but not so as to make themselves or either of them in any way individually liable under or in respect of these presents), and the Eastern Extension Australasia and China Telegraph Company, (Limited), has hereunto set its Common Seal the day and year first above written.

THE SCHEDULE ABOVE REFERRED TO.

SPECIFICATION.

The following are the Lengths and Types of Cable that are to be furnished by the Contractors, viz. :—

		107 Copper. Core— 140 G.P.	
		Sheathed.	Not Sheathed.
		Nauts.	Nauts.
Type A. Shore ends. 10 No. 00 (375) galvanised—			
Penang	15	01	
Malacca	3		
Malacca	3		
Singapore	30		
Singapore	10		
Banjoewangio	5		
Banjoewangio	15		
Darwin	20		
Type B. 10 No. 6 (200) galvanised—			
Penang-Malacca	258	1,255	
Malacca-Singapore	91		
Singapore, through the Carimata Strait	455		
Madura Island, towards Banjoewangio	113		
Banjoewangio, Baly Strait	5		
Rotti Strait	22		
Sahul Bank, towards Darwin	311		
Type B'. 12 No. 9 (148) galvanised—			
Singapore-Banjoewangio		305	
Type D. 11 No. 13 (099) galvanised homogeneous, each wire taped—			
Baly Strait to Rotti Strait	645	810	
Rotti Strait to Sahul Bank	165		
Type E. 10 No. 2 (270) galvanised—			
Singapore Strait		40	
		1,701	810
Total		2,511	

The

The following are the lengths of wrought-iron pipes and taped core necessary for the land connections :—

	Two-inch Pipes. — Yards.	No. of Taped Cores.
Malacca	507	4
Passeir Panjang to Singapore Office	9,126	4
Menang Point to Banjoewangie	24,336	3
Darwin.....	150	4
	34,119	

Banjoewangie to landing place of third Section 1,014 yards of Cable B or D.

CORE.

- Conductor.** (A.) The conductor to be a strand of seven copper wires weighing 107 lbs. per nautical mile, or within 5 per cent thereof, and the resistance at 75° Fahrenheit shall not be more than 12·13 ohms.
- Insulator.** (B.) The conductor is to be insulated with three coatings of gutta-percha of improved inductive capacity, prepared according to Mr. Willoughby Smith's system, alternating with three coatings of Chatterton's compound, and to weigh 140 lbs. per knot, or within 5 per cent. thereof. The resistance of the completed core to be not less than 150 megohms per nautical mile when tested at a temperature of 75° Fahrenheit, after twenty-four hours' immersion in water fourteen days after manufacture.
- Sheathing.** (C.) The types A, E, B¹ and B to be covered with Clifford's patent sheathing for the protection of the core against the ravages of insects.
- Serving.** (D.) The core of all the types to be served with a good and sufficient serving of jute yarn, steeped in cutch or other preservative mixture, and applied wet.

OUTER COVERINGS.

- Outer coverings.** (E.) *Type A.* The served core to be covered with ten galvanised BB iron wires, each to gauge No. 00 B.W.G. equal to .375 of an inch when galvanised, or within 2½ per cent. thereof.
- (F.) *Type B.* The served core to be covered with ten galvanised BB iron wires, each wire to gauge No. 6 B.W.G. equal to .200 of an inch when galvanised, or within 2½ per cent. thereof.
- (G.) *Type B¹.* The served core to be covered with twelve galvanised iron wires, the diameter of each wire to be No. 9 B.W.G., equal to .148 of an inch when galvanised, or within 2½ per cent. thereof.
- (H.) *Type D.* The served core to be covered with eleven galvanised homogeneous iron wires, each wire being taped and compounded. The homogeneous wires to be No. 13 B.W.G., equal to .099 of an inch when galvanised, or within 2½ per cent. thereof, and to bear a breaking strain of not less than 52 tons per square inch, with an elongation of not less than 3 per cent.
- (I.) *Type E.* The served core to be covered with ten BB galvanised iron wires, the diameter of each wire to be No. 2 B.W.G., equal to .270 of an inch when galvanised, or within 2½ per cent. thereof.

OUTSIDE SERVING.

- Outside serving.** (J.) The cable manufactured as above to be covered with two of Johnson and Phillips' patent tapes, laid on spirally in opposite directions, and two coatings of Clark's compound.
- Cables to be kept under water.** (K.) The cable when completed shall be coiled in suitable water-tight tanks and be kept, as far as practicable, constantly under water.

GENERAL CLAUSES.

- Electrical tests.** (L.) The standard of insulation for the completed cable with either current, before being submerged, to be not less than 250 megohms per nautical mile, when reduced to a temperature of 75° Fahrenheit after five minutes electrification, the tests to be taken at the actual natural temperature, and to be reduced by calculation to the standard specified.
- Tanks on board ship.** (M.) The completed cable shall be coiled on board ship in water-tight tanks, and be kept, as far as practicable, under water until submerged.
- Final electrical condition of cable.** (N.) The electrical condition of the cable when laid shall be such, as having regard to its previous condition, and making due allowance for the mean actual temperature of the water, as shown by the resistance of the conductor, to give no good grounds for believing that any fault exists in the insulator or conductor.

WILLIAM FORSTER,
As Agent-General for New South Wales.
GRAHAM BERRY,
As Premier of Victoria.

Witness to the signature of the above-named WILLIAM FORSTER and GRAHAM BERRY,
JNO. MACKRELL, Solicitor,
21, Cannon-street, London.

The Common Seal of the Company was affixed by order of the Board in the presence of,—

JAMES ANDERSON, Director.
F. E. HESSE, Secretary.



1879.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PROPOSED ABANDONMENT OF THE SOUTHAMPTON MAIL ROUTE
BETWEEN GREAT BRITAIN AND AUSTRALASIA.

Ordered by the Legislative Assembly to be printed, 31 October, 1879.

Telegram from Secretary of State for the Colonies to Governor of South
Australia. (Received about the 8th September, 1879.)

INFORM the whole of the Australian Colonies, Fiji included, of proposed abandonment of Southampton mail after January, sending all mails Brindisi; charging seven-pence for letters, three halfpence for newspapers four ounces, and three halfpence for book packets and patterns of two ounces weight. Letters and newspapers specially addressed by private ship liable to present Southampton rates.

The opinion of the several Governments is desired.

Telegram from Governor of New South Wales to Secretary of State for the Colonies,
dated 10th October, 1879.

THIS Government has no objection to Brindisi rates being reduced to seven-pence, provided Continental transit rates be reduced to such amount as will be met by the proposed arrangement, not otherwise.

1879.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PROPOSED ABANDONMENT OF THE SOUTHAMPTON MAIL ROUTE
BETWEEN GREAT BRITAIN AND AUSTRALASIA.
(FURTHER PAPERS.)

Ordered by the Legislative Assembly to be printed, 18 November, 1879.

The Secretary of State for the Colonies to Governor Lord Loftus.

Sir,

Downing-street, 26 August, 1879.

On the 25th instant I communicated to you by telegram, through the Governor of South Australia, the arrangement proposed for the transmission *via* Brindisi, after January next (when the existing contract with the Peninsular and Oriental Company will expire), of the Eastern and Australian mails, and the proposed abandonment of the service *via* Southampton.

I now enclose, for the information of your Government, copies of a correspondence between the Treasury and this Department, upon which that telegram was founded.

I have, &c.,

M. E. HICKS-BEACH.

The Treasury to The Colonial Office.

Sir,

Treasury Chamber, 23 July, 1879.

I am directed by the Lords Commissioners of Her Majesty's Treasury to transmit to you herewith, for the information of the Secretary of State for the Colonies, copy of a letter from the Postmaster General, dated the 17th instant, respecting future arrangements for the conveyance of the portion of the Eastern mails now carried *via* Southampton; and I am to request you to move Secretary Sir Michael Hicks-Beach to favour my Lords with any observations he may have to offer in regard to the proposals contained therein, so far as they affect the correspondence with the Australian Colonies, New Zealand, Ceylon, the Straits Settlements, and Hongkong.

I am, &c.,

H. SELWIN IBBETSON.

The Under Secretary of State, Colonial Office.

The Post Office to The Treasury.

My Lords,

General Post Office, 17 July, 1879.

When the arrangements were made last year for the sea conveyance of the Eastern mails after the 1st February next, when the existing contract with the Peninsular and Oriental Company will expire, it was determined to make no provision for a service between Southampton and Suez, and accordingly that line is omitted in the new contract.

It remains now to consider by what means the correspondence, which is at present being forwarded by the Southampton route, shall be sent after February.

In the early part of this year I put myself in communication with the Post Offices of France and Italy, for the purpose of ascertaining what abatement they would respectively be willing to make in the amount of the transit rates now paid to those offices for the special weekly conveyance between Calais and Brindisi of the accelerated portion of the Eastern mails, provided the whole of the correspondence of every description was forwarded by that route.

It is only very recently that I have received a definite reply from Italy.

The following is the result:—

The French office will agree to reduce its transit rates from—

15 frs. 52c.	per kilo.	for letters.
60½c.	„	for newspapers.
1 fr. 21c.	„	for books.
to 10 frs.	„	for letters.
50c.	other articles.	

And the Italian Post Office will reduce its rates of—

100 frs. per kilo for letters, 50c. other articles, by about 35 per cent.

These concessions would reduce the special transit charges on letters by about 9 francs per kilogramme, leaving payable about 16½ francs per kilogramme; and after full consideration I have come to the conclusion that it will be desirable to accept the offers made, and to send the entire mail by the route of Brindisi and by the weekly mail.

In a correspondence which I have had with the Director General of the Indian Post Office, he expressed an opinion that when the Southampton mail packets are withdrawn, all letters, &c., paid at the Southampton rate of postage should be forwarded *via* Brindisi, by the ordinary mail trains of France and Italy, so as to obtain the benefit of the ordinary union transit rates.

But I cannot advise such an arrangement, which could not fail to give rise to much dissatisfaction.

In the case of the outward mails, supposing the accelerated mail to be despatched from London on the evening of every Friday, as at present, and a packet to leave Brindisi early on Monday morning, letters sent by the ordinary trains might be posted in London up till the evening of a previous day (Thursday) and reach Brindisi in time to catch the packet.

In the opposite direction, the mails for England reaching Brindisi from the East would, if sent through Italy and France by the ordinary trains, arrive in London only about twenty-four hours after the express mail; or if a Sunday intervened, both portions of the mails might be delivered together.

The consequence of this would be that the bulk of the letters would assuredly be diverted from the quick to the slow mail, seeing that the difference in time would be so trifling.

If such were the case, there would be a risk that on the one hand the payments to France and Italy for the accelerated service might be diminished to an extent which would lead to a demand for higher transit rates, and that on the other hand the weight and bulk of the correspondence sent by the ordinary trains might become so great as to impose extraordinary charges for its conveyance, and thus induce the French and Italian offices to decline to accept the ordinary union transit rates.

The right course in my opinion is, as I have said, to send the whole of the Eastern mails by the accelerated service.

At the same time, I propose that the single rate of postage to be levied on letters to or from India, China, &c., should not exceed five-pence, which is one penny less than the present Brindisi rate, and one penny more than the Southampton rate, which was reduced from sixpence to fourpence on the 1st of April last.

In the case of letters to Australia the rate would be 7d.

The amount derived from the supplementary charge of 1d. per half-ounce will not be quite sufficient to cover the payments to France and Italy, but the loss which will fall upon the department will probably be less than we should have to pay to the Peninsular and Oriental Company, or any other Company by whose vessels the slow portion of the mails might be sent between England and Suez.

I have accordingly to request the authority of your Lordships to adopt the arrangements which I have here proposed.

Before coming to a decision, your Lordships will no doubt consult the Secretary of State for India, as the Indian Government bears a portion of the expense of the Eastern Mail contract, and will also refer to Sir Michael Hicks-Beach the proposal, so far as it affects the charge on letters exchanged with the Australian Colonies and New Zealand, or with Ceylon, the Straits Settlements, or Hong Kong.

I have, &c.,

JOHN MANNERS.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PROPOSED ABANDONMENT OF THE SOUTHAMPTON MAIL ROUTE
BETWEEN GREAT BRITAIN AND AUSTRALASIA.

(FURTHER PAPERS.)

Ordered by the Legislative Assembly to be printed, 22 January, 1880.

Telegram from Chief Secretary, Victoria, to Colonial Secretary, New South Wales.

5 January, 1880.

SOUTHAMPTON and Suez contract being abandoned by the Imperial Government, this Government purpose to send all mails after January *via* Brindisi and charge present Southampton rates on letters, packets, and newspapers; division of postage between Imperial and Colonial Governments to be matter of future arrangement. For the present, other Colonies to account to Victoria same rates as now. Your concurrence invited in transmission of mails by fortnightly service *via* Brindisi in accordance with foregoing. Favour of early reply requested.

The Postmaster General.—H.P., 6/1/80. The Secretary to the Post Office.—B.C., 6/1/80, C.W. Cabinet.—S.S., 8/1/80. Cabinet are of opinion that for the present the charge by the P. & O. Company's Service should continue to be 8d. *via* Brindisi.—H.P., 8/1/80. I would suggest to the Colonial Secretary that the following reply be sent by telegram to the Chief Secretary, Victoria:—"If we are to continue to pay your present charges on correspondence both ways, and the amount retained by England on correspondence coming this way, besides Continental transit rates, we cannot consent to reduce our present rates from here on correspondence *via* Brindisi."—S.S., 9/1/80. Urgent.—The Principal Under Secretary.—S.H.L., B.C., 9/1/80. Approved.—H.P., 9/1/80. Telegram sent, 9/1/80.

Telegram from Postmaster General, Melbourne, to Postmaster General, Sydney.

14 January, 1880.

IN reply to your telegram of 9th instant, I would beg to point out that the proposed reduction in postage rate on correspondence sent *via* Brindisi under new fortnightly contract will be no special advantage to Victoria. The public of each Colony adopting the reduced rate will derive the benefit. The question of transit rates to be accounted for to Victoria by other Colonies can be better considered when sufficient data are obtained upon which to base an equitable arrangement, as it is not the object of this Government to make a profit out of the contract at the expense of the other Colonies. You are probably aware that Italian transit rates have been reduced. Southampton route having been abandoned, it is believed that Imperial Government is prepared to reconsider arrangements as to division of postage.

Telegram from Postmaster General, Sydney, to Postmaster General, Melbourne.

15 January, 1880.

Send following telegram to the Postmaster General, Victoria, in reply to his message of the 14th instant:—

Re your telegram of yesterday, we can only deal with the present position of matters. If we reduce to 6d., and have to pay you that amount on all letters both ways and have to pay England 2d. on inward letters besides Continental rates, we shall sustain a further loss on ocean mail services; and, as we are not prepared to do this, cannot consent to any reduction of Brindisi rates.

S.S.

Telegram sent.

Extract from *Sydney Morning Herald*.

"THE Chief Secretary has received a telegram from the Agent General stating that a conference of the Imperial authorities is to be held to consider the proposal of the Victorian Government that Southampton rates shall in future be charged on Brindisi letters, and says he hopes to obtain the concession asked for."

Referring to the above telegram from Victoria in the *Sydney Morning Herald* of this day, I suggest to the Colonial Secretary that the following message be at once sent to Sir Daniel Cooper, the acting Agent General:—

"Last September Imperial Government notified proposed abandonment Southampton route and reduction Brindisi postage to seven-pence. We replied,—No objection, provided penny would meet Continental rates. Victoria has since proposed reducing to sixpence, to which we have objected. Now rumoured Imperial Government favourably considering Victorian proposal. Strongly protest against any reduction that will prevent our receiving the fourpence already agreed to be allowed on every half-ounce letter."

SAUL SAMUEL.

19/1/80.

Urgent.—The Principal Under Secretary.—S.H.L., 19/1/80. Submitted, 19/1/80. Telegram sent to Agent General, 20/1/80. The Secretary, General Post Office.—B.C., 20/1/80, C.W.

1879.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

POSTAGES ON OUTWARD AUSTRALIAN AND NEW ZEALAND MAILS.

(CORRESPONDENCE CONCERNING ARRANGEMENTS WITH IMPERIAL GOVERNMENT.—
FURTHER PAPERS.)

Ordered by the Legislative Assembly to be printed, 18 December, 1879.

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POSTAGES ON OUTWARD AUSTRALIAN AND NEW ZEALAND MAILS.

No. 1.

The Agent General to The Colonial Secretary, Sydney.

Sir, 3, Westminster Chambers, Victoria-street, S.W., 9 May, 1879.

With reference to your telegram of the 2nd instant, I have the honor to forward herewith, in continuation of previous communications, and in explanation of my telegram of the 2nd inst., copy of further correspondence in the matter of the proposed changes in the division between the Imperial and Colonial Governments of the postages on the Australasian mails, and to draw your particular attention to the Colonial Office letter of the 29th April, and to my reply thereto of the 5th instant, relating to this question, and to the arrangements to be made at the expiration of the present contracts, for the conveyance of the mails between this Country and the Australasian Colonies.

I have, &c.,

WILLIAM FORSTER.

[Enclosures.]

The Colonial Office to Mr. W. Forster.

Sir, Colonial Office, Downing-street, 29 April, 1879.

With reference to previous correspondence respecting the Australian postal question, I am directed by the Secretary of State for the Colonies to inform you that he has received a letter from the Lords Commissioners of the Treasury, intimating that, on being informed by Mr. Berry that he had reason to believe that a fresh contract might be made with the Peninsular and Oriental Company for a fortnightly service both to Melbourne and Sydney, touching at King George's Sound and South Australia, on terms which would be advantageous as compared with the existing rate, they are prepared under such circumstances so far to modify their previous decision on the subject as to agree that the Australian mails shall, as at present, be conveyed free of charge to the Colonies between this Country and Point de Galle or Colombo (in the event of the latter port being made the port of call for Ceylon), on the condition that the Imperial Post Office shall after the 1st of February next, when the present arrangement will expire, receive two-pence in lieu of one penny, as at present, on the outward correspondence, which may be considered as equivalent to the inland rate on both the homeward and the outward correspondence.

This arrangement would, of course, apply equally to the correspondence conveyed under other contracts *via* Singapore and San Francisco.

I have, &c.,

ROBERT GEO. W. HERBERT.

Telegram, 2 May, 1879—"Forster to Secretary, Sydney."

TREASURY propose fortnightly service by Galle impounding two-pence upon all services after February. Graham Berry stating his belief of approval from Sydney. Have protested, Vogel concurring." * * *

Telegram, dated Sydney 2 May, received London, 2 May, 1879.—"Secretary to Forster, London."

Re Secretary of State's despatch seventeenth January you fully empowered to represent this Government, letter of instructions twenty-fourth April contend for continued assistance to American service during contract.

Mr. W. Forster to The Colonial Office.

Sir, 3, Westminster Chambers, S.W., 5 May, 1879.

In reply to your letter of the 29th ultimo, in which you inform me that the Secretary of State for the Colonies has received a communication from the Lords Commissioners of the Treasury, intimating that on being informed by Mr. Graham Berry that he had reason to believe that a fresh contract might be made with the Peninsular and Oriental Company, for a fortnightly service both to Melbourne and Sydney, touching at King George's Sound and South Australia, on terms which would be advantageous as compared with the existing rate, they are prepared under such circumstances so far to modify their previous decision on the subject as to agree that the Australian mails shall, as at present, be conveyed free of charge to the Colonies between this Country and Point de Galle or Colombo (in the event of the latter port being made the port of call for Ceylon), on the condition that the Imperial Post Office shall after the 1st of February next, when the present arrangement will expire, receive two-pence in lieu of one penny, as at present, on the outward correspondence, which may be considered as equivalent to the inland rate on both the homeward and the outward correspondence, and that this arrangement would of course apply equally to the correspondence conveyed under other contracts *via* Singapore and San Francisco,—I have the honor to state that I am not aware that Mr. Berry has any authority to act for or represent the Government of New South Wales in this or any other matter; and not having been informed by him or having any means of ascertaining what he may consider reason to believe anything, I cannot avoid entertaining very strong doubts whether Mr. Berry has any grounds whatever for assuming or believing—and I myself do not believe—that the Government of New South Wales would be likely to approve of or accede to any arrangement which would seriously interfere with or place them in a less favourable position than they enjoy in common with the Government of New Zealand, under the existing arrangement, which includes and was made pursuant to their contract with the Pacific Mail Company for conveyance of mails between Sydney and San Francisco.

There

There can be no doubt that the virtual renewal and extension of this contract to November, 1883, was agreed to by these two Governments under an impression that the arrangement of which it formed a part would be adhered to by the Imperial Government until the termination of the contract. And there is reason to fear that the benefits and effectiveness of the arrangement would be impaired by the alteration of terms suggested in your letter.

I think it my duty therefore, and I have the honor, on behalf of the Government which I represent, to protest against the proposal embodied in your letter, and to express my hope that, so far as the Colonies of New South Wales and New Zealand are concerned, the new arrangement may not take effect before the termination, in the year 1883, of the contract above referred to.

I have the honor to add that this letter is written, and protest made, with the concurrence of the Agent General for New Zealand.

I have, &c.,

WILLIAM FORSTER.

Copy of this letter sent to the Agents General for Victoria, New Zealand, South Australia, and Queensland.

Mr. W. Forster to The Colonial Office.

3, Westminster Chambers, Victoria-street, 5 May, 1879.

Sir,

With reference to previous correspondence, and in particular to your letter of the 17th January last, respecting the Australian postal question, I have the honor to notify, for the information of the Secretary of State for the Colonies, that on the 2nd instant I received from the Chief Secretary of New South Wales the following telegram of that date:—

"Re Secretary of State's despatch, seventeenth January. You fully empowered to represent this Government; letter of instructions twenty-fourth April contend for continued assistance to American service during contract."

I have, &c.,

WILLIAM FORSTER.

Mr. S. Yardley to Sir Julius Vogel.

3, Westminster Chambers, Victoria-street, S.W., 5 May, 1879.

Sir,

I am directed by the Agent General for New South Wales to annex hereto, for your information, copy of a telegram, dated Sydney, 2nd instant, which he has received from the Chief Secretary for New South Wales, relating to the Australian postal question, and with reference especially to the Secretary of State's letter of the 17th January last, regarding the representation of the Colonies for the purpose of negotiating and concluding whatever agreements may be arrived at with Her Majesty's Government in regard thereto.

I have, &c.,

S. YARDLEY,

Secretary, N.S. Wales Government Agency.

Sir Julius Vogel to Mr. W. Forster.

7, Westminster Chambers, S.W., 6 May, 1879.

Sir,

I have the honor to acknowledge the receipt of Mr. Yardley's letter of 5th instant, transmitting copy of a telegram received by you from the Chief Secretary of New South Wales, relating to the Australian postal question, and I have to thank you for the same.

I beg at the same time to enclose, for your information, a copy of a cablegram which I received from my Government, authorizing me to negotiate with the Imperial Government on this subject, and also copy of a communication which I addressed to the Secretary of State for the Colonies.

I have, &c.,

JULIUS VOGEL,

Agent General for New Zealand.

Telegram, received 9 April, 1879, Wellington, dated 9th. To Vogel.

POSTAGE—Agent-General authorized negotiate "Imperial Government." Advocate generally views letter July twenty-four with most liberal terms possible and maintaining present payment during 'Frisco contract.

GREY.

Sir Julius Vogel to The Colonial Office.

7, Westminster Chambers, S.W., 16 April, 1879.

Sir,

I have the honor to inform you that I have received from the Honorable the Premier of New Zealand a cablegram authorizing me to negotiate with the Imperial Government on the subject of the division of postages between the Mother Country and New Zealand.

This is, I presume, in response to your circular letter inviting the Colonies to name a representative. I shall be glad therefore to know when you wish to see me, or what steps you may desire I shall take in the matter.

I have, &c.,

JULIUS VOGEL,

Agent General for New Zealand.

Sir Julius Vogel to The Colonial Office.

7, Westminster Chambers, S.W., 30 April, 1879.

Sir,

I have the honor to acknowledge the receipt of your letter of the 29th instant, in which you intimate to me that on Mr. Berry informing the Lords Commissioners of the Treasury that a fresh contract might be made with the Peninsular and Oriental Company for a fortnightly service both to Melbourne and Sydney, they have agreed to modify their previous decision so far as to be willing to carry the mails between this country and Ceylon for double the rate now charged, namely, two-pence instead of a penny, and that this proposal would equally apply to the Colonial mails carried by way of San Francisco.

In reply, I have to say that I doubt if Mr. Berry has any authority to act for the Government of New South Wales. Until November, 1883, New South Wales and New Zealand are jointly concerned in a contract for the carriage of mails *via* San Francisco. By an arrangement which has been made between the several

several Colonies, each has been able to use the various mail routes without necessarily being a party to the contracts. Victoria has thus used the San Francisco route, whilst New South Wales and New Zealand have used the monthly service *via* Ceylon. A fortnightly service by the latter route would throw on the two last-mentioned Colonies a heavier cost for the San Francisco service, inasmuch as it would lessen the use of it made by Victoria. It is exceedingly improbable that pending the continuation of the San Francisco service, the Government of New South Wales would entertain any arrangement for the establishment of a fortnightly service by Suez.

In any case however I have to urge most earnestly the claim of my Government and that of New South Wales to a continuance of the present arrangement, so far as relates to the carriage of mails by San Francisco until that contract expires in November, 1883.

The two Governments when they entered into the contract did so with the full persuasion that the Imperial Government would not increase the charge for which they had agreed to make the connections with San Francisco.

In my letter of July 24th last, to the Secretary of State for the Colonies (copy enclosed), I showed at length that the transit of the mails to and from San Francisco did not cost the Imperial Government a larger sum of money than when the agreement was entered into with the Colonies to carry those mails. On the other hand, the two Colonies interested pay a very large sum for the service, and they will feel it to be a want of consideration to them that the terms should be increased during the currency of the service. I trust therefore, without reference to the arrangements made for other services, or those to follow the conclusion of the present San Francisco contract, that until the present contract expires the present arrangement will be allowed to continue.

I am happy to state that the Agent General for New South Wales concurs in these views.

I have, &c.,

JULIUS VOGEL,

Agent General for New Zealand.

Telegram sent 2nd May, 1879, Vogel to Postmaster, New Zealand.

TREASURY consequent upon Graham Berry stating fortnightly Suez Service Melbourne Sydney probable intimate impound two-pence all services after February. Have expressed doubt Berry authority act Sydney or that Sydney favour fortnightly Suez service. Protested also against charge during present Frisco contract, Forster concurring.

The Colonial Office to Sir Julius Vogel.

Sir,

Downing-street, 5 May, 1879.

I am directed by the Secretary of State for the Colonies to acknowledge the receipt of your letter of the 30th April, requesting that the present arrangements for the carriage of mails *via* San Francisco may be continued until the contract for their service expires in November, 1883.

In reply, I am to inform you that a copy of your letter has been forwarded to the Lords Commissioners of the Treasury, and that a further communication will be addressed to you upon the subject.

I have, &c.,

JOHN BRAMSTON.

Submitted.—19/6/79. The Postmaster General.—H.P., 19/6/79. The Secretary to the Post Office, B.C., 19 June, 79.—C.W.

No. 2.

Circular Despatch from The Secretary of State to The Officer Administering the Government of New South Wales.

Sir,

Downing-street, 17 May, 1879.

I informed you by my telegram of the 13th instant, that the Lords Commissioners of the Treasury would continue the present arrangement for the carriage of the Australasian Mails, but after the 1st of February next would retain two-pence instead of a penny on the outward correspondence; and I have now the honor to transmit to you, for the information of your Government, a copy of a letter, in which I caused their Lordships' decision to be communicated to the Agents General, and to Mr. Graham Berry, as the representative of the Government of Victoria, who was then in this country.

I have, &c.,

M. E. HICKS-BEACH.

[Enclosure.]

The Colonial Office to Mr. Graham Berry and the Agents General for the Australasian Colonies.

Sir,

Downing-street, 29 April, 1879.

With reference to previous correspondence respecting the Australian postal question, I am directed by the Secretary of State for the Colonies to inform you that he has received a letter from the Lords Commissioners of the Treasury, intimating that on being informed by [Mr. Berry] [you] that [he] [you] had reason to believe that a fresh contract might be made with the Peninsular and Oriental Company for a fortnightly service both to Melbourne and Sydney, touching at King George's Sound and South Australia, on terms which would be advantageous as compared with the existing rate, they are prepared, under such circumstances, so far to modify their previous decision on the subject as to agree that the Australian Mails shall, as at present, be conveyed free of charge to the colonies between this country and Point de Galle or Colombo (in the event of the latter port being made the port of call for Ceylon), on the condition that the Imperial Post Office shall, after the 1st of February next, when the present arrangement will expire, receive two-pence in lieu of one penny as at present on the outward correspondence, which may be considered as equivalent to the inland rate on both the homeward and the outward correspondence.

This arrangement would of course apply equally to the correspondence conveyed under other contracts *via* Singapore and San Francisco.

I am, &c.,

R. G. W. HERBERT.

Colonial Secretary, 10/7/79. The Postmaster General.—H.P., 19/7/79. The Secretary to the Post Office, B.C., 21 July, 1879.—C.W. Seen.—S.S., 25/7/79.

Vessels to be equipped and manned, and subject to approval.

3. That the vessels to be employed under this agreement shall be always furnished with all necessary and proper machinery, engines, apparel, furniture, stores, tackle, boats, fuel, lamps, oil, tallow, provisions, anchors, cables, fire-pumps, and other proper means of extinguishing fire, lightning-conductors, charts, chronometers, nautical instruments, and whatsoever else may be requisite for equipping the said vessels and rendering them constantly efficient for the service hereby agreed to be performed, and also manned and provided with competent officers with appropriate certificates, granted pursuant to the Act or Acts of the Imperial Parliament of Great Britain and Ireland in force for the time being relative to the granting of certificates to officers in the merchant service, and with a sufficient number of efficient engineers and a sufficient crew of able seamen and other men, to be in all respects, as to vessels, engines, equipment, officers, engineers, and crew, subject in the first instance and from time to time and at all times afterwards to the approval of the Postmaster General or of such person or persons as he shall at any time or times or from time to time authorize to inspect and examine the same.

As to mail and sorting rooms.

4. The Company shall at their own cost provide on each of the vessels to be employed under this agreement, a separate and convenient room, for the convenient and secure deposit of the mails, under lock and key, and shall also at the like cost (if and when they shall be required so to do by the said Postmaster General) erect and provide on each of such vessels employed under this agreement a separate and convenient room for sorting and making up the said mails, and shall provide in such room all such furniture, lamps, fittings, and other conveniences as shall be necessary or convenient for the purpose of sorting and making up the said mails; and all such furniture, lamps, fittings, and other conveniences, shall be from time to time cleansed and kept in repair, and the oil for the lamps supplied by the servants and at the cost of the Company, and the services of the crew of every such vessel shall from time to time be given in the conveyance of the mails between the mail-room and the sorting-room. The Company shall also, if required by the Postmaster General so to do, convey free of cost on such parts of the voyage as he may direct one or two Mail Agents, to be berthed and messed as first-class passengers.

Times of starting.

5. That one of such vessels so approved, equipped, and manned as aforesaid shall, once in every fourteen days, and on such days and at such hours as shall be fixed by the Postmaster General upon or after the day hereinafter appointed for the commencement of this agreement (until and unless any other days or hours shall, under the proviso herein in that behalf contained, be substituted instead thereof), and immediately after the mails are embarked, put to sea from the ports of Melbourne and Point de Galle, or Colombo, as the case may be, respectively, and the Company shall convey in such vessels to and from and cause to be delivered and received at such of the ports or places hereinbefore mentioned all such mails as shall or may be tendered or delivered to or received by the Company or any of their agents, officers, or servants by or from or under the direction of the Postmaster General or any of his officers or agents.

Power to alter time.

6. That if at any time or times the Postmaster General shall desire to alter the particular days, times, or hours of departure from and arrival at any of the ports or places to or from which mails are to be conveyed under this agreement, he shall be at liberty so to do on giving three calendar months' previous notice in writing of such his desire to the Company, and the Company shall observe, perform, fulfil, and keep such altered days, times, and hours.

Postmaster General may delay starting for twenty-four hours.

7. That should it be deemed by the Postmaster General requisite for the public service that any vessel to be employed under this agreement should at any time or times delay her departure from any port from which the mails are to be conveyed under this agreement beyond the period appointed for her departure therefrom, the Postmaster General, his officers or agents, shall have power to order such delay (not however exceeding twenty-four hours), by letter addressed by him or them to the master of any such vessel or person acting as such, and which shall be deemed a sufficient authority for such detention; and the said Postmaster General, his officers or agents shall have power, to be exercised in writing as aforesaid, to delay the departure of any vessel employed under this agreement, from Point de Galle or Colombo, as the case may be, until the mails from England are placed on board.

Duration of voyages. Point de Galle or Colombo to Melbourne.

8. All mails conveyed by the Company in pursuance of this agreement from Point de Galle or Colombo, as hereinafter provided, to Melbourne, shall be conveyed by way of King George's Sound and also by way of Glenelg or the Semaphore as the Postmaster General may direct, and the voyage from Point de Galle or Colombo, as the case may be, to Melbourne shall be completed in four hundred and fifty-six hours, inclusive of the stoppages at King George's Sound and Glenelg or the Semaphore, which stoppages shall not together exceed twenty-four hours.

Melbourne to Point de Galle or Colombo.

9. All mails conveyed by the Company in pursuance of this agreement from Melbourne to Point de Galle or Colombo, as the case may be, shall be conveyed by way of Glenelg or the Semaphore as the Postmaster General may direct, and also by way of King George's Sound, and the voyage from Melbourne to Point de Galle or Colombo shall be completed in four hundred and fifty-six hours, inclusive of the stoppages at Glenelg or the Semaphore and King George's Sound, which stoppages shall not together exceed twenty-four hours.

Penalties.

10. The Company further agree that, so long as Her Majesty's mails are conveyed from Brindisi to Point de Galle or Colombo, under the provisions of the contract of the seventh day of February, one thousand eight hundred and seventy-nine, the Company will convey the mails from Brindisi to Melbourne in eight hundred and ninety-five hours, inclusive of stoppages, and from Melbourne to Brindisi in nine hundred and ten hours, inclusive of stoppages, except during the prevalence of the south-west monsoon, when forty-eight hours additional shall be allowed for the conveyance of the mails from Melbourne to Brindisi. And if the Company shall fail to convey the said mails from Brindisi to Melbourne, and from Melbourne to Brindisi, in the periods respectively above stipulated, then in every such case, and so often as the same shall happen, the Company shall forfeit and pay to Her Majesty, Her Heirs and Successors, the sum of one hundred pounds for every complete period of twenty-four hours consumed on the respective voyages beyond the periods hereinbefore respectively specified: Provided always that the full amount of such sums payable on any one voyage shall never exceed the portion of the sum of the subsidy hereinafter agreed to be paid by the Postmaster General as applicable to such voyage; and provided further that the payment of any such sum shall not be enforced against the Company if it be shown by them to the satisfaction of the Postmaster General that the delay has arisen from causes over which they had not and could not have had any control.

Premium for time saved.

11. The Postmaster General doth hereby agree to pay to the Company a premium of fifty pounds for every complete period of twenty-four hours by which the time occupied in the conveyance of the mails from Brindisi to Melbourne and from Melbourne to Brindisi shall be less than the times stipulated in clause 10.

12.

12. Should the Postmaster General desire so to do, he may, by notice in writing under his hand, to be given at any time before the first day of February, one thousand eight hundred and eighty, substitute for the stipulation in clause 10 as to penalties the following stipulation, that is to say—That if the Company shall fail to convey the said mails from Point de Galle or Colombo, as the case may be, to Melbourne in four hundred and fifty-six hours, or from Melbourne to Point de Galle or Colombo, as the case may be, in four hundred and fifty-six hours, under the conditions specified in clauses 8 and 9, then in any of such cases, and so often as the same shall happen, the Company shall forfeit and pay to Her Majesty, Her Heirs and Successors, the sum of one hundred pounds for every complete period of twenty-four hours consumed on the respective voyages beyond the periods hereinbefore respectively specified: Provided always that the full amount of such sums payable on any one voyage shall never exceed the portion of the sum of the subsidy hereinafter agreed to be paid by the Postmaster General as applicable to such voyage: And provided further that the payment of any such sum shall not be enforced against the Company if it be shown by them to the satisfaction of the Postmaster General that the delay has arisen from causes over which they had not and could not have had any control.

And in case the Postmaster General shall decide to adopt the system of penalties specified in this clause, then and in that case there shall be substituted for the stipulation in clause 11 as to premiums the following stipulation, that is to say,—that the Postmaster General shall pay to the Company a premium of fifty pounds for every complete period of twenty-four hours by which the time occupied in the conveyance of the mails from Point de Galle or Colombo to Melbourne, and from Melbourne to Point de Galle or Colombo, shall be less than the time stipulated in clauses 8 and 9 respectively.

13. That if the Company fail to provide an efficient vessel at Point de Galle or Colombo, as the case may be, or Melbourne, in accordance with the terms of this agreement, ready to put to sea on and at the appointed day and hour, then and so often as the same shall happen the Company shall forfeit and pay unto Her Majesty, Her Heirs and Successors, the sum of five hundred pounds, and also the further sum of one hundred pounds for every successive twenty-four hours which shall elapse until such vessel actually proceeds to sea on her voyage in the performance of this agreement: Provided always that the aggregate amount of the penalties to be recoverable under this clause in respect of any one voyage or contemplated voyage shall not exceed by more than the sum of two thousand pounds the proportion of the subsidy hereinafter agreed to be paid by the Postmaster General as applicable to such voyage.

Penalties for failing to provide vessels.

14. That during the continuance of this agreement the commanders of the vessels to be employed for the time being in carrying the mails under this agreement shall take due care of, and the Company shall be responsible for, the receipt, safe custody, and delivery of the said mails; and each of such masters or commanders shall make such oath or declaration or declarations now lawfully required or which may hereafter be lawfully required by the Postmaster General in such and similar cases, and furnish such journals, returns, and information to and perform such services as the Postmaster General may require: And every such master or commander or officer duly authorized by him having the charge of mails shall himself, immediately on the arrival at any of the said ports or places of any such vessel, deliver all mails for such port or place into the hands of the Postmaster or other person at such port or place as the Postmaster General shall authorize to receive the same, receiving in like manner all the return or other mails to be forwarded in due course.

Masters of vessels to take charge of mails.

15. That the Company shall not, nor shall any of the masters of any of the vessels employed or to be employed under this agreement, receive or permit to be received on board any of the vessels carrying the mails under this agreement any letters for conveyance other than those carried under this agreement in charge of the said commander or other person authorized to have charge of the said mails, or which are or may be privileged by law, nor shall any mails be conveyed by the Company between Point de Galle or Colombo, as the case may be, and any of the Australasian Colonies or New Zealand, for or on behalf of any colony, province, or foreign country, save those carried under this agreement, without the consent in writing of the Postmaster General.

No letters to be received on board but Her Majesty's mails.

16. So long as Point de Galle continues to be the port in the island of Ceylon to and from which the mails are conveyed under the contract between the Imperial Government and the Company, the Company's steamers employed under this present agreement shall run to and from Point de Galle, but as soon as Colombo shall have been substituted for Point de Galle as the port of call under the Imperial Contract, the Company's steamers employed under this agreement shall run to and from Colombo instead of Point de Galle.

Substitution of Colombo for Point de Galle.

17. That the Postmaster General shall have full power whenever and as often as he may deem it requisite, to survey by any of his officers or agents all or any of the vessels employed and to be employed in the performance of this agreement and hulls thereof; and the engines, machinery, furniture, tackle, apparel, stores, equipments, and the officers, engineers, and crew of every such vessel, and any defect or deficiency that may be discovered on any such survey, shall be forthwith repaired or supplied by the Company; and if any of such vessels, or any part thereof, or any engines, machinery, furniture, tackle, apparel, boats, stores, or equipments shall on any such survey be declared by any of such officers or agents unseaworthy or not adapted to the service hereby agreed to be performed, every vessel which shall be disapproved of or in which such deficiency or defect shall appear shall be deemed insufficient for any service hereby agreed to be performed, and shall not be again employed in the conveyance of mails until such defect or deficiency has been repaired or supplied to the satisfaction of the Postmaster General.

Postmaster General may survey vessels.

18. That the Company and all commanding and other officers of the vessels employed in the performance of this agreement, and all agents, seamen, and servants of the Company shall at all times punctually attend to the orders and directions of the Postmaster General, his officers or agents, as to the mode, time, and place of landing, delivering, and receiving mails.

Orders as to the landing, &c., of mails to be attended to.

19. That all and every the sums of money hereby stipulated to be forfeited or paid by the Company unto Her Majesty, Her Heirs and Successors, shall be considered as stipulated or ascertained damages, whether any damage or loss have or have not been sustained, and shall and may be retained and deducted by the Postmaster General out of any moneys payable or which may thereafter become payable to the Company.

Penalties to be considered as ascertained damages and may be retained by the Postmaster General.

20. And in consideration of the due and faithful performance by the said Company of all the services hereby agreed to be by them performed, the said Postmaster General doth hereby agree that there shall be paid at Melbourne to the said Company by Her Majesty's Government of Victoria, so long as the Company

Subsidy.

Company perform the voyages and services herein contracted to be performed, a sum of money after the rate of eighty-five thousand pounds per annum (£85,000), in equal quarterly payments, on the first day of April, and the first day of July, the first day of October, the first day of January in each year, and shall accrue due from day to day; and the said payments shall be received by the said Company as full compensation for all costs and expenses which they may incur or be put unto by reason or on account of all and singular the services hereby contracted to be performed, subject however to the abatement or deduction of any sums of money in respect of forfeitures which the said Company may have incurred, or to the addition of any sums in respect of premiums as the case may be, as herein provided.

Contractors to have no claim to postage except as herein provided. Commencement and duration of contract.

21. The Contractors shall have no claim to any postage nor to any payment on account thereof for mails carried under this contract except as herein provided.

22. That this agreement shall commence on and from the first day of February, one thousand eight hundred and eighty, and shall continue until the thirty-first day of January, one thousand eight hundred and eighty-eight, and shall then determine if the Postmaster General shall by writing under his hand have given to the Company, or if the Company shall have given to the Postmaster General, twenty-four calendar months' notice that this agreement shall so determine; but if neither the Postmaster General nor the Company shall give any such notice, this agreement shall continue in force after the said thirty-first day of January, one thousand eight hundred and eighty-eight, until the expiration of a twenty-four calendar months' notice in writing as aforesaid, which may be given by either of the said parties hereto to the other of them, and which last-mentioned notice may be given on or at any time after the thirty-first day of January, 1886. This agreement shall then determine accordingly, without prejudice nevertheless to any right of action or other proceeding which shall then have accrued to either party for any breach thereof.

Penalties for failing to commence service on 1st February, 1880.

23. And it is hereby further agreed that in case the Company shall fail to commence the performance of the services herein agreed to be by them performed on the first day of February, one thousand eight hundred and eighty, or the first day thereafter which the Postmaster General may fix as the day of sailing, then and in such case the Company shall forfeit and pay unto Her Majesty, Her Heirs, and Successors, the sum of five hundred pounds, and also the further sum of one hundred pounds for every successive period of twenty-four hours which shall elapse until the actual and *bonâ fide* commencement of the performance by the Company of the services herein agreed to be by them performed: Provided always that the total amount of the penalties to be incurred by the said Company by reason of such failures as aforesaid respectively shall not exceed the sum of fifteen thousand pounds.

On determination, voyages begun to be completed.

24. That if on the determination of this agreement any vessel or vessels should have started or should start with the mails, in conformity with this agreement, such voyage or voyages shall be continued and performed and the mails be delivered and received during the same as if this agreement had remained in force with regard to any such vessels and services; and with respect to such vessels and services as last aforesaid, this agreement shall be considered as having terminated when such vessels and services shall have reached their port or place of destination and been performed.

Postmaster General may delegate powers.

25. It shall be lawful for the Postmaster General, by writing under his hand, at any time and from time to time to delegate any of the powers vested in him by virtue of this agreement to such person or persons as he may think fit.

Company not to convey dangerous articles.

26. The Company shall not convey in any vessel employed by them in pursuance of this agreement, any nitro-glycerine or any other article which shall have been legally declared specially dangerous either in England or Victoria.

Quarantine.

27. The Company shall undertake for themselves all arrangements relative to quarantine.

As to notices.

28. That all notices or directions which the Postmaster General, his officers, agents, or others, are hereby authorized to give to the Company, their officers, servants, or agents, other than any notice of termination of this contract, may, at the option of the Postmaster General, either be delivered to the master of any of the said vessels or other officer or agent of the Company in the charge or management of any vessel employed in the performance of this agreement, or left for the Company at their office or house of business in Melbourne, or at their or any of their last known places of business or abode in Melbourne; and any notices or directions so given or left shall be binding on the Company: Provided always that any notice of termination of this contract shall be served on the Company, their officers, servants, or agents, at their office or last known office in Melbourne.

Company not to assign, &c., agreement.

29. The Company shall not assign, underlet, or dispose of this agreement or any part thereof without the consent of the Postmaster General signified in writing under his hand, and in case of the same or any part thereof being assigned, underlet, or otherwise disposed of, or of any great or habitual breach of this agreement, or any covenant, matter, or thing herein contained on the part of the Company, their officers, agents, or servants, it shall be lawful for the Postmaster General, if he shall think fit, and notwithstanding there may or may not have been any former breach of this agreement, by writing under his hand, to determine this agreement without any previous notice to the Company or their agents, nor shall the Company be entitled to any compensation in respect of such determination, and such determination shall not deprive the Postmaster General of any right or remedy to which he would otherwise be entitled by reason of such breach or any prior breach of this agreement; and in case any difference shall arise between the parties hereto as to the sufficiency of any such breach as aforesaid to justify the Postmaster General in determining this agreement, such difference shall be referred to and determined by arbitration in manner hereafter provided: Provided always that in case within seven days after service on the Company of a notice determining this agreement on the ground of any great or habitual breach or breaches thereof, the Company or their agents give a notice in writing to the Postmaster General that they dispute the sufficiency of such breach or breaches to justify the Postmaster General in determining this agreement, such dispute shall be referred to arbitration in manner hereinafter provided, and in such case this agreement shall notwithstanding such notice of determination continue in force unless and until an award shall be made to the effect that such breach or breaches was or were sufficient to justify the Postmaster General in giving such notice of determination as aforesaid.

Disputes to be referred to arbitration.

30. If at any time during the continuance of this agreement, or after the determination thereof, any dispute shall arise between the parties to these presents or their successors respectively, concerning any of the covenants, matters, or things hereinbefore contained, or in anywise relating thereto, such dispute shall be referred to and determined by arbitration in manner hereinafter provided.

31. All matters which in pursuance of the provisions hereinbefore contained are to be determined by arbitration shall be referred to two arbitrators, one to be chosen from time to time by the Postmaster General and the other by the Company; and if such arbitrators should at any time or times not agree on the matter or question referred to them, then such question in difference shall be referred by them to an umpire to be chosen by such arbitrators before they proceed with the reference to them, and the joint and concurrent award of the said arbitrators, or the separate award of the said umpire, when the said arbitrators cannot agree, shall be binding and conclusive upon both parties: Provided that in case of either party failing to choose an arbitrator within two months of receipt of notice to arbitrate, or in case of the chosen arbitrators failing to choose an umpire within two months of their failure to agree, then the Chief Justice of the Colony of Victoria for the time being shall nominate an umpire, by writing under his hand, whose award shall be final and conclusive on all parties; and every such arbitration shall be held in Melbourne aforesaid. Arbitration.

32. Any submission to arbitration in pursuance of this agreement shall be made a rule of the Supreme Court of the Colony of Victoria, pursuant to the statute in that case made and provided, on the application of either party. Any reference to be made a rule of Court.

33. And for the due and faithful performance of all and singular the covenants, conditions, provisoes, clauses, articles, and agreements hereinbefore contained, and which on the part and behalf of the said Company, their officers, agents, or servants are or ought to be observed, performed, fulfilled and kept, the said Company do hereby bind themselves and their successors unto Her Majesty in the sum of fifteen thousand pounds sterling, to be paid to Her Majesty, Her Heirs and Successors, by way of stipulated or ascertained damages, hereby agreed upon between the Postmaster General and the said Company, in case of the failure on the part of the Company in the execution of this contract, or any part thereof. Bond clause.

34. The words "Postmaster General" herein shall mean the Postmaster General of the Colony of Victoria for the time-being, or the responsible Minister of the Crown for the time-being administering the Post Office Department. Interpretation.

In witness, &c.

Colonial Secretary.—A.L., 16/8/79. The Postmaster General.—H.P., 22/3/79. The Secretary to the General Post Office, B.C., 22 August, 1879.—C.W. Submitted—S.H.L., 27/8/79. Seen.—S.S., 1/9/79.

No. 5.

The Secretary of State for the Colonies to The Officer Administering the Government of New South Wales.

Sir,

Downing-street, 4 June, 1879.

With reference to my telegram of the 13th May, and to my circular despatch of the 17th of the same month, in which I informed you of the decision at which the Lords Commissioners of the Treasury had arrived in respect of the division of postal receipts between this Country and the Australasian Colonies after the 1st February next, I have the honor to transmit to you, for the information of your Government, copies of further correspondence with the Agent General representing your Government in this Country upon the subject.

I have, &c.,

M. E. HICKS-BEACH.

[Enclosures.]

The Agent General for New South Wales to The Colonial Office.

Sir,

3, Westminster Chambers, Victoria-street, S.W., 5 May, 1879.

In reply to your letter of the 29th ultimo, in which you inform me that the Secretary of State for the Colonies has received a communication from the Lords Commissioners of the Treasury, intimating that on being informed by Mr. Graham Berry that he had reason to believe that a fresh contract might be made with the Peninsular and Oriental Company for a fortnightly service both to Melbourne and Sydney, touching at King George's Sound and South Australia, on terms which would be advantageous as compared with the existing rate, they are prepared under such circumstances so far to modify their previous decision on the subject as to agree that the Australian mails shall as at present be conveyed free of charge to the Colonies between this Country and Point de Galle or Colombo (in the event of the latter port being made the port of call for Ceylon), on the condition that the Imperial Post Office shall after the 1st of February next, when the present arrangement will expire, receive two-pence in lieu of one penny as at present on the outward correspondence, which may be considered as equivalent to the inland rate on both the homeward and the outward correspondence, and that this arrangement would of course apply equally to the correspondence conveyed under other contracts *via* Singapore and San Francisco,—I have the honor to state that I am not aware that Mr. Berry has any authority to act for or represent the Government of New South Wales in this or any other matter; and not having been informed by him, or having any means of ascertaining what he may consider reason to believe anything, I cannot avoid entertaining very strong doubts whether Mr. Berry has any grounds whatever for assuming or believing, and I myself do not believe, that the Government of New South Wales would be likely to approve of or accede to any arrangement which would seriously interfere with or place them in a less favourable position than they enjoy in common with the Government of New Zealand under the existing arrangement, which includes and was made pursuant to their contract with the Pacific Mail Company for conveyance of mails between Sydney and San Francisco.

There can be no doubt that the virtual renewal and extension of this contract to November, 1883, was agreed to by these two Governments under an impression that the arrangement of which it formed a part would be adhered to by the Imperial Government until the termination of the contract; and there is reason to fear that the benefits and effectiveness of the arrangement would be impaired by the alteration of terms suggested in your letter.

I think it my duty therefore, and I have the honor, on behalf of the Government which I represent, to protest against the proposal embodied in your letter, and to express my hope that, so far as the Colonies of New South Wales and New Zealand are concerned, the new arrangement may not take effect before the termination, in the year 1883, of the contract above referred to.

I have the honor to add that this letter is written and protest made with the concurrence of the Agent General for New Zealand.

I have, &c.,

WILLIAM FORSTER.

The Colonial Office to The Agent General for New South Wales.

Sir,

Downing-street, 4 June, 1879.

Treasury,
13th May, 1879.
Treasury, 27.

With reference to your letter of the 5th of May, and to the reply from this Department of the 20th of May, I am directed by the Secretary of State for the Colonies to transmit to you, for your information, copies of the replies which he has received from the Lords Commissioners of the Treasury to the representations which [you] and the Agent General for New Zealand have made on behalf of the Governments of New South Wales and New Zealand, that the present arrangement respecting the division of postal receipts may continue in force as regards the San Francisco service until the termination in November, 1883, of the contract for that service by which New South Wales and New Zealand are now bound.

A similar letter has been addressed to the Agent General for New Zealand.

I am, &c.,

JOHN BRAMSTON.

The Treasury to The Colonial Office.

Sir,

Treasury Chambers, 27 May, 1879.

The Lords Commissioners of Her Majesty's Treasury have had before them your letter of the 20th instant, transmitting, with reference to previous correspondence, copy of a letter from the Agent General of New South Wales, requesting that the present arrangement respecting the division of postal receipts between the Australian Colonies and New Zealand may continue in force as regards the San Francisco service until the termination of the contract for that service in November, 1883.

I am commanded to acquaint you, for the information of Secretary Sir Michael Hicks-Beach, that my Lords see no reason to come to any other conclusion on this subject than that which was communicated to the Secretary of State in their letter of the 13th instant, with reference to a similar application from the Agent General of New Zealand.

I am, &c.,

H. SELWIN IBBETSON.

The Treasury to The Colonial Office.

Sir,

Treasury Chambers, 13 May, 1879.

The Lords Commissioners of Her Majesty's Treasury have had before them Mr. Bramston's letter of the 5th instant, transmitting copy of a letter from the Agent General for New Zealand, in reply to one in which he had been informed in common with the other Agents General, of the arrangements which my Lords were prepared to agree to for the conveyance of the Australian mails after the 1st of February next, wherein Sir Julius Vogel urges the claim of the Government of New Zealand and that of New South Wales to a continuance of the present arrangement so far as relates to the carriage of mails by San Francisco until the contract which those Governments have for the conveyance of such mails expires in November, 1883.

I am commanded to request that you will state to Secretary Sir Michael Hicks-Beach that the whole question as respects the postal arrangements with the Australian Colonies and New Zealand is so clearly set forth in the circular letter which the Secretary of State addressed to the Governors of those Colonies on the 17th January last that my Lords have little to add thereto.

The Agent General for New Zealand is fully aware that when the arrangements to which he refers were made they were expressly limited to a period of five years; and my Lords, in lately agreeing to extend such period to the 1st February, 1880, the date when the present Imperial contract with the Peninsular and Oriental Steam Navigation Company comes to an end, cannot but feel that they have acted in a very liberal spirit towards the Colonies concerned.

The 1st February, 1880, on which date a new contract which the Imperial Post Office have entered into with the Peninsular and Oriental Company will come into operation, must therefore be considered a fresh starting point.

The presence in this country of Mr. Berry, the Premier of Victoria, afforded the opportunity of his having personal communication with me on the subject of the arrangement to be made for the division, after 1st February, 1880, between the Imperial and Colonial Post Offices of the postage accruing on the correspondence with Victoria and other Colonies whose mails are carried *via* King George's Sound; and after some discussion with that gentleman I felt myself warranted, on the part of this Board, having reference to what I understood was the intention of the Victorian Government, to enter into a contract for the conveyance of mails once every fortnight between Ceylon and Melbourne and probably Sydney, in consenting to the present arrangement under which the Victorian and other Australian mails are carried free of cost to the Colonies between this Country and Ceylon, [excepting of course the mails sent *via* Brindisi, on which the foreign transit rates will have to be paid as at present], being continued on the understanding however that in lieu of the inland rate of one penny per half-ounce letter on the outward correspondence, which is all that the Imperial Post Office now receives, two-pence as an equivalent to the inland rate on the outward and homeward correspondence should be retained on the outward correspondence, leaving four-pence on the outward and the whole of the postage on the homeward correspondence to accrue to the Colonies.

Having agreed to this arrangement with Mr. Berry, my Lords intimated to the Secretary of State that it would be equally applicable to Queensland, whose mails are now conveyed between this Country and Singapore free of cost to the Colony and New Zealand and New South Wales, the mails for which Colonies

are

are now carried at a considerable expense to the Home Government between this Country and San Francisco.

My Lords cannot but think that the arrangement to which they have agreed is one by which the Colonies will be dealt with very liberally. The Home Government will merely retain that which may be considered equivalent to its inland postage, whilst the remainder of the postage on the outward and the whole of the postage on the homeward correspondence will accrue to the Colonies concerned.

My Lords have now only to request that you will state to Sir Michael Hicks-Beach that they are decidedly of opinion that they would not be warranted on the part of the Home Government in acceding to the request preferred by Sir Julius Vogel.

I have, &c.,
H. SELWIN IBBETSON.

Colonial Secretary.—A.L., 16/8/79. The Postmaster General.—H.P., 22/8/79. The Secretary to the General Post Office, B.C., 22 August, 1879.—C.W Submitted.—S.H.L., 29/8/79. Seen.—S.S., 1/9/79.

No. 6.

The Secretary to the Post Office to The Under Secretary, Colonial Secretary's Department.

Sir, General Post Office, Sydney, 23 July, 1879.

With reference to the letter from the Agent General, dated 22nd May last, with enclosures forwarded by you under blank cover, on the 9th inst., relative to the division of postage on correspondence between the United Kingdom and the Australian Colonies, I am directed by the Postmaster General to point out that as no instructions have been yet given to the Agent General since the receipt of Sir Michael Hicks-Beach's telegram of the 13th May last, containing what appears to be the decision of the Imperial Government to retain 2d. instead of 1d., and as Mr. Forster, in the absence of such instructions, may assume that we are content with such an arrangement, and not follow up his protest of the 5th May, it might be advisable to communicate further with him on the subject. Mr. Samuel would suggest that a telegram as per draft enclosed should be sent to London.

Perhaps you will be so good as to bring the matter under the consideration of the Colonial Secretary at the earliest possible moment.

I have, &c.,
S. H. LAMBTON.

[Enclosure.]

Draft Telegram to Agent General, London.

HAVE you received reply to protest against alteration of existing arrangements until termination of Frisco contract? This Government can scarcely think decision to alter this arrangement can be a final one, in view of its having been arrived at before Colonies had time to appoint and instruct representatives to discuss the question, as invited in Secretary of State's despatch of seventeenth January.

Submitted.—26/7/79.

No. 7.

The Agent General to The Colonial Secretary, Sydney.

Sir, 3, Westminster Chambers, Victoria-street, S.W., 1 August, 1879.

In continuation of my letter of the 22nd May last, regarding the postal question, I have the honor to forward for your further information copy of a Colonial Office letter, addressed to me on the 4th June last, and of my minute thereon. I have replied to the Secretary of State in terms of my minute down to the end of paragraph 10.

I have, &c.,
WILLIAM FORSTER.

The Colonial Office to The Agent General.

Sir, Colonial Office, Downing-street, 4 June, 1879.

With reference to your letter of the 5th of May, and to the reply from this Department of the 20th May, I am directed by the Secretary of State for the Colonies to transmit to you, for your information, copies of the replies which he has received from the Lords Commissioners of the Treasury to the representations which you and the Agent General for New Zealand have made on behalf of the Governments of New South Wales and New Zealand, that the present arrangement respecting the division of postal receipts may continue in force, as regards the San Francisco service, until the termination in November, 1883, of the contract for that service by which New South Wales and New Zealand are now bound.

A similar letter has been addressed to the Agent General for New Zealand.

I am, &c.,
JOHN BRAMSTON.

The Treasury to The Colonial Office.

Sir, Colonial Office, Treasury Chambers, 27 May, 1879.

The Lords Commissioners of Her Majesty's Treasury have had before them your letter of the 20th instant, transmitting, with reference to previous correspondence, copy of a letter from the Agent General of New South Wales, requesting that the present arrangement respecting the division of postal receipts between the Australian Colonies and New Zealand may continue in force as regards the San Francisco service until the termination of the contract for that service in November, 1883.

I am commanded to acquaint you, for the information of Secretary Sir Michael Hicks-Beach, that my Lords see no reason to come to any other conclusion on this subject than that which was communicated to the Secretary of State in their letter of the 13th instant, with reference to a similar application from the Agent General of New Zealand.

I have, &c.,

H. SELWIN IBBETSON.

The Treasury to The Colonial Office.

Sir, Colonial Office, Treasury Chambers, 13 May, 1879.

The Lords Commissioners of Her Majesty's Treasury have had before them Mr. Bramston's letter of the 5th instant, transmitting copy of a letter from the Agent General for New Zealand, in reply to one in which he had been informed, in common with the other Agents General, of the arrangements which my Lords were prepared to agree to for the conveyance of the Australian mails after the 1st February next, wherein Sir Julius Vogel urges the claim of the Government of New Zealand and that of New South Wales to a continuance of the present arrangement, so far as relates to the carriage of mails by San Francisco, until the contract which those Governments have for the conveyance of such mails expires in November, 1883.

I am commanded to request that you will state to Secretary Sir Michael Hicks-Beach that the whole question as respects the postal arrangements with the Australian Colonies and New Zealand is so clearly set forth in the circular letter which the Secretary of State addressed to the Governor of those Colonies on the 17th January last, that my Lords have little to add thereto.

The Agent General for New Zealand is fully aware that when the arrangements to which he refers were made, they were expressly limited to a period of five years; and my Lords, in lately agreeing to extend such period to the 1st of February, 1880, the date when the present Imperial contract with the Peninsular and Oriental Steam Navigation Company comes to an end, cannot but feel that they have acted in a very liberal spirit towards the Colonies concerned.

The 1st February, 1880, on which date a new contract which the Imperial Post Office have entered into with the Peninsular and Oriental Company will come into operation, must therefore be considered a fresh starting point.

The presence in this country of Mr. Berry, the Premier of Victoria, afforded the opportunity of his having personal communication with me on the subject of the arrangement to be made for the division, after 1st February, 1880, between the Imperial and Colonial Post Offices, of the postage accruing on the correspondence with Victoria and other Colonies whose mails are carried *via* King George's Sound; and after some discussion with that gentleman I felt myself warranted, on the part of this Board, having reference to what I understand was the intention of the Victorian Government, to enter into a contract for the conveyance of mails once every fortnight, between Ceylon and Melbourne, and probably Sydney, in consenting to the present arrangement, under which the Victorian and other Australian mails are carried free of cost to the Colonies, between this Country and Ceylon (excepting of course the mails sent *via* Brindisi, on which the foreign transit rates will have to be paid as at present) being continued, on the understanding however that in lieu of the inland rate of one penny per half-ounce letter on the outward correspondence, which is all that the imperial Post Office now receives, two-pence, as an equivalent to the inland rate on the outward and homeward correspondence, should be retained on the outward correspondence, leaving four-pence on the outward and the whole of the postage on the homeward correspondence to accrue to the Colonies.

Having agreed to this arrangement with Mr. Berry, my Lords intimated to the Secretary of State that it would be equally applicable to Queensland, whose mails are now conveyed between this Country and Singapore, free of cost to the Colony, and New Zealand and New South Wales, the mails for which Colonies are now carried at a considerable expense to the Home Government between this Country and San Francisco.

My Lords cannot but think that the arrangement to which they have agreed is one by which the Colonies will be dealt with very liberally. The Home Government will merely retain that which may be considered equivalent to its inland postage, whilst the remainder of the postage on the outward and the whole of the postages on the homeward correspondence will accrue to the Colonies concerned.

My Lords have now only to request that you will state to Sir Michael Hicks-Beach that they are decidedly of opinion that they would not be warranted, on the part of the Home Government, in acceding to the request preferred by Sir Julius Vogel.

I am, &c.,

H. SELWIN IBBETSON.

MINUTE on Colonial Office letter of 4th June, and enclosures from the Treasury in regard to postal services.

THIS letter communicates what practically amounts to a decision on the part of Her Majesty's Government to retain twopence (2d.) upon every half-ounce letter out of the postal rates upon correspondence by the Ocean Steam Postal Services between Great Britain and the respective Colonies concerned. As this decision is pronounced by the Lords Commissioners of the Treasury, and appears to be considered by Her Majesty's Government liberal to the Colonies, it may be as well to remark at the outset that questions of liberality are matters of opinion, and that the Colonies would naturally prefer in this, as in other matters, that the mutual interests and relations between themselves and the Mother Country should be dealt with upon generally recognized and easily intelligible principles of right and justice than by reference to what may happen to be regarded as liberality by Her Majesty's advisers for the time being. 2.

2. The circumstances under which the negotiations in this matter appear to have been conducted, and the decision arrived at, are somewhat peculiar, while the decision itself involves grave considerations in connection with the Ocean Steam Postal Services generally and the system of subsidies by which they have been hitherto supported.

3. By the circular despatch from the Secretary of State to the Governors of Australian Colonies, dated January 17, a desire was expressed on behalf of Her Majesty's Government that "the Agent General" for each Colony concerned, or "some other person," should "be instructed and fully empowered to conduct the subsequent negotiations upon the subject" of Ocean Steam Postal arrangements "with Her Majesty's Government, and to conclude whatever agreement may be arrived at."

4. Pursuant to the desire so expressed, Sir Julius Vogel and myself, Agents General for New Zealand and New South Wales, were appointed to represent these Colonies respectively.

5. And of these appointments Her Majesty's Government were duly advised.

6. But in letters from the Colonial Office, dated 29th April last, Sir Julius Vogel and I were surprised by the information that after consultation with Mr. Graham Berry, and upon his assurance of having reason to believe that the Governments of the neighbouring Colonies would co-operate in a new arrangement with the P. and O. Company, which Mr. Berry thought might be made on advantageous terms, the decision of Her Majesty's Government now communicated to me was in contemplation.

7. In reply to the letter containing this information, Sir Julius Vogel and myself, acting separately, but otherwise in complete concert and understanding, addressed our respective protests, mine bearing date 5th May.

8. And now, without further intimation, or any other notice to, or consultation with either Sir Julius Vogel or myself, we are informed that the decision in the matter of Her Majesty's Government above adverted to has been consummated, apparently upon the advice of and in consultation with Mr. Graham Berry, who certainly had no manner of authority or right to act or speak in the matter on behalf of either the Governments of New Zealand or New South Wales.

9. The course taken appears the more extraordinary when considered in connection with the statement made by a Minister of the Crown (Lord John Manners), on June 12th, 1879, in the House of Commons, as reported in the *Times* of June 13th, 1879, to the effect that "the charge of the carriage of the Australian mails would be borne by the Mother Country under the postal arrangements, assisted by the Government of Australia" (*sic*), which seems to imply an expectation or intention on the part of Her Majesty's Government of obtaining from other Colonies some assurance of co-operation in the new arrangement.

10. With regard to the questions of subsidies and other arrangements for steam postal services, the apparent disposition of Her Majesty's Government to deal only with one Company, and to confine the assistance and co-operation of Great Britain to the Eastern route to India and China, is scarcely reconcilable with justice to other Companies and Colonies, and seems as if it must inevitably lead to the secession of most of the Australian and other Southern Colonies from such arrangements, and to their establishing separate routes for themselves independent of the Mother Country, possibly with more or less of irritation and disappointment on both sides. The success and growing predominance of other Companies, and the increased relative importance of the Colonies interested in other routes make it now difficult to justify these exclusive preferences. Supposing the system of subsidies to Companies necessary or desirable for the purpose in question, it is not by any means obvious why Her Majesty's Government should select either one Company or one route in order to keep up a postal or commercial connection with the rest of the Empire. And even admitting for the sake of argument that for financial reasons, which are the only probable ones, Great Britain cannot afford a wider or more liberal assistance or co-operation for the purpose, it still remains to be shown why the Peninsular and Oriental Company is entitled to the preference, or why the interests of India and China should prevail to the neglect of those of the Australian and neighbouring Colonies? If, in the interests of the Empire generally it be considered expedient that Great Britain and the Southern Colonies should co-operate in this matter, it would seem to follow that the said Colonies ought to be allowed a voice in the settlement of important details.

11. Whether in the interests of the Colony the Government of New South Wales determines to accept the proposal of Her Majesty's Government or to secede altogether from the arrangement with the Peninsular and Oriental Company for a postal service by way of Suez and Galle, it may be well to call attention to the relations between the Colony and the Pacific Mail Company in connection with the San Francisco route, which can scarcely be considered in every respect satisfactory. The most important part of their contract has been well performed by the Company so far as the delivery of mails is concerned; but what I allude to are the difficulties which have arisen in procuring the substitution of another surety in place of Mr. Macgregor, and also in the negotiations for and completion of the late alteration of the contract, which would seem to imply a possible disposition or willingness on the part of the Pacific Mail Company to withdraw from their engagements in the matter, provided it could be amicably arranged.

12. This supposition corresponds with information which has reached me otherwise.

13. The question may also be suggested for the consideration of the Government whether the time may not have arrived, or be near, when it might be possible to abandon altogether the system of subsidies for ocean postal services.

14. On these several points I do not venture nor am I called upon to pronounce an opinion.

WILLIAM FORSTER.

The Postmaster General.—H.P., 13/9/79. The Secretary to the General Post Office, B.C., 13 September, 1879.—C.W. Seen—S.S., 22/9/79.

No. 8.

Minute of the Postmaster General upon the decision of the Imperial Government respecting the future arrangements for the division of postage.

It would appear from letters from the Agents General for New South Wales and New Zealand, enclosing the correspondence which has taken place between themselves and the Imperial Government in reference to the future arrangements for the division of postage, that the matter may be considered at an end

so far as the Agents General are concerned. They appear to have put the case on behalf of the Colonies of New Zealand and New South Wales as strongly as possible, and to have done all in their power to procure a fair recognition of the claims of these Colonies to a continuance of the existing arrangements until the termination of the San Francisco contract. I think, however, that the proper time has now arrived for a remonstrance to be sent, through His Excellency the Governor, to the Secretary of State for the Colonies, against the action of the Imperial Government. The Colonies of New South Wales and New Zealand have very just ground for complaint that the Imperial Government should have decided, at an interview with the Honorable Graham Berry, of Victoria, upon retaining 2d. from February next, being one-third of the postage collected in England, in lieu of 1d. as at present, without affording the representatives, appointed at the express invitation of the Secretary of State, an opportunity of discussing the question on behalf of the other Colonies. I consider that the Colonies of New South Wales and New Zealand have a very just claim, for the reasons which have been already so strongly urged by the Agents General, and also in my former minute dated the 22nd April last, and which need not be repeated here, that the present arrangements for the division of postage on mail matter conveyed by the San Francisco route should be continued until the termination of the existing mail contract in 1883, and I suggest that the matter be again submitted to the Imperial Government, with an urgent request that it may yet be reconsidered.

SAUL SAMUEL,
30/9/79.

The Principal Under Secretary.—B.C., S.H.L., 30/9/79. Submitted—30/9/79. Letter to His Excellency, forwarding copy of this minute for transmission to the Secretary of State, sent 9 Oct., /79.—C.W. The Secretary to the Post Office, B. C., 14 Oct., 79.—C.W.

No. 9.

Telegram from Postmaster General, New Zealand, to Postmaster General, New South Wales.

7 Oct., 1879.

GOVERNOR will be asked to forward memorandum to Secretary of State, urging reconsideration postal question, and claiming that two Colonies have every right to expect continuance present payments until termination Frisco contract. Exception will be taken to the question having been closed without the Agents General having been heard after having been specially appointed to represent Colonies at request of Colonial Office.

This accords with what has been done here, and this message may be sent for the perusal of the Colonial Secretary.—S.S., 8/10/79. The Principal Under Secretary,—B.C., 8/10/79.—S.H.L.

No. 10.

The Secretary of State for the Colonies to The Governor of New South Wales.

My Lord,

Downing-street, 26 August, 1879.

I have the honor to transmit to you, for your information and for that of your Government, a copy of a letter from the Treasury, with its enclosures, respecting the contract which has been entered into for a period of eight years between the Peninsular and Oriental Company and the Government of Victoria, for a fortnightly mail service between Ceylon and Melbourne, calling at King George's Sound and Adelaide, to commence on the 1st February next.

I have, &c.,
M. E. HICKS-BEACH.

[Enclosure No. 1.]

The Treasury to The Colonial Office.

Sir,

Treasury Chambers, 18 August, 1879.

I am commanded by the Lords Commissioners of Her Majesty's Treasury to transmit to you, herewith, for the information of Secretary Sir M. E. Hicks-Beach, copies of a letter from the Postmaster General, dated the 14th instant, and of the letter from the Peninsular and Oriental Steam Navigation Company enclosed therein (with two of the printed enclosures) respecting the contract which has been concluded between that Company and the Government of Victoria for the conveyance of mails between Ceylon and Melbourne, calling at King George's Sound and Adelaide.

I am, &c.,
WILLIAM LAW.

[Enclosure

[Enclosure No. 2.]

The General Post Office to The Treasury.

My Lords,

General Post Office, 14 August, 1879.

I have received from the Peninsular and Oriental Steam Navigation Company a letter announcing that a contract has been concluded between that Company and the Government of Victoria for the conveyance of mails between Ceylon and Melbourne, calling at King George's Sound and Adelaide, by a fortnightly service, commencing on the 1st February next.

The directors have sent me some copies of a letter which they addressed, with their tender, to the Agent General for the Government of Victoria, and have expressed a wish that copies might be placed in your Lordship's hands and those of Her Majesty's Secretary of State for the Colonies.

I have the honor accordingly to send your Lordships a copy of the Company's letter, together with four copies of the enclosures referred to.

I have, &c.,

JOHN MANNERS.

[Enclosure No. 3.]

The Secretary, Peninsular and Oriental Steam Navigation Company, to The Secretary, General Post Office.

Sir,

Peninsular and Oriental Steam Navigation Company,

Offices 122, Leadenhall-street, London, 6 August, 1879.

I have the honor to acquaint you, for the information of the Postmaster General, that the directors have received a telegram from the Company's agent at Melbourne, to the effect that the Government of Victoria have signed a contract with this Company for the conveyance of mails between Ceylon and Melbourne, calling at King George's Sound and Adelaide, by a fortnightly service, commencing on the 1st February next. This contract is for a period of eight years, and as you are already doubtless aware, it is to be worked in connection with the new contract for the India and China mail services.

As soon as the directors receive the contract from Australia, they will hand you a copy of the same for the information of your department. Meantime, in view of the fact that there seems to have been an attempt made by some of the Company's opponents to misrepresent the position both of the Government and the Company, in reference to the Eastern mail contracts, the directors think it may perhaps be useful to you to be put in possession of the reasons upon which the Company based their tender to the Government of Victoria, as you are already fully acquainted with those which actuated them in tendering for the India and China services from the letter addressed to you which accompanied these tenders.

I am therefore desired to hand you the enclosed copy of a letter addressed by the directors to the Agent General of the Government of Victoria, on the occasion of transmitting their tender to that Government for the Australian mail service for which the contract has just been signed; and you will observe that the directors therein not only explain the grounds on which they made their proposals for a fortnightly service between Ceylon and Australia, but they also dealt with the whole question of mail communication with that country, about which, as you are aware, there has been from time to time much controversy.

The directors need scarcely remind you that great jealousy and diversity of opinion has existed between the different Colonies on this question of mail communication,—a state of things which has hitherto been prejudicial to the regular and periodic movement of correspondence, inasmuch as some of the routes employed have succeeded in dovetailing with each other, so as to effect exact fortnightly services. It was the desire of the directors to make such a proposal for a new service as would have the effect of harmonizing the postal interests of all the Australian Colonies; and they venture to believe that by the regular fortnightly service which is now contracted for, this object will certainly be effected, to the great advantage of commercial as well as general interests.

It will be perceived that in their desire to carry out this improvement, which they also consider necessary to the consolidation of the Company's business with Australia, the directors offered the Government such terms as could not be found financially satisfactory. But in doing this the directors simply offered the same conditions which they would have submitted to the Imperial Government had this service been combined with the India and China contract.

The directors would ask the favour of your transmitting a copy of this letter and its enclosure to the Treasury and the Colonial Office.

I have, &c.,

A. M. BETHUNE,

Secretary.

[Enclosure No. 4.]

The Secretary, P. & O. Steam Navigation Company, to The Agent General for Victoria.

Sir,

Peninsular and Oriental Steam Navigation Company, 122, Leadenhall-street, E.C.,

London, 12 February, 1879.

In compliance with the invitation of the Government of Victoria, the directors of this Company now request me to submit for consideration the accompanying tender to perform a fortnightly mail service between Colombo and Melbourne for a period of eight years, commencing on the 1st February, 1880, for the annual subsidy of £85,000.

2. In submitting this tender, the directors deem it advisable to explain their reasons for confining themselves to this single offer, instead of availing of the opportunity of putting forward alternative proposals, which your Government have notified their willingness to consider.

3. In the first place, the directors would state, that having regard only to the present position of the Company's business in connection with the Australian Colonies, it would be more to their interest simply to maintain the existing monthly mail service upon fair terms of remuneration than to aim at the immediate extension of the Company's operations.

But in looking forward to a contract of eight years' duration the directors must necessarily consider many future contingencies; and in doing so it appears to them sufficiently clear that the Company cannot hope to maintain their present revenue and prestige by means of a monthly communication only.

Under these circumstances, if their invitation to tender had been limited to that point, the directors would have found it extremely difficult to decide what would have been in the future a suitable subvention for the present monthly service. On the other hand, the directors may reasonably hope that, by converting the monthly into a fortnightly communication, the Company will command increased receipts, and it is under this expectation that the directors have framed the estimates upon which the tender now before you is based.

In the very low price which the directors ask for the new service, it will at once be seen that in their calculations they have credited your Government, by anticipation, with a very considerable share of the additional income, which they hope to realize by doubling the line.

In availing themselves therefore of the permission accorded by the conditions of tender to offer for a fortnightly service, the directors venture to believe that they are doing their utmost to afford the Colonies the most efficient and economical service which it is in their power to obtain.

4. In giving the preference to the route from Colombo instead of Aden, the directors have carefully considered the question of connecting the mail service directly with the latter port. They admit that geographically there is a saving of distance (though not important in proportion to the length of the voyage from Australia to England), but this saving would practically be only in favour of the run from Australia, while the advantage thus gained would be neutralized by the fact that the mails would not arrive any sooner at Brindisi than if they were carried *via* Ceylon.

As regards the outward service, the steamers leaving Aden during the south-west monsoon would shape a course so close to Ceylon that their calling at Colombo would then hardly amount to a deviation, while by lying at Aden some three weeks the steamers would certainly become covered with grass to such an extent as would considerably affect their rate of speed.

It

It must be remembered there is no dry dock at Aden in which to clean and repair steamers; and though the same may be said of Colombo, yet from that port the steamers can, if necessary, proceed to Bombay for the purpose of being docked, as you are aware they do at present, so that the mails may be delivered in Australia as quickly as possible.

5. The directors have therefore no hesitation in saying that Aden would not be so advantageous a termination as Colombo for the Australian mail service.

But, apart from the reasons for this opinion just expressed, they fear that the additional expense of such an arrangement would be a fatal disadvantage.

The directors estimate that the additional cost of the Aden as compared with the Colombo line, if carried out once a fortnight, would amount to something like £55,000 per annum, and the subsidy would therefore not only require to be increased by that amount, but by the sum which would be necessary to compensate for the loss of the present Indian traffic, as that traffic would certainly not be secured by the Aden route.

This would add an additional £25,000 to the cost of the Aden line.

Opinions seem to differ in Australia as to the advantage of a direct connection between that Country and so important a part of the Empire as India, but the directors feel confident that the intercourse arising between those Countries by means of a convenient postal communication must prove of the utmost value to both.

Moreover, should any contingency arise involving the Mother Country in war, the mail line would certainly prove of the highest political importance to both India and Australia.

In expressing their opinion on this subject, the directors do not imply that a connection with India should be allowed to overpower the advantage of the speediest communication with Great Britain, but they submit that the Colombo route possesses both advantages.

Equal celerity, infinitely greater cheapness, and the advantage of close contact with India can, in the opinion of the directors, be claimed for the Colombo line when compared with a service to Aden, and these advantages are not diminished when the comparison is made with the other route by which your Government has invited tenders.

6. The question of tendering for a through mail line between Great Britain and Australia is one to which the directors have devoted the greatest consideration for some time past, and it may be expected that they should explain the reasons which have induced them to prefer the development of their present lines to embarking upon any other scheme.

7. The first consideration weighing with the directors is the fact that your Government evidently desires to establish a sound fortnightly postal scheme, the demand for which is so constantly reiterated, both in England and the Colonies. They had therefore to apply themselves to the solution of this problem in the most successful and economical form.

To show how the through monthly service would, in their opinion, have jarred with the scheme of an efficient and economical fortnightly line, the directors can most easily explain their views by means of an hypothesis.

8. For this purpose, suppose that your Government, instead of advancing the somewhat exigent scheme of a through line for which tenders are now invited, had been content to put forward proposals for a line at the speed of 11 knots (which is the speed under the new contract for the Indian Mail Service), and the conditions had also permitted the steamers to load at other ports as well as at Melbourne, the question the directors put to themselves is, for what sum they would, with their experience, have undertaken such a service under all the stringent conditions of a mail contract.

In very general terms, the reply would be not less, and probably more, than they now ask for a fortnightly service. But in the event of tendering for such a line the directors would have had to complete the fortnightly service by tendering also a monthly line from Colombo.

Looking at the present tender for the fortnightly line from Colombo, it might then be supposed that the cost of half this work would be the half of £85,000, and thus that the through line would cost about £85,000, and the Colombo line £42,000, making altogether £127,000 for the complete work, or £42,000 more than they now ask for a service which, for postal purposes the directors contend would be even more efficient.

9. This assumption would not, however, be correct. The additional cost of the service arranged in two separate divisions would have to be computed at considerably more than £42,000 above the present tender. The reason of this is that these two services, being arranged on different bases, would be certain to clash with each other in their earning power, and, that being so, it would be necessary to protect the interest of the Colombo line by a higher rate of subsidy than would be required if the line were not interfered with by another mail service, which, even in the Company's hands, would still be a rival undertaking.

Such a sum as £42,000 for a monthly line between Colombo and Melbourne would, under these circumstances, be out of the question, although the directors are willing to give the fortnightly service in that ratio of payment when the whole work is carried out on the same basis. The cost of the alternative services from Southampton and Colombo would therefore be considerably more than £50,000 in excess of the tender for the fortnightly mail line now submitted.

But another important point to notice in connection with the plan of two services differently arranged is, that they would lack that exact comparative regularity which is the very essence of a satisfactory mail service. The directors need hardly lay stress on this point, because it is one to which your Government must feel keenly alive, viz., that if two mail services are laid along the same route and for the same object, there should not be a hair's-breadth of difference between them in their arrivals and departures.

But, if one-half of a fortnightly communication is carried out on one plan and the other half upon a different plan, the same absolutely successful working cannot be attained as when the two divisions are exact counterparts of each other, which will be the case in a fortnightly line between Colombo and Melbourne.

10. These observations will serve to explain why the directors have not thought it wise to complicate the simple and direct offer which they are now making, by any proposals of a more expensive, and, as they believe, less effectual kind. It must be admitted that it would be impossible to formulate any combination between two different services, which would compare in cheapness and regularity with the work which the directors offer to undertake.

This being explained on the theory of a through line, similar in speed to that which the Company have recently contracted to perform in their Indian Service, and with liberty to earn freight and passage money by loading at more than one Australian port, it will not be difficult for you to understand that the directors, as prudent men of business, and having a long experience of such matters, could not see their way to make a tender on the basis of an eight years contract, for a service of so exceptional a character as that proposed by the Victorian Government at the present moment, the speed of which is nearly 11½ knots, the sole loading port in Australia being that of Melbourne.

The directors cannot see that the large outlay which would be required to provide the vessels necessary for this service (which would be vessels of nearly 5,000 tons and enormous power), and the expense of working these vessels at a very high rate of speed, could be recouped by anything less than an extravagant subsidy and a long period of contract. If it be supposed that such a line would carry everything before it in the Australian trade (especially with only one port to load in), and would thus overwhelm competition so as to be able to work successfully and permanently under the stringent conditions of a mail contract, for a moderate rate of subsidy,—the directors venture entirely to dissent from such an opinion. There is certain to be plenty of competition in the Australian carrying trade, and such a mail line as this, limited to one Australian port for its commercial sustenance, would be opposed very successfully.

Such a line would essentially be an extravagant one, and the directors regret to say that among the travelling public cheapness seems to rank almost before quality. Hence there would be plenty of steamers running at a modest speed, and with two or three ports to engage freight and passengers in they could more easily make a profit without a subsidy.

Beyond all this, there would arise the necessity of providing the fortnightly mail communication, and the difficulty already stated of accurately dove-tailing two different systems of postal conveyance.

11. The directors have seen in the Australian newspapers that great stress is sometimes laid upon the advantage of what is called a through mail service, but they venture to assert that the service which they are now offering to perform is superior for that particular purpose to a through line.

What is required in carrying mails, is to approach as nearly as possible to absolute certainty and regularity, and this result is more likely to be secured, throughout a continuous period, when a voyage of 12,000 miles is divided in two or more sections, than when performed by one vessel.

The break in the Company's mail service at Ceylon places a fresh steamer on the line, and renders the work more efficient than if the Southampton steamer proceeded to Australia; while, as far as passengers are concerned, the directors believe that the transshipment at the new port, which is being made at Colombo, will not be an unpleasant change.

But the directors submit with confidence that their experience of the work which can be prudently obtained from mail steamers can hardly be questioned. It is in no spirit of boastfulness that they point to the fact that their steamers have run, during the last few years about 13,000,000 of miles, not only without serious accident, but scarcely delivering a mail late, so that the India, China, Japan, and Australian mails have been delivered at their respective destinations with almost the same regularity as the Dublin or Paris mails are delivered in London. This result is achieved not by chance, but by the most careful supervision, and particularly by dividing the work which each steamer has to perform. Less public attention than it deserves may have been bestowed on the Company's work, from the very certainty with which it has been performed, while the admirable passages and occasional mishaps of other steamers have probably given rise to more curiosity and higher expectations.

But, in looking at the working of any steam line, it will be well to have regard to the slow as well as the exceptional voyages, and to remember that casualties and irregularities are fatal to the commercial interests which a mail service is chiefly instituted to promote.

12. These observations will serve to explain the views of the directors of this Company on a question to which they have given much attention, and which your Government is now called on to decide.

That question really is the principal future mail route between Australia and Great Britain.

When the directors look back at the history of mail communication with Australia, and the money wasted in promoting postal services, comparatively valueless, *via* the Cape of Good Hope, by Panama, San Francisco, and even on the route now occupied by the Company, when the service was placed in the hands of the European and Australian Steam Company, they feel some satisfaction in believing that the Company's performances compare most favourably with these experiments.

They are, therefore, the more confident that the offer now submitted for the continuance and expansion of their work will be viewed as a liberal and enterprising effort on the part of the Company to meet the future postal requirements of the Colonies in the most reliable and satisfactory manner, more particularly as the amount of the tender seems to assure to the Government of Victoria an absolute profit on the postage which such a line must secure.

I have, &c.,

A. M. BETHUNE,
Secretary.

Col. Sec.—A.L., 27/10/79. The Postmaster General.—H.P., 31/10/79. The Secretary to the
Post Office, B.C., 31 October, 1879.—C.W. Seen.—S.S., 6/11/79.

No. 11.

The Secretary of State for the Colonies to The Governor of New South Wales.

My Lord,

Downing-street, 8 September, 1879.

With reference to my despatch of the 4th June, respecting the decision of the Lords Commissioners of the Treasury in regard to the division of the postal receipts between this Country and the Australian Colonies, I have the honor to transmit to you the enclosed copies of a correspondence between this Department and the Agent General representing your Government upon this subject.

It will be perceived that the fullest attention has been paid to the representations made in the interests of the Colony under your government, although the decision of Her Majesty's Government, to grant much more favourable terms than those originally proposed, rendered unnecessary that conference with the Colonial representatives which I suggested in the first instance.

I have, &c.,

M. E. HICKS-BEACH.

[Enclosure No. 1.]

The Agent General for New South Wales to The Colonial Office.

Sir,

3, Westminster Chambers, Victoria-street, S.W., 25 July, 1879.

I have the honor to acknowledge the receipt of Mr. Bramston's letter of the 4th ultimo, and its enclosures, which communicates to me what practically amounts to a decision on the part of Her Majesty's Government to retain twopenno (2d.) upon every half-ounce letter out of the postal rates upon correspondence by the Ocean Steam Postal Services between Great Britain and the respective Colonies concerned. As this decision is pronounced by the Lords Commissioners of the Treasury, and appears to be considered by Her Majesty's Government liberal to the Colonies, it may be as well to remark at the outset that questions of liberality are matters of opinion, and that the Colonies would naturally prefer in this, as in other matters, that the mutual interests and relations between themselves and the Mother Country should be dealt with upon generally recognized and easily intelligible principles of right and justice, than by reference to what may happen to be regarded as liberality by Her Majesty's advisers for the time being.

The circumstances under which the negotiations in this matter appear to have been conducted and the decision arrived at are somewhat peculiar, while the decision itself involves grave considerations in connection with the Ocean Steam Postal Services generally, and the system of subsidies by which they have been hitherto supported.

By the circular despatch from the Secretary of State to the Governors of Australian Colonies, dated January 17th, a desire was expressed on behalf of Her Majesty's Government that "the Agent General" for each Colony concerned, or "some other person," should "be instructed and fully empowered to conduct the subsequent negotiations upon the subject" of ocean steam postal arrangements "with Her Majesty's Government, and to conclude whatever agreement may be arrived at."

Pursuant to the desire so expressed, Sir Julius Vogel and myself, Agents General for New Zealand and New South Wales, were appointed to represent these Colonies respectively; and of these appointments Her Majesty's Government were duly advised; but in letters from the Colonial Office, dated 29th April last, Sir Julius Vogel and I were surprised by the information that after consultation with Mr. Graham Berry, upon his assurance of having reason to believe that the Governments of the neighbouring Colonies would co-operate in a new arrangement with the P. and O. Company, which Mr. Berry thought might be made on advantageous terms, the decision of Her Majesty's Government now communicated to me was in contemplation.

In reply to the letter containing this information, Sir Julius Vogel and myself, acting separately, but otherwise in complete concert and understanding, addressed our respective protests, mine bearing date 5th May.

And now, without further intimation or any other notice to or consultation with either Sir Julius Vogel or myself, we are informed that the decision in the matter of Her Majesty's Government above adverted to has been consummated, apparently upon the advice of and in consultation with Mr. Graham Berry, who certainly had no manner of authority or right to act or speak in the matter on behalf of either the Governments of New Zealand or New South Wales.

The

The course taken appears the more extraordinary when considered in connection with the statement made by a Minister of the Crown (Lord John Manners), on June 12th, 1879, in the House of Commons, as reported in the "Times" of June 13th, 1879, to the effect that "the charge of the carriage of the Australian mails would be borne by the Mother Country under the postal arrangements, assisted by the Government of Australia" (*sic.*), which seems to imply an expectation or intention on the part of Her Majesty's Government of obtaining from the other Colonies some assurance of co-operation in the new arrangement.

With regard to the questions of subsidies and other arrangements for steam postal services, the apparent disposition of Her Majesty's Government to deal only with one Company, and to confine the assistance and co-operation of Great Britain to the eastern route to India and China, is scarcely reconcilable with justice to other Companies and Colonies, and seems as if it must inevitably lead to the secession of most of the Australian and other Southern Colonies from such arrangements, and to their establishing separate routes for themselves independent of the Mother Country, possibly with more or less of irritation and disappointment on both sides. The success and growing predominance of other Companies, and the increased relative importance of Colonies interested in other routes, make it now difficult to justify these exclusive preferences. Supposing the system of subsidies to Companies necessary or desirable for the purpose in question, it is not by any means obvious why Her Majesty's Government should select either one Company or one route in order to keep up a postal or commercial connection with the rest of the Empire. And even admitting, for the sake of argument, that for financial reasons—which are the only probable ones—Great Britain cannot afford a wider or more liberal assistance or co-operation for the purpose, it still remains to be shown why the Peninsular and Oriental Company is entitled to the preference, or why the interests of India and China should prevail, to the neglect of those of the Australian and neighbouring Colonies. If, in the interests of the Empire generally, it be considered expedient that Great Britain and the Southern Colonies should co-operate in this matter, it would seem to follow that the said Colonies ought to be allowed a voice in the settlement of important details.

I have, &c.,

WILLIAM FORSTER.

[Enclosure No. 2.]

The Colonial Office to The Agent General for New South Wales.

Sir,

Downing-street, 8 September, 1879.

The Secretary of State for the Colonies caused to be communicated to the Lords Commissioners of the Treasury, a copy of your letter of 25th July, respecting their Lordships' decision in regard to the division of the postal receipts between this Country and the Australasian Colonies.

I now enclose a copy of the reply received from the Treasury, together with the copy of a previous letter referred to therein, which was received in reply to a representation made by the Agent General for New Zealand upon the same subject.

I am also to enclose a copy of a letter addressed to Sir Julius Vogel, in which the last-mentioned Treasury letter was sent to him.

Sir Michael Hicks-Beach has communicated this correspondence to the Governor of New South Wales, and has called his attention to the fact that the fullest attention has been paid to the representations made in the interest of the Colony, although the decision of Her Majesty's Government to grant much more favourable terms than those originally proposed had rendered unnecessary that conference with the colonial representatives which had been suggested in the first instance.

I am, &c.,

R. H. MEADE.

[Enclosure No. 3.]

The Treasury to The Colonial Office.

Sir,

Treasury Chambers, 17 July, 1879.

In acknowledging the receipt of Mr. Bramston's letter of the 11th instant, enclosing copy of a letter from the Agent General of New Zealand relative to the decision arrived at by this Board as to the future division of postal receipts from correspondence passing between the Australian Colonies and this Country,—I am commanded by the Lords Commissioners of Her Majesty's Treasury to request that you will state to Secretary Sir Michael Hicks-Beach that my Lords regret that the arrangement in question does not appear to meet with Sir Julius Vogel's approval.

My Lords feel it incumbent on them to repeat that, on the termination of the present British Post Office contract with the Peninsular and Oriental Steam Navigation Company, the postal arrangements hitherto existing with the Australian Colonies and New Zealand would as a matter of course come to an end, and that they have at no time in any way implied that the arrangements at present in existence would be continued beyond that date. Such being the case, it was no doubt in contemplation that there should be discussion with representatives from the Colonies as referred to by Sir Julius Vogel, but the presence in this Country of the Premier of Victoria afforded an opportunity of learning at any rate the views of that important Colony. My Lords must here remark that the question of doubling the packet service between this Country and the Australian Colonies *via* King George's Sound has been one which the Board of Treasury have on different occasions expressed themselves desirous of seeing carried out; when, therefore, Mr. Berry, in discussing the matter with me, informed me that he had reason to believe that a fresh contract might be made by his Government with the Peninsular and Oriental Company for a fortnightly service, both to Melbourne and Sydney, touching at King George's Sound and South Australia, I consented, in that event, on the part of their Lordships, so far to modify their previous decision in regard to the division of postage, &c., as to agree to convey the mails as at present free of charge to the Colony, as far as Ceylon, and *vice versa*, on the condition that in lieu of the inland rate of 1d. on the outward correspondence the British Post Office should receive 2d. on such outward correspondence as an equivalent to the inland rate on the outward and homeward correspondence.

I am further to state that my Lords, on agreeing to this arrangement with Mr. Berry, thought it but fair to the other Australian Colonies and New Zealand that it should be made equally applicable to them, and they therefore requested the Secretary of State to inform the respective Governments; and I am to add, with reference to the concluding paragraph of Sir Julius Vogel's letter, that my Lords cannot but regret that he should think there was any intention on their part of not recognizing his position as the representative of his Government as respects the postal question.

I am, &c.,

H. SELWIN IBBETSON.

[Enclosure No. 4.]

Treasury to Colonial Office.

Sir,

Treasury Chambers, 26 August, 1879.

I am commanded by the Lords Commissioners of Her Majesty's Treasury to acknowledge the receipt of Mr. Meade's letter of the 18th instant, transmitting, with reference to previous correspondence respecting the postal arrangements agreed on by Her Majesty's Government in respect to the Australian Colonies, copy of a letter on the subject from the Agent General of New South Wales; and I am to request that you will call the attention of Secretary Sir Michael Hicks-Beach to the observations contained in their letter of the 17th ultimo on a somewhat similar representation from the Agent General of New Zealand, to which it appears to them unnecessary to make any addition.

I am, &c.,

WILLIAM LAW.

[Enclosure

[Enclosure No. 5.]

Colonial Office to The Agent General for New Zealand.

Sir,

Downing-street, 13 August, 1879.

The Secretary of State for the Colonies caused to be forwarded for the consideration of the Lords Commissioners of the Treasury a copy of your further letter of the 25th of June, in reference to the decision arrived at by their Lordships respecting the proposal that no change should be made as regards the division of postal receipts till the expiration of the mail contract for the conveyance of the mails to and from New Zealand and New South Wales and this country, which expires in 1883; and I am now directed to transmit to you for your information a copy of a letter which has been received at this department in reply.

Sir Michael Hicks-Beach desires me to observe, in connection with this correspondence, that as the decision of their Lordships as to the amount of the postal receipts to be retained by the Imperial Government is a very considerable modification of their original proposal, and was arrived at after full consideration of your letter of the 31st July, 1878, among other communications, he doubts whether any prolonged consideration of the question or further advocacy of the views of the Colonies concerned would have been of advantage. After Her Majesty's Government had consented to reduce by so large a proportion as one-half the amount of postage which it had proposed to retain, the general proposal for negotiations on this point with the Colonial Governments was, in Sir M. Hicks-Beach's opinion, no longer applicable to the circumstances; but the Lords Commissioners of the Treasury have not failed to consider the representations conveyed in the letters which you have from time to time addressed to this department.

I am, &c.,

R. G. W. HERBERT.

* Col. Sec.—A.L., 27/10/79. The Postmaster General.—H.P., 3/11/79. The Secretary to the Post Office.—B.C. 4 Nov., /79., C.W. These papers to be prepared and laid before Parliament.—S.S., 11/11/79.

No. 12.

The Agent General, New South Wales, to The Colonial Secretary.

29 Aug., 1879.
8 Sept., 1879.

Sir,

3 Westminster Chambers, Victoria-street, S.W., 26 September, 1879.

With reference to the correspondence which has taken place relating to the postal question, I have the honor to transmit for your information copies of two letters received by me from the Colonial Office, dated as in the margin, which I have simply acknowledged without comment.

I have, &c.,

WILLIAM FORSTER.

[Enclosure 1.]

Mr. Meade to Mr. Forster.

Sir,

Colonial Office, Downing-street, 29 August, 1879.

I am directed by the Secretary of State for the Colonies to transmit to you, for your information, a copy of a letter from the Treasury with its enclosures, respecting the contract which has been entered into for a period of eight years between the Peninsular and Oriental Company and the Government of Victoria, for a fortnightly mail service between Ceylon and Melbourne, calling at King George's Sound and Adelaide, to commence on the 1st February, 1880.

Copies of these papers will be forwarded to the Governors of the Australian Colonies.

I am, &c.,

K. H. MEADE.

[Enclosure 2.]

For this Enclosure see Enclosure No. 1 with Secretary of State's despatch, No. 10.

[Enclosure 3.]

For this Enclosure see Enclosure No. 2 with Secretary of State's despatch, No. 10.

[Enclosure 4.]

For this Enclosure see Enclosure No. 3 with Secretary of State's despatch, No. 10.

[Enclosure 5.]

For this Enclosure see Enclosure No. 4 with Secretary of State's despatch, No. 10.

[Enclosure 6.]

For this Enclosure see Enclosure No. 2 to Secretary of State's despatch, No. 11.

[Enclosure 7.]

For this Enclosure see Enclosure No. 3 to Secretary of State's despatch, No. 11.

[Enclosure 8.]

For this Enclosure see Enclosure No. 5 to Secretary of State's despatch, No. 11.

[Enclosure 9.]

For this Enclosure see Enclosure No. 4 to Secretary of State's despatch, No. 11.

The Postmaster General.—H.P., 7/11/79. The Secretary to the Post Office, B.C., 7/11/79.—C.W.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

POST AND TELEGRAPH OFFICES, BATHURST.

(LETTER FROM COLONIAL ARCHITECT, *RE* DRAINAGE, &c.)*Ordered by the Legislative Assembly to be printed, 24 February, 1880.*

The Colonial Architect to The Under Secretary for Public Works.

Department of Public Works, Colonial Architect's Office,

Sydney, 23rd February, 1880.

Sir,

In attention to the request contained in your letter of 21st instant, asking for information on the state of the drainage of the Post and Telegraph Offices at Bathurst,—

2. I do myself the honor to report that the drainage of these buildings is taken into Jordan Creek; the drains are trapped, but they are useless unless flushed by fresh water, which should be attended to by the occupants of the buildings.

3. There is no public system of sewerage at Bathurst, neither is there any water supply; consequently it is not possible to provide water-closets, and as it has been found by experience that officers occupying public buildings as quarters will not properly attend to earth-closets; it has been found necessary to use, as in this case, watertight cesspits, such as provided for by the Sydney Sewerage and Water Pollution Prevention Acts, by which the night-soil has necessarily to remain on the premises sometime. The position also of these offices necessitated enclosing the small yard space with walls, consequently any bad smells there may be do not escape as freely as they otherwise would.

4. The stable being in the same yard adds no doubt to the unpleasantness, although stable smells are not, I believe, considered unwholesome. Plans are however being prepared for erection of a new stable on the vacant ground at the rear of the Court-house, and when the work is carried out any nuisance in connection with the stable will be removed.

5. With the view of remedying the evil complained of, in regard to the smell from the cesspits a contract has been taken for filling them up, and converting the privies into earth-closets, and also for emptying the pans and keeping the closets in order.

6. With regard to the statement that the water had become contaminated by the cesspits, I would remark that as the water is in an impervious tank and the cesspits are also impervious, and being 10 feet apart, I cannot see how it is possible this can be the case. I may also add that my officer having visited the premises the week before last, no complaint of the kind was made.

7. Although the closets and stables are spoken of as being close to the house, I would state that for town buildings they are not at all unusually so, the direct distance between the back door of the house and the nearer of the two closet-doors being 30 feet, and I think it will be found that there are few houses in Sydney, say in Macquarie-street between the new Public Offices and the Free Library, that have the same amount of yard space or as great distance between the stables and the house.

8. The room occupied by the night clerk, in which the case of typhoid fever is said to have originated is 60 feet from the closets, and the only way by which foul air from the back yard could reach it would be by a tortuous passage of over 70 feet, passing through five doors and crossing two lobbies, which are generally open to the external air; the room is 14 feet by 12 feet and 12 feet high, lighted by two windows, opening on to the lane at the rear of the Town Hall, and having a large open space in front of them.

In conclusion I would mention the prevalent opinion that typhoid fever is capable of being conveyed from place to place, and that it by no means necessarily originates where it appears; it is quite possible also in a post office to receive contagion by means of a letter or packet, as it is impossible to take the precautions adopted when vessels are quarantined.

I have, &c.,

JAMES BARNET,
Colonial Architect.

1879.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

DUPLICATION OF TELEGRAPHIC COMMUNICATION
BETWEEN AUSTRALIA AND EUROPE.

(PROPOSAL MADE BY COLONEL FIELDING AND JACOB L. MONTEFIORE, ESQ.)

Ordered by the Legislative Assembly to be printed, 4 November, 1879.

RETURN (*in part*) to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 17 July, 1879, That there be laid upon the Table of this House,—

- “ (1.) Copies of all Correspondence, papers, or documents having reference to any proposal by or from Colonel Fielding or Mr. J. L. Montefiore or others, conveying or containing a proposal for the establishment of a new and separate Telegraph Line from England to Australia.
- “ (2.) Copies of any recommendation, proposal, or request for the increase of any salary of any Officer or Clerk in the Department of the Agent-General.
- “ (3.) Copies of any request or recommendation for increase of or additional grant for the expenses of the office of Agent-General.
- “ (4.) Copies of any letter, minute, or other document having reference to the question of application made by captains of emigrant ships to be allowed to carry their wives with them.”

(*Captain Onslow.*)

SCHEDULE.

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DUPLICATION OF TELEGRAPHIC COMMUNICATION BETWEEN AUSTRALIA
AND EUROPE.

No. 1.

The Agent-General to The Colonial Secretary.

Sir,

London, 21 December, 1877.

I have the honor to forward and submit for special notice the enclosed memorandum, dated December the 14th, embodying a new project for telegraphic communication between England and the Australian Colonies, which was placed in my hands on the 18th instant by the subscribers, the Hon. J. L. Montefiore and Colonel W. Fielding, for early transmission to the Government, and to be accompanied by whatever comments or suggestions I might consider it advisable to append; and, as I am given to understand that immediate steps will be taken to endeavour to obtain for the project the sanction of the Indian Government, or of the Imperial Government on behalf of that of India, I think it best, notwithstanding the short time at my disposal, to forward the memorandum by the outgoing mail, together with an expression of such opinions as occur to me after a necessarily brief and cursory consideration, reserving to myself the right or duty, as the case may be, of supplementing on some future occasion the contents of this letter.

The great public benefit which would arise from additional telegraphic communication between England and Australia, whether in the shape of duplication of existing lines or from entirely new lines, is too obvious to require to be insisted on; nor can it be denied that the existing line has failed to satisfy either public expectation or the public demand for telegraphic communication. I take it for granted that the Government, neither of New South Wales nor of any Australian Colony, would refuse to consider any reasonable proposition for supplying the necessity that accordingly exists; and whether the project now submitted is entitled to favourable consideration must of course depend upon its merits. The public interest and importance of the question are shown by what is generally known of the proceedings and results of the Conference recently held in Sydney, and by a joint memorandum addressed to the Governments of Victoria and New Zealand by their respective Agents-General in England, dated August 1, 1877, lately published in the *Victorian* and *New Zealand* newspapers. I have no official knowledge of either proceeding, and have only within the week become acquainted with the substance of the memorandum referred to from the *New Zealand Mail* of October 6th, 1877. This latter document, however, furnishes me—were it necessary—with a precedent for submitting the memorandum enclosed, and an opportunity for making comparison of the two projects.

It may appear extraordinary that, with reference to a project so deeply affecting the interests of the Colony of New South Wales, in which not only was her co-operation so obviously desirable, if not essential, but towards which she was expected, and doubtless would be invited, to contribute a considerable sum of money, the two Agents-General above alluded to should have deliberately avoided consulting me or in any way seeking to obtain my concurrence; and moreover, that in their preliminary memorandum the very name of the Colony of New South Wales should have been only once incidentally mentioned. I make no complaint, however, of these peculiarities, since I have no reason to believe that any discourtesy either to the Colony or to myself was intended; but I think I am entitled to infer from the course taken, that the co-operation of the Government of New South Wales was assumed as a matter of course, and in short inevitable, either upon the merits of the project or in view of the arguments by which it can be supported. I am accordingly the more surprised to find in the project of the two Agents-General certain questionable features, which incline me to the opinion that a general comparison of the two projects must be greatly to the advantage of the one herewith submitted.

The earlier project appears to have been conceived and is now recommended with an avowed and perhaps not quite unjustifiable bias in favour of the interests of the Eastern Extension Company, on behalf of which the two Agents-General claim that "the same consideration should be given * * * as that which the government of a city would give to existing water and gas works after it had determined that the city should in future take the charge of supplying the inhabitants with gas and water." The parallel is not very exact, for two (among other) reasons: First—the government of a city has it in its power to prevent competition, and to secure to itself whatever profits or advantages the previously established works had already conferred or were calculated to confer upon the city; and, secondly—the means of estimating such profits or advantages with absolute certainty are within reach of the government of a city in such a case; whereas it is obvious that the Australian Governments would have neither the security nor the means of estimating profits or advantages in dealing with the Eastern Extension Company. But admitting that the Company deserve consideration and even liberal treatment, the preliminary question of course arises, in any such transfer of works or recognition of services as is contemplated in the case of either gas or water works or telegraphic lines, whether the general public interests or the special public interests involved in the transaction may or may not be irreconcilable with such transfer or recognition, as, for instance, might be the case if an attempt were made to enlist the co-operation of a Government, and consequently involve the expenditure of public funds upon works open to objection for defective construction or injudicious choice of locality, or liable to become obsolete or comparatively unavailable by the progress of invention or variations of traffic and communication. This question applies with greater force to telegraphic lines, which, if open to any of these objections might prove to be an actual public injury, or at any rate rather injurious than beneficial, not only by reason of the waste of money and trouble involved, but because they might stand in the way of the establishment of better lines. Now the numerous disasters which have befallen the existing line between England and the Australian Colonies leave it at least very questionable whether upon the whole the public have reaped from its establishment benefits commensurate with its expenditure, while at any rate it is perfectly clear that these benefits have not been such or so ample as might have been reasonably expected; and I am not surprised to learn that in well-informed quarters

quarters a grave suspicion is entertained that the cable employed is not of such a character as can be safely relied upon for future and permanent use. The very appeal made by the two Agents-General on behalf of the Company shows how powerful may be the antagonism of vested interests to new projects. Now, as the earlier project proposes and involves constant connection with and dependence upon the existing line, it appears to me that in this very respect it compares unfavourably with the project herewith submitted. It is clear that in the matter of telegraphic communication the paramount question in the long run will be that of the route selected, including of course its practicability for securing the safety and permanence of the cable. Of the five routes foreshadowed in the earlier project, No. 1 does not require to be discussed, as the projectors themselves pronounce it impracticable, for the present at least. No. 2 may be passed over on similar grounds, although from what has been said above, the special reason given by the projectors for its abandonment will be perceived to tend, in my opinion, to a contrary conclusion. Routes 3, 4 and 5, of which the last is regarded with most favour by the projectors, stand much upon the same footing for purposes of comparison with the project herewith submitted. The comparison becomes still more favourable for the latter when we glance at possible causes of the comparative failure of the existing line, irrespective of any supposed organic defects of construction. The marine portions of this line are laid for the most part in shallow seas. Experience of ocean cables has established the conclusion that the injuries they receive from the attacks of marine animals and attrition of rocks and storms are chiefly confined to shallow waters. It will be seen that along any of the three routes selected by the earlier project the cables will be similarly laid. The new project tends to escape this danger, and offers a corresponding safety from interruption, and greater economy in expenditure, by the superior depth of water through which it is proposed that the line shall pass.

The two Agents-General remark that "it would be superfluous to dilate on the advantages of having the telegraph in Government hands," and I can myself testify from my own experience to the inconveniences constantly arising from delays and repetitions of messages and misconception of the meaning of words which appear unavoidable under the manipulation of foreign officials and foreign Governments. I may therefore amend the above observation by making it apply to British Governments; and in this respect again the new project compares favourably with that of the two Agents-General, inasmuch as while the former proposes to merely touch foreign territory at two points where the manipulation will be simple, the latter adopts the passage through Java, with all the difficulties of which we have already had experience. The obvious superiority of the new project in point of economy, so far at least as two such projects are capable of fair comparison in this respect in their initiatory stages, needs scarcely to be pointed out. But I am quite aware that details of outlay and annual expenditure, as well as of reduction of rates, must be always more or less matters of future arrangement, and are susceptible of large modifications. Again, the satisfactory character of any such arrangement must mainly depend upon the efficient working and judicious selection of the line. Both projects will of course require to be more fully explained before their merits and demerits can be properly understood or compared. It appears, however, another point in favour of the new project that the Government will have it so much in their power to control the management and regulate the rates; and considering the evident popular tendency to the acquisition or retention in the hands of Governments of railways and telegraphs, and other machinery for internal communication, some importance will probably be attached to the provision for the ultimate acquisition of the line by the Government at their own option. Some points in the memorandum herewith are perhaps a little ambiguous; for instance, it is not clear whether the reserve fund, of which the amount is not specified, is intended to be included in the annual working expenses, after due provision for which the receipts of the Government are to accrue.

I have been requested by the subscribers of the memorandum to treat the two concluding paragraphs as confidential, so far as may be practicable consistently with official and parliamentary relations. To the rest of the document they desire every possible publicity to be given.

I have, &c.,

WILLIAM FORSTER.

[Enclosure.]

Memorandum for Mr. W. Forster.

IT is now patent that the existing cable cannot be relied on for permanent telegraphic correspondence with the Australian Colonies, and that, whether from inherent defects, from being laid in shallow waters, or from both causes combined, it will always be liable to interruption.

The necessity of a duplicate cable has long been recognized, and the rapidly increasing importance of Australasia and its growing interests would appear to render such imperative.

The undersigned believe that a cheap and at the same time a good cable is not likely to be obtained from manufacturing contractors, who seek their own profit in the undertaking; but believe that by the competition which they can ensure, they would be able to secure a permanent telegraphic line of the very best quality, and a new course would be selected which, by laying the cable in deeper waters, would render it safe from the liability of interruption.

There would also in the line they propose be the great advantage that, by communicating direct with the Indian Government lines, the Colonies would be independent of the onerous charges which must ever be attendant upon forwarding messages along the wires or cables of private Companies, and that thus the existing tariff might be very considerably reduced.

The undersigned propose to lay down a line to leave Ceylon at Kirindi, near the light-house of the Great Brassas off the south-east coast of Ceylon, and after landing at the island Pulo Brasse off the northern point of Sumatra, where there is a light-house and a detachment of Dutch soldiers, reaches Java, at the western light-house in the Straits of Sunda. Leaving Java at its south-east corner, the cable would pass south of Sandalwood and the other islands to land on the southern shore of Timor not far from Koepang, and make its easternmost terminus in the Cape York Peninsula near the mouth of the Jardine River.

To carry out this scheme the undersigned desire to treat with the Government of New South Wales only. Not alone as the oldest and wealthiest of the Australian Colonies, but also because to bring the affair to a speedy conclusion, it appears to them more advisable to treat with a single Government, leaving it to the contracting Colony to make such sub-arrangements as it may deem advisable.

Experience having shown that the public will more readily become shareholders in telegraphic Companies upon being guaranteed a moderate minimum interest on their outlay, instead of receiving a bonus in the way of subsidy, although the latter may really prove more advantageous,—the undersigned propose, in lieu of asking for a subsidy, that the Government of New South Wales shall guarantee to them or to their assigns the sum of £48,000 per annum, payable as follows:—£24,000 on the day when the first message of not less than thirty words is telegraphed from London to Sydney along the cable now proposed to be laid, and a further sum of £24,000 on each and every succeeding six months, the entire net revenue earned from the cable

to

to be paid over to the Government of New South Wales (or to any person duly authorized to receive it on their behalf) up to and in extinction of the said guaranteed sum of £48,000, and all amounts earned by the cables over and above the said guaranteed sum shall at the end of each financial year be divided equally between the Government of New South Wales and the undersigned, their administrators or assigns.

The undersigned undertake that the Government of New South Wales shall have the option of becoming the absolute proprietors of the proposed cables at the end of fifty years from the date of the first payment, upon payment by them of a further sum of £10,000 annually during a period of ten consecutive years; or upon payment of an immediate sum of £90,000 at their option, such sums and the interest arising therefrom being invested from time to time in the names of trustees to be agreed with the Government of New South Wales. The right shall be secured to the undersigned or their assigns of sending telegraphic messages by the telegraph lines throughout the Colony of New South Wales at the same rate as that charged to the public generally in that Colony.

The right shall be secured equally of transmitting at half of the above tariff all messages in transit between places outside of the Australian Colonies and places in the Colonies of Western Australia, South Australia, Victoria, Tasmania, and New Zealand.

The Government of New South Wales shall undertake to construct, if necessary, and to keep in good working order up to its own boundaries, telegraphic communication with the several other Australian Colonies, and to make all the necessary arrangements with the Government of the Colony of Queensland to keep the tariff rates as low as possible for through cable messages in transit, and for the construction of land line if necessary to meet the cable.

In assenting to the above proposals, the following advantages would be secured to the Government of New South Wales:—

- 1st. The right of claiming one-half of the net earnings of the cables beyond the amount guaranteed, which guarantee it is anticipated with much confidence will be merely nominal, as it should be far exceeded by the net receipts.
- 2nd. A tariff considerably lower than the existing rate.*
- 3rd. The power of regulating such rate as the Government may deem advisable.
- 4th. The right of transmitting Government messages along the cables free of charge.
- 5th. The right of becoming ultimately the absolute proprietors of the cables on easy terms of payment.

It will have however to be borne in mind that if the Government of New South Wales should elect not to pay the £10,000 annually for ten consecutive years towards a fund for the purchase of the line, the undersigned or their assigns shall be at liberty to set aside an amount equal to £3,000 per annum towards a sinking fund in addition to any sum which may be considered necessary as a reserve fund for repairs, renewals, &c., and that these sums shall be deducted from the gross earnings before declaration of the amount of net earnings which may be available for dividend.

In conclusion the undersigned would point out,—

Firstly.—That the proposal now laid before the Government of New South Wales necessitates an early reply, as the changing position of European politics renders possible now that which may be quite impossible at a distant date; and secondly, that it is not advisable in the interests of the undersigned that this proposal should be made a subject of public discussion at all, should it be declined by the Government, nor until after the assent of the Government to the scheme, should it meet with their approval.

JACOB L. MONTEFIORE.
W. FIELDING, Colonel.

December 14, 1877.

Postmaster General, B.C., 5/2/78.—M.F. The Secretary to the Post Office, B.C., 5/2/78.—M.R.A. Submitted.—S.H.L., 6/2/78. Refer to Mr. Craeknell for his report.—J.F.B., 7/2/78.

No. 2.

The Secretary of State for the Colonies to The Governor of New South Wales

Sir,

Downing-street, 3 January, 1878.

I have the honor to transmit to you, for the consideration of your Government, in connection with other schemes for the improvement of telegraphic communication between Australasia and the rest of the world, a copy of a letter which has been addressed to me by Mr. Jacob Montefiore and Colonel W. Fielding, submitting proposals for a line of cable between Ceylon and Australia, by way of Java, Timor, and Torres Straits, and having its terminus in Cape York Peninsula.

I have, &c.,
CARNARVON.

[Enclosure.]

Mr. Montefiore and Colonel Fielding to The Earl of Carnarvon.

My Lord,

5, Great Winchester-street, E.C., London, 12 December, 1878.

Herewith we forward for your favourable consideration a proposal for the duplication of telegraphic communication between Ceylon and Australasia, and soliciting the views of your Lordship thereupon.

We have, &c.,
JACOB L. MONTEFIORE.
W. FIELDING, Colonel.

[Sub-enclosure.]

Proposal to the Right Honorable the Secretary of State for the Colonies.

It is now a notorious fact that the telegraphic communication has broken down between Europe and the Australasian Colonies so often that but little dependence can be placed on it from a commercial point of view.

The Colony of Ceylon is also practically, by reason of the high tariff, segregated from the telegraphic lines connecting with Singapore, Penang, China, Java, and the Australasian Colonies.

Such being the case, it is suggested that the Colonial Governments of Ceylon and Australasia, and the Government of India, should be urged by the Imperial Colonial Secretary to further to the utmost in their power any scheme having for its object the following:—

1. The establishment of a duplicate line of telegraph, connecting Europe with the Australasian Colonies by means of the telegraph lines under the control of the Government.
2. The establishment of such a line at such cost as will permit of a lower tariff of charges against the senders of telegrams and the sending of telegrams of an official character, at an even lower rate.
3. The connection by telegraphy of various important headlands used by the merchant shipping, mail steamers, and Imperial vessels navigating the eastern waters, so as to enable them to signal their passage to their owners in Europe, or wherever they may happen to be.
4. For these reasons, the line now suggested leaves Ceylon at Kirindi, near the light-house of the Great Brassas, off the south-east coast of Ceylon, and, after landing at the island (Pulo Brasse) off the northern point of Sumatra, where there is a light-house and a detachment of Dutch soldiers, reaches Java at the western light-house in the Straits of Sunda. Leaving Java at its south-east corner, the cable would pass south of Sundaalwood and the other islands to land on the southern shore of Timor, not far from Koepang, and make its easternmost terminus on the Cape York Peninsula, near the mouth of the Jardine River.
5. By such a line news of the passage through the Straits of Malacca, Sunda, and Torres, could be telegraphed to those interested in the movements of vessels, and orders to change their routes could thus be sent by telegram at points which must be passed both in their voyages outwards and homewards.
6. The traffic along the Government telegraph lines in Ceylon and India would receive a very great increase, and therefore become a source of income, where hitherto the profits have been swallowed up in the expenses.

It

It is therefore suggested:—

1. That the Secretary of State for India will recommend the scheme for the consideration of His Excellency the Viceroy's advisers.
2. That the Secretary of State for the Colonies will approve of the Governor of Ceylon being asked to sanction the laying down and keeping in repair of suitable land lines to connect Kirindi with the remaining lines of the telegraphic system of the Island of Ceylon.
3. That the Secretary of State for the Colonies will forward to His Excellency the Governor of New South Wales, for his favourable consideration and report, the above proposal, and give an active support to a work of such public utility to the Colonies of New South Wales, Queensland, and New Zealand, more especially since, by reason of their being further removed from the point of contact with Australia of the existing cable, their telegrams by the cable are now more expensive than those despatched from the other Australian Colonies.
4. By the proposed route telegrams could be sent so as to overtake the European mails at two points along their route, and by both lines, viz., at Batavia and Ceylon. At present, except by a circuitous route, and at a considerable expense, the mails *homeward* bound can only be overtaken by telegrams at Singapore and Batavia, whilst the cost of overtaking the mails *via* the Peninsular and Oriental Steamship Company's route at Galle or Aden, is, at the present tariff, almost prohibitive.

With a view to carry out the proposed scheme, the undersigned request the sanction of the Imperial Government to their applying to the Government of New South Wales in order to obtain from that Colony such financial support, in the form of a guarantee of an annual subsidy, as will enable the necessary capital to be raised on exceptionally easy terms.

The undersigned are impressed with the belief that a favourable arrangement is more likely to be arrived at speedily by treating with the Government of the Colony of New South Wales only, than by seeking to apportion to each of the Colonies interested the relative amounts which should be attributed to them as their individual share in the enterprise.

Moreover, the Colony of New South Wales is likely to obtain more advantages from the alteration from the present route than any other of the Australian Colonies, excepting Queensland.

The history of submarine telegraphy teaches us that in order to get a reasonably cheap tariff, or, in other words, to keep the capital expenses at a low figure, either of the cables should be, *ab initio*, the property of the Governments interested, or that they should offer to the contractors such financial aid by subsidies or guarantees as will enable the necessary capital to be raised by them without the heavy expenses usually incurred in the promotion and formation of a Telegraph Company.

Acting under these impressions, the undersigned propose that the Government of New South Wales should guarantee to them (the concessionaries), their executors, administrators, or assigns, the payment of—

1. £25,000, in London, on the day when the first message of not less than thirty words is telegraphed from London to Sydney *via* the telegraphic communication now proposed to be made.
2. A similar sum of £25,000, in London, on each and every other succeeding six months from the above-mentioned date.

The entire net revenue earned from the cables to be paid over to the Government of New South Wales (or to any person duly authorized by that Government to receive it on their behalf) up to and in extinction of the said guaranteed sum of £50,000 to be paid by it annually to the concessionaries, their executors, administrators, or assigns. All amounts earned by the cables over and above the said guaranteed sum of £50,000 shall be divided equally by the Government of New South Wales and the concessionaries at the end of each financial year.

3. The undersigned parties undertake that the Government of New South Wales shall have the option of becoming the absolute proprietors of the cables at the end of fifty years from the date of the first payment, upon payment of a further sum of £10,000 annually during a period of ten consecutive years; these sums, and the interest arising therefrom, being securely invested from time to time as the payments are made.
4. The right shall be secured to the concessionaries, their executors, administrators, and assigns, to send telegraphic messages by the telegraph lines throughout the Colony of New South Wales at the same tariff as that charged to the public generally in that Colony.
5. The right shall be secured equally of transmitting, at half the above tariff, all messages in transit between places outside of the Australian Colonies and places in the Colonies of Western Australia, South Australia, Tasmania, Victoria, and New Zealand.
6. The Government shall undertake to construct, if necessary, and to keep in good working order, at its expense and risk, up to its own boundaries, proper telegraphic communication between the Colonies of South Australia, Queensland, and Victoria, so that a complete telegraphic communication may exist at all times between the landing-place of the cable on the Cape York Peninsula and the towns of Adelaide and Melbourne.
7. The Government of New South Wales to make all necessary arrangements with the Government of the Colony of Queensland, with a view to keep the tariff rates as low as possible for through messages in transit for the cable.

In consideration of the above, the following advantages would be secured to the Government of New South Wales:—

1. The construction of a duplicate telegraphic communication with Europe of an infinitely superior quality to that now existing.
2. A tariff considerably lower than the present rate.
3. The power of regulating the tariff according to the requirements of the public.
4. The right of sending Government telegrams free from the Colony to Europe, and *vice versa*.
5. The right of claiming one-half of the net earnings of the cable beyond the annual subsidy guaranteed.
6. The right of becoming proprietors of the cable, &c., at the end of fifty years on very easy terms of payment.
7. The use of a cable laid in a track so chosen as to minimize the danger of interruption and to facilitate its repairs, as well as to afford to the mercantile community exceptional advantages for the signalling of vessels, and for communication with them at various important points on their voyages.

Memorandum.—It is confidently expected that the net receipts earned by the cables will exceed the amount of subsidy guaranteed annually, so that the guarantee will, in the opinion of the concessionaries, be absolutely nominal.

With reference to articles 2 and 3 (*vide* folios 6 and 7), it will have to be borne in mind that if the Government of New South Wales should elect not to pay the £10,000 annually for ten consecutive years towards a fund for the purchase of the line, the concessionaries shall be at liberty to set aside an amount equal to £3,000 per annum towards a sinking fund, in addition to any sum which may be considered mutually as a necessary contribution towards a reserve fund for repairs, renewals, and unforeseen disbursements, and that these sums shall be deducted from the gross earnings before a declaration of the amount of net earnings which may be available for dividend.

JACOB L. MONTEFIORE,

Late Chairman of Chamber of Commerce of Sydney, N.S.W.

W. FIELDING, Colonel.

Col. Sec.—H.R., 20/2/78. Postmaster General, B.C., 22/2/78.—M.F. The Secretary to the Post Office.—M.R.A., 28/2/78.

No. 3.

Jacob L. Montefiore, Esq., to The Colonial Secretary.

Sir,

London, 3 January, 1878.

The Agent-General of the Colony has done me the honor to communicate to me the tenor of his advices to you by the last mail, referring to the proposition of Colonel Fielding and myself respecting a duplicate telegraphic cable to the Australian Colonies.

Mr. Forster has informed you that we should not object to as wide a notoriety as possible to our proposal, but I must entreat you to understand this as meaning, as explained in the last paragraph of the proposal, *after* it shall have received the assent of your Government. There are so many now who are seeking

seeking to pirate the ideas of others (as exemplified in the proposed International Exhibition of 1879) that there is every reason to fear that the scheme which we have had the honor to lay before you would not long remain our property were it laid before the general public.

I have, &c.,

JACOB L. MONTEFIORE.

Postmaster General, B.C., 20/2/78.—M.F. The Secretary to the Post Office, B.C., 21/2/78.—
M.R.A. Submitted.—JAS. D., 22/2/78.

No. 4.

The Agent-General to The Colonial Secretary.

Sir, London, 3, Westminster Chambers, Victoria-street, S.W., 16 January, 1878.

Adverting to my despatch of the 21st ultimo, submitting a memorandum from Mr. J. L. Montefiore and Colonel the Honorable W. Fielding, on the subject of telegraphic communication with Australia, I have the honor to enclose herewith a copy of a letter, dated 8th instant, which I addressed to the Agent-General for Queensland, to whom I communicated the memorandum in question, to be by him submitted to his Government, if he thought it desirable to do so.

I also enclose a copy of a memorandum on this subject which I have received from Sir Daniel Cooper, Bart., to whom, as a former representative of the Colony in telegraphic matters (in 1875), I thought it right to communicate the memorandum from Mr. Montefiore and Colonel Fielding. I have also sent a copy of Sir Daniel Cooper's memorandum to the Agent-General for Queensland (under cover of letter of 16th instant, of which a copy is enclosed), with a suggestion that it should accompany Mr. Montefiore's and Colonel Fielding's memorandum, in the event of that document being submitted by him to his Government.

I have, &c.,

WILLIAM FORSTER.

[Enclosure 1 to No. 4.]

The Agent-General for New South Wales to The Agent-General for Queensland.

Sir, London, 3, Westminster Chambers, S.W., 8 January, 1878.

I have the honor to enclose herewith a copy of a memorandum, dated 14th ultimo, which I have received from Mr. J. L. Montefiore and Colonel the Honorable W. Fielding, respecting telegraphic communication with Australia, together with a copy of my letter of the 21st ultimo, under cover of which I submitted the memorandum to the Chief Secretary of New South Wales; and I desire to express my hope that you may be able to concur in the action I have taken, by submitting the papers in question for the consideration of your Government.

I have, &c.,

WILLIAM FORSTER.

[Enclosure 2 to No. 4.]

The Agent-General for New South Wales to The Agent-General for Queensland.

Sir, London, 3, Westminster Chambers, S.W., 16 January, 1878.

Adverting to my letter to you of the 8th instant, respecting telegraphic communication with Australia, I have now the honor to enclose herewith a copy of a memorandum which I have received from Sir Daniel Cooper, Bart., who, as you are probably aware, represented New South Wales in the telegraph negotiations which took place in this country in 1875, and to whom I sent a copy of the recent memorandum on this subject from Mr. J. L. Montefiore and Colonel the Hon. W. Fielding.

I propose to send a copy of Sir Daniel Cooper's memorandum to my Government by the mail of the 18th instant, and should you think it desirable to submit to your Government the papers which were enclosed with my letter to you of the 8th instant, you may perhaps think it right that they should also include a copy of the memorandum, which I now enclose.

I have, &c.,

WILLIAM FORSTER.

[Enclosure 3 to No. 4.]

MEMORANDUM from Sir D. Cooper, on the proposition of Mr. J. L. Montefiore and Colonel Fielding to lay telegraph cables from S.E. coast of Ceylon to north end of Sumatra; there to Straits of Sunda; and from thence to the Norman or Erskine Rivers, in Gulf of Carpentaria, Queensland.

1. At present the Eastern Company have a telegraph line from Falmouth to Suez, and a duplicate line from Suez to Bombay, instead of duplicating the single line across the Bay of Bengal to Pulo Penang and Singapore. I believe they are now laying a cable from Rangoon to the Andaman Islands, and from thence to Pulo Penang.

2. The Indo-European Company send messages from England *via* Berlin, South Russia, and Persia, to Kurachee, where they join the Indian lines in the same way as the Eastern Company join at Bombay.

3. The Russian line, starting at London, goes to Berlin, then St. Petersburg, through Russia and Siberia to China, and in China joins the Eastern Company, which gives communication with Singapore.

4. Thus a person in London can communicate with Singapore:—

(a.) By the Eastern Company to Bombay, Madras, and Pulo Penang.

(b.) By the same Company to Bombay, and then over the Indian lines to Rangoon, and from there to the Andaman Islands and Pulo Penang.

(c.) By the Indo-European lines to Kurachee, then over the Indian lines to Rangoon, the Andaman Islands, and Pulo Penang.

(d.) By the Russian lines to Shanghai, and from there to Singapore, by the Eastern Company's line.

5. Mr. Montefiore and Colonel Fielding propose starting their cables from the light-house on the south-east coast of Ceylon, where the currents are very rapid, and the bottom is a coral formation—both bad things for a cable. The present line from Madras to Singapore used to terminate at Point de Galle, but was always breaking in consequence of the coral and rapid currents there.

6. The distance from Ceylon to north end of Sumatra is nearly 1,000 miles; from there to Straits of Sunda about the same distance; and from Straits of Sunda to the Norman River, or Erskine River, 2,500 miles.

7. A cable should never exceed 1,200 miles, as beyond that the cost of the cable increases as to the square of the distance. I therefore estimate—

The two first cables at £400,000 each	£ 800,000
And the long cable at	1,000,000

Cable.....	£1,800,000
------------	------------

And if money raised by debentures	£2,000,000
---	------------

8. These cables will have to contend with a coral formation the whole way, and the long cable will rest on a very bad bottom most of the way.

9. The expression that the proposed line will have great advantages in being connected by the Indo-European Company's lines is a misleading statement, as any one reading the above can see. I have no doubt that this proposal of Mr. Montefiore's and Colonel Fielding's originates with Messrs. Siemens Bros., as they put up the Indo-European lines, and receive a percentage on the work of the lines, and they are interested in inducing more messages to pass over that line, as well as getting profits out of the new cables.

Messrs. Siemens Bros. have been successful with land lines, but their cables have always been unsuccessful. The cables proposed by them in 1875, when myself, Sir Julius Vogel, and Mr. Daintree were negotiating the duplication of the lines from Singapore to Normanton, were reported on by Mr. Fleming Jenkins as "starved down to the lowest degree, and quite unfit for the work and place proposed."

10. When Mr. Montefiore and Colonel Fielding propose to do the work of the cables for £48,000 a year, they show that they do not understand the subject, as Siemens Bros., the Telegraph Construction and Maintenance Company, and the India-rubber and Gutta Percha Company in 1875 indicated £80,000 a year as the working expenses and maintenance cost of a shorter line.

To this sum must be added £80,000 as interest at 4 per cent. on £2,000,000, making £160,000, leaving a deficiency of £112,000.

To me the whole thing appears utterly absurd.

Postmaster General, B.C., 4/3/78.—M.F. The Secretary to the Post Office, B.C., 4/3/78.—M.R.A.
May be referred for the report of the Superintendent of Telegraphs.—J.F.B., 9/3/78.

No. 5.

The Agent-General to The Colonial Secretary.

Sir, London, 3, Westminster Chambers, Victoria-street, S.W., 23 January, 1878.

Adverting to my despatch of the 16th instant, respecting telegraphic communication with Australia, I have the honor to enclose herewith a memorandum which I have to-day received from Colonel the Hon. W. Fielding in reply to the memorandum from Sir Daniel Cooper, which was submitted to you under cover of my above quoted despatch, together with a minute thereon by myself.

I also enclose a copy of a letter which I have to-day addressed to the Agent-General for Queensland, communicating to him Colonel Fielding's memorandum.

I have, &c.,
WILLIAM FORSTER.

[Enclosure.]

REMARKS on the memorandum of Sir Daniel Cooper on the proposition of the Hon. J. L. Montefiore and Colonel Hon. William Fielding.

With respect to the latter part of paragraph 1, I now learn for the first time that there is any decided intention of laying a cable on the circuitous route of Rangoon, Andaman Islands, and Pulo Penang. I have made every inquiry, and cannot learn that this project is at all in an advanced state from a financial point of view. This would not, however, serve to duplicate the communications further than Penang.

2. The same observations may apply to 4 c.

3. The proposed line is not to start absolutely from the light-house but from Kirindi, a sheltered bay, where the bottom is favourable and the cable route sheltered from the effects of the currents in the monsoons by natural obstacles. For these reasons Point de Galle was specially avoided, and on account of the coral and rocky nature of the bottom.

4. The cable distance along the route chosen between Ceylon and Sumatra is 955 knots, inclusive of 15 per cent. slack, and the longest section, viz., between Timor and Cape York, is, including slack, only 1,235 knots.

5. I regret that Sir D. Cooper should, in the face of the success of the transatlantic cables, make the statement that cables should never exceed 1,200 miles in length. There is no reason why a cable should not exceed even 2,000 knots, provided a great speed, more than twelve words per minute, be not required.

6. Sir Daniel Cooper's estimates are so far beyond the mark that I deem it useless to attempt to analyze them. I can, however, quite believe that cable contractors and cable company promoters have induced him to credit the facts advanced by them, and upon which he has perhaps based his calculations. I shall be prepared when the time comes to justify my statements; but until the principle of the new proposal is accepted, I must decline to give my figures and calculations in detail.

I have this day verified at the Hydrographic Department of the Admiralty, that the course throughout the whole proposed lengths of the cables will never touch on coral or rock formations—the soundings giving either fine white clay, white clay, clay, soft brown mud, mud, or ooze; moreover, the soundings are so deep that even if a cable were laid on a coralline or rocky bottom it would suffer no injury from contact with it.

Neither Mr. Montefiore nor Colonel Fielding have any knowledge of or connection with Messrs. Siemens.

The latter gentlemen are only known professionally to Colonel Fielding from the fact that one of the brothers is President of the Society of Telegraph Engineers, of which Colonel Fielding is a member.

The reasoning of Sir D. Cooper throughout his memorandum shows so clearly that he is not only, from want of technical knowledge but also from false premises, misled, and that he has written his memorandum hastily and without sufficient consideration.

W. FIELDING,
Colonel.

I deem it right to forward this memo. in justice to the proposers of the new project, and in order that the Government may be acquainted with whatever is to be said on all sides.—W.F., 28/1/78.

Postmaster General, B.C., 14/3/78.—M.F. The Secretary to the Post Office, B.C., 14/3/78.—M.R.A.

May be referred to Mr. Cracknell.—J.F.B., 18/3/78.

No. 6.

Report of Superintendent of Telegraphs.

DUPLICATION of telegraphic communication with Australia, as proposed by Mr. J. L. Montefiore and Colonel Fielding.

I AM quite of the Agent-General's opinion, "that a great public benefit would arise from additional telegraphic communication between England and Australia;" and as the Colonies, combined, can secure this (no longer a luxury, but a necessity), we should at once contribute either to new lines entirely or the duplication of those now merely affording intermittent communication.

The joint memorandum referred to by Mr. Forster must have been the one recommending the purchase of the Port Darwin cable by Sir Julius Vogel and Mr. Michie, the cable to be worked on joint account, by the Colonies becoming responsible. How such astute colonists could have conceived such an idea with any prospect of its being ratified in Australia I cannot understand, and I do not believe that any such proposal was really submitted by them to the Eastern Extension Company.

I do not propose to discuss the points in reference to the quality and durability of the existing cables. These are matters we have no right to question, as the cables have been constructed and laid at the entire cost of the Company without Government subsidy or Colonial aid, and if they are faulty, or the routes ill-chosen, the Company alone have to bear the loss.

I cannot see how the Colonial Governments, if this offer be entertained, can control the management and regulate the rates. This is impossible, as the line is only a partial one, extending from Australia to India, from whence we must work into the Eastern Company's lines; the Indo-European lines being now worked on joint account, and the combined Company control the rates for Australian messages.

I will now deal with the memorandum submitted to Mr. Forster by Mr. Jacob Montefiore and Colonel Fielding. As regards the existing cables south of Singapore, every one must be satisfied that we should no longer depend on the present means of communication, and nothing further need be said in reference to that portion of the memorandum.

The allusion in paragraph 3, that the cable proposed by the subscribers would be of the very best quality, and by laying the cable in very deep waters would render it safe from the liability to interruption. The Port Darwin line runs over a tolerably even bottom, varying from 600 to 1,700 fathoms, and the shore ends are landed in very good positions, so there is nothing to fear as regards soundings over this section, and the proposed line from Banjoewangie to Singapore would, it is understood, be in a very good position as to bottom and depth of water.

As regards direct communication with India, there are now two direct lines from Penang to India, and there is no necessity for another, more particularly if Java, as proposed by this memorandum, is to form part of the scheme. Australia requires two distinct lines throughout, which would not be secured by this proposal, as they would still have to depend on the Eastern Company to forward their messages from India, as that and the Indo-European Company are now virtually one.

I do not think New South Wales should be called upon to treat with the promoters of this undertaking on its own responsibility as requested, as the only other Colony which would be likely to assist is Queensland, and the contributors, either on the basis of population, or from actual international business, would be very small.

The annual sum to be guaranteed to the Company, £48,000, I do not consider excessive for the length of line they propose to lay; but why New South Wales should be responsible for the whole of this amount, when they can insure perfect duplication and harmonious working the whole distance to Europe for an annual subsidy of £32,400, I cannot understand.

The projectors may safely promise to divide with the Government of New South Wales all sums received as revenue over and above the £48,000 referred to.

The undersigned undertake also, at the end of fifty (50) years, to make the New South Wales Government absolute proprietors of the cables by a payment of a further sum of £10,000 per annum for ten (10) years (making the annual payment £58,000), less the amount of receipts, or by the payment of an immediate sum of £90,000, such sums, and the interest arising therefrom, being invested from time to time in the names of trustees, to be agreed upon with the Government of New South Wales. This amount I presume is intended as a sinking fund for renewal when necessary, but if present experience is any guide the Government of New South Wales would have very little left at the end of fifty (50) years to become absolute proprietors of, so that the extra £10,000 per annum for ten (10) years or the £90,000 down, need not be very seriously entertained.

The advantages said to be secured to the Government of New South Wales if these proposals are entertained are as follows:—

1st. The right of claiming one-half of the net earnings of the cables beyond the amount guaranteed, which guarantee it is anticipated with much confidence will be merely nominal, as it should be far exceeded by the net receipts.

In my opinion the probable result has been very much overstated. The whole of the receipts at present over the Port Darwin Cable do not exceed £50,000 per annum, and if there should be competing lines they must necessarily become very much reduced.

2nd. A tariff very much less than the existing one.

This no doubt can be arranged, but not with due regard to the cable paying the smallest interest on the capital and its working expenses, and should the Company beyond India think proper to raise their charges to this Company there could be no reduction at all.

3rd. The power of regulating such a rate as the Government may deem advisable.

This will apply to the line only as far as India—the Eastern Company can alone regulate the rate beyond India.

4th. The right of transmitting Government messages along the cable free of charge.

There is no doubt this would be a great boon if it applied to the whole distance to Europe, instead of which all messages on the Government Service must be paid for beyond Ceylon.

5th. The right of ultimately becoming the absolute proprietors of the cables on easy terms of payment.

After fifty (50) years of wear and tear the cables of the Company would not, in my opinion, be worth the purchase. The average existence of a first-class cable does not, according to present experience, exceed fifteen (15) years, and I am afraid that this would not prove a very profitable investment.

After a very careful perusal of these papers I cannot recommend the Government to commit itself to the proposals of the gentlemen who have appended their names thereto, certainly not until more complete information has been submitted as to the nature and manufacture of the cables, and what arrangements are proposed for the transmission of the Australian business beyond India.

E. C. CRACKNELL, 18/3/78.

No. 7.

The Colonial Secretary, Queensland, to The Colonial Secretary, New South Wales.

Sir,

Colonial Secretary's Office, Brisbane, 16 March, 1878.

This Government has received from its Agent-General in London a copy of certain correspondence addressed to your Government by Mr. William Forster, in reference to a proposition made by Mr. Jacob Montefiore and Colonel William Fielding, offering to lay a telegraphic cable between British India and Australia on certain specified conditions.

This proposal has received my careful attention, and on the part of this Government I beg to assure you that the Government of New South Wales may depend upon our hearty support in giving effect to this proposition, or to such a modification as may be agreed on.

The

The primary condition which this Government considers should be kept in view is the establishment of direct communication with the telegraphic system of British India, in perfect freedom from any obligation to the Eastern Extension Cable Company.

In order to prevent a monopoly of intelligence dangerous to the public interests this is considered essential.

The question of route to be adopted, whether from Ceylon or elsewhere, should be an open one, dependent on the best professional opinion which can be obtained.

Subject to the arrangement of details, and to the assent of Parliament, of which I have no doubt, this Government is prepared to accept the general outline of the proposal made through Mr. Forster.

With a view therefore to bring the matter to an issue as soon as possible, I make the following offer on behalf of this Government:—

1st. That this Government will undertake to construct a telegraphic line connecting its present lines with the proposed point of Australian contact on the Jardine River; and

2ndly. That this Government will share in the responsibilities, profits, and losses of the contract, relatively with New South Wales, in proportion to our respective populations.

In the event of this offer being accepted, we shall require to be paid at the rate of 3d. per word for the transmission of all oceanic messages over the lines owned by this Government.

I have, &c.,

JOHN DOUGLAS.

Postmaster General.—M.F., B.C., 20/3/78. The Secretary to the Post Office, B.C., 20/3/78.—M.R.A. Forwarded to the Supt. of Telegraphs, B.C., 21/3/78.—S.H.L.

I have already reported very fully on this proposal (*vide* accompanying papers). There is an insuperable difficulty in the matter which does not appear to have struck Mr. Douglas, viz., that the lines from India to Europe are now worked on the joint purse system with the Eastern Company, which alone would be detrimental to Messrs. Montefiore and Fielding's scheme.—E. C. CRACKNELL, 22/3/78.

The Secretary to the Post Office, B.C.

No. 8.

Telegram from Colonial Secretary, Brisbane, to Colonial Secretary, Sydney.

8 April, 1878.

BE good enough to let me know by wire the decision of your Government in reference to Montefiore and Fielding's proposal. See my letter of the 16th ultimo. We have copies of all correspondence, including Fielding's reply to Cooper objections. If you decline proposal, I propose to negotiate direct on behalf of this Government. We trust, however, that you will not hesitate to accept in conjunction with us the basis of agreement proposed. Australian interests of paramount importance demand that there should be direct telegraphic communication with British India, independent of any control by the present Cable Company, or of any duplication under their auspices.

JOHN DOUGLAS,

Col. Secy.

Postmaster General, B.C., 8/4/78.—M.F. The Secretary to the Post Office, B.C., 8/4/78.—M.R.A.

I recommend that the following reply be sent by wire to the Col. Secretary, Queensland:—"We have your letter 16th ultimo, and also papers relative to Montefiore and Fielding's proposals, which we think cannot be entertained in view of fact that satisfactory duplication can be obtained for about thirty-two thousand as against their forty-eight thousand pounds."—J.F.B., 10/4/78. The Principal Under Secretary, B.C., 11/4/78.—S.H.L. Telegram 11th April, 1878, to Colonial Secretary of Queensland. The Secretary to the Post Office, B.C., 11th April, 1878.—M.R.A.

1879.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

DUPLICATION OF THE TELEGRAPH CABLE BETWEEN
AUSTRALASIA AND EUROPE.

(FURTHER PAPERS.)

Ordered by the Legislative Assembly to be printed, 4 November, 1879.

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DUPLICATION OF THE TELEGRAPH CABLE BETWEEN AUSTRALASIA AND EUROPE.

No. 1.

The Agent General for New South Wales to The Colonial Secretary.

Sir,

3, Westminster Chambers, Victoria-street, S.W., 27 December, 1878.

I have the honor to enclose herewith the copy of the "Agreement for a duplicate cable to Australia," received from the Eastern Extension Australasian and China Telegraph Company, which was inadvertently omitted from the correspondence forwarded to you under cover of my letter of the 20th instant.

I have, &c.,

WILLIAM FORSTER.

[Enclosure.]

AGREEMENT FOR DUPLICATE CABLE TO AUSTRALIA.

1. That the Company shall, subject to the approval of the shareholders, contract with the Governments for the construction of a second cable from Singapore direct to Banjoewangie, thence direct to Port Darwin, for an annual subsidy of £32,400, and shall sign the contract and necessary conditions on or before 1st July, 1879.

2. That the subsidy shall be payable for a period of twenty years, subject to the provisions hereinafter contained.

3. That the Company shall, throughout the whole of the period during which the subsidy shall be payable, maintain in full working order (the act of God or the Queen's enemies excepted) such second cable, and also its present lines of cable between Singapore and Batavia, and Banjoewangie and Port Darwin.

4. That the Company shall, before such subsidy shall become payable, lay a second cable between Singapore and Penang, and thereafter in like manner maintain the same (the act of God or the Queen's enemies excepted), and its first lines of cable between Singapore and Penang, and Penang and Madras, Penang and Rangoon, in full working order.

5. That the Company shall, in consideration of the subsidy hereby agreed to be paid, and whilst that subsidy is payable, allow a rebate for Government messages hereinafter defined exchanged between England and Port Darwin, reducing their own proportion of the charge to the extent of 50 per cent. upon the present rates, and on Press messages exchanged between England and Port Darwin, as hereinafter defined, will reduce their own proportion of the charge to the extent of 75 per cent. upon the present rate, provided that such reductions shall not be extended to any Colony other than such as may contribute towards the subsidy.

6. That the Company shall complete and open for communication the second cable above-mentioned between Singapore and Port Darwin, and Singapore and Penang, within eight months from the date of the signing of the contract, provided always that the Company shall not be held liable for any loss or damage which the Colonies may sustain in consequence of delay in completing the said cables, in the event of such delay being caused by war, inevitable accident, or other contingency over which the Company can have no control.

7. That in the event of the Company completing and having the duplicate cables above mentioned open for communication within the period herein contracted for, the subsidy payable by the Governments shall commence and accrue four months after the signing of the contract, but the Company shall not be entitled to any payment under this clause until the said cables shall have been actually completed and are open for communication as above stated.

8. That the said subsidy shall be payable quarterly in London to the Company, in sterling money, free of all deductions.

9. That in the event of any total interruption in the communication between Port Darwin and Singapore, the subsidy shall cease *pro rata* for the period of such interruption, provided that if the interruption be caused by reason of war, or any such like cause, the subsidy shall continue, but the Company shall be bound to restore such communication at the request and cost of the Governments so soon as the war or other contingencies shall have terminated.

10. The Company shall at all times hereafter give priority in transmission through the said cables to all Government messages, Government messages being such as are exchanged between Her Majesty's Principal Secretary of State for the Colonies, and the various Agents-General on the one side, and the Governors or Chief Secretaries of the various Colonial Governments on the other, on matters relating to the administration of the Governments.

11. Press messages must be addressed to registered newspapers only, and shall be for *bonâ fide* publication, in full; they must be in English, in plain language and intelligible, no cypher, code, groups of figures or of letters, or words of concealed meaning to be used.

12. The Company shall not during the currency of the agreement increase its own proportion of the charges for messages exchanged between Port Darwin and London beyond the rates provided for herein—for Government messages per word, 2s. 10d.; for Press messages per word, 1s. 5d.; and for all other messages per word, 5s. 8d.

13. That the Government shall have the right during the currency of the subsidy aforesaid to purchase the Company's cable lines and other property between Singapore and Port Darwin on equitable terms, to be fixed, in case of difference, by arbitration, twelve months' previous notice to be given to the Company of the intention to exercise this right: Provided always that the right shall not be exercisable till the Company shall for five years have paid a dividend equal to 10 per cent. per annum, and shall for that period have passed 10 per cent. per annum to its reserve or other accumulated funds.

The Postmaster General.—H.P., 20/2/79. The Secretary to the Post Office, B.C., 20/2/79.—
M.R.A. Seen.—S.S., 24/2/79.

No. 2.

The Agent General for New South Wales to The Colonial Secretary.

Sir,

3, Westminster Chambers, Victoria-street, S.W., 14 February, 1879.

I have now the honor to forward herewith, in continuation of my letter of the 2nd ultimo, copy of further correspondence relative to the duplication of the telegraph line to Australia.

On my receipt of your letter of the 20th December last, instructing me to co-operate with the Agent General for Victoria in having the necessary agreement put into legal form and executed in London, I communicated with Sir Archibald Michie, and arranged with him that this matter be intrusted to our solicitors, Messrs. Mackrell and Company, by whom the Australian and New Zealand cable contract was drafted, and Messrs. Mackrell and Company were instructed accordingly on the 10th instant.

I have, &c.,

WILLIAM FORSTER.

[Enclosures.]

Mr. F. E. Hesse to Captain Jopp.

The Eastern Extension, Australasia and China Telegraph Company (Limited),
66, Old Broad-street, London, E.C., 4 February, 1879.

Dear Sir,

I have the pleasure to send you herewith, for the use of the Agent General, half a dozen printed copies of the signed agreement for the duplication of the Australian cable.

Yours, &c.,

F. E. HESSE,

Secretary.

Captain

Captain Jopp to Mr. F. E. Hesse.

Dear Sir,

I am directed by the Agent General to acknowledge the receipt of your letter of the 4th instant, sending him six printed copies of the signed agreement for the duplication of the Australian cable.

3, Westminster Chambers, S.W., 5 February, 1879.

Yours, &c.,

A. A. JOPP, Capt., R.E.

Secy. N. S. Wales Govt. Agency.

MEMORANDUM of agreement between the Governments of New South Wales and Victoria, on behalf of the Australasian Colonies and New Zealand (hereinafter called the Governments), on the one part, and the Eastern Extension, Australasia and China Telegraph Company, Limited (hereinafter called the Company), on the other :—

1. That the Company shall, subject to the approval of the shareholders, contract with the Governments for the construction of a second cable from Singapore direct to Banjoewangie, and thence direct to Port Darwin, for an annual subsidy of £32,400, and shall sign the contract and necessary conditions on or before 1st July, 1879.

2. That such subsidy shall be payable for a period of twenty years, subject to the provisions hereinafter contained.

3. That the company shall, throughout the whole of the period during which such subsidy shall be payable, maintain in full working order (the act of God or the Queen's enemies excepted), such second cable, and also its present lines of cable between Singapore and Batavia, and Banjoewangie and Port Darwin.

4. That the Company shall, before such subsidy shall become payable, lay a second cable between Singapore and Penang, and thereafter shall in like manner maintain the same (the act of God or the Queen's enemies excepted), and its present lines of cable between Singapore and Penang, and Penang and Madras, Penang and Rangoon, in full working order.

5. That the Company shall, in consideration of the subsidy herein agreed to be paid, and whilst that subsidy is payable, allow a rebate on Government messages hereinafter defined, exchanged between England and Port Darwin, reducing their own proportion of the charge to the extent of 50 per cent. upon the present rate, and on press messages exchanged between England and Port Darwin, as hereinafter defined, will reduce their own proportion of the charge to the extent of 75 per cent. upon the present rate, provided that such reduction shall not be extended to any Colony other than such as may contribute towards the subsidy.

6. That the Company shall complete and open for communication the second cables above-mentioned between Singapore and Port Darwin, and Singapore and Penang, within eight months from the date of the signing of the contract : Provided always that the Company shall not be held liable for any loss or damage which the Colonies may sustain in consequence of delay in completing the said cables, in the event of such delay being caused by war, inevitable accident, or other contingency over which the Company can have no control.

7. That in the event of the Company completing and having the duplicate cable above-mentioned open for communication within the period herein contracted for, the subsidy payable by the Government shall commence and accrue four months after the signing of the contract, but the Company shall not be entitled to any payment under this clause until the said cables shall have been actually completed and are open for communication as above stated.

8. That the said subsidy shall be payable quarterly in London to the Company, in sterling money, free of all deductions.

9. That in the event of any total interruption in the communication between Port Darwin and Singapore, the subsidy shall cease *pro rata* for the period of such interruption, provided that if the interruption be caused by reason of war, or any such like cause, the subsidy shall continue, but the Company shall be bound to restore such communication at the request and cost of the Governments.

10. The Company shall at all times hereafter give priority in transmission through the said cable to all Government messages, being such as are exchanged between Her Majesty's Principal Secretary of State for the Colonies, or the various Agents-General on the one hand and the Governors or Chief Secretaries of the various Colonial Governments on the other, on matters relating to the administration of the Governments.

11. Press messages must be addressed to registered newspapers only, and shall be for *bonâ fide* publication, in full ; they must be in English, in plain language and intelligible, no cypher, code, groups of figures or of letters, or words of concealed meaning, to be used.

12. The Company shall not during the currency of this agreement increase its own proportion of the charges for messages exchanged between Port Darwin and London beyond the rates provided for herein, viz. :—

For Government messages, per word 2s. 10d.

For press messages, per word 1s. 5d.

For all other messages, per word 5s. 8d.

13. That the Government shall have the right during the currency of the subsidy aforesaid to purchase the Company's cable lines and other property between Singapore and Port Darwin on equitable terms, to be fixed, in case of difference, by arbitration, twelve months previous notice to be given to the Company of the intention to exercise this right, provided always that the right shall not be exercisable till the Company shall for five years have paid a dividend equal to 10 per cent. per annum, or shall for that period have passed 10 per cent. per annum to its reserve or other accumulated fund.

Dated this 4th day of December, in the year of our Lord, 1878.

Witness to signature,—
S. H. LAMTON.
Witness to signature,—
W. H. ODGERS.
Witness to signature,—
T. BAWDEN.

J. F. BURNS,
New South Wales.
GRAHAM BERRY,
Victoria.

T. G. GLOVER,
Eastern Extension Australasia and China Telegraph Company.

The Hon. Graham Berry to Sir Archibald Michie.

Sir,

I now enclose copy of the agreement for the second submarine cable, and request that you will, in conjunction with Mr. Forster, take steps to have the contract prepared with the Company in conformity therewith.

There should I think be three counterparts, one for each of the Governments of New South Wales and Victoria, and one for the Company.

I have, &c.,

GRAHAM BERRY.

4th December,
1878.

Captain Jopp to Mr. F. E. Hesse.

Sir,

I am directed by the Agent General to inform you that he received, on the 8th instant, from the Chief Secretary of New South Wales, the papers in the matter of the cable duplication, and that they have been placed in the hands of our solicitors, with a view to the agreement being put into force for execution here.

I have, &c.,

A. A. JOPP, Capt., R.E.,

Secy. N. S. Wales Govt. Agency.

Mr. F. E. Hesse to Captain Jopp.

Sir,

I beg to acknowledge the receipt of your letter of the 10th instant, respecting the formal completion of the cable duplication agreement, and to state that this Company's solicitors, Messrs. Bischoff, Bompas, & Co., of 3, Great Winchester-street Buildings, E.C., have been instructed to co-operate with yours in carrying out the arrangement.

Yours, &c.,

F. E. HESSE,

Secretary.

Tho

The Postmaster General.—H.P., 29/3/79. The Secretary to the Post Office, B.C., 29/3/79.—
M.R.A. Submitted.—S.H.L., 31/3/79. Seen.—S.S., 31/3/79.

No. 3.

The Agent General for New South Wales to The Colonial Secretary.

Sir, 3, Westminster Chambers, Victoria-street, S.W., 11 April, 1879.

I have the honor to inform you that on the 4th instant I sent you a telegram as follows:—
“Eastern Extension Company make difficulties; impression they will not sign before July. Solicitors advise our demands embody agreement.” The matter being still in the hands of our solicitors, I made no further communication to the Company. However, on 7th instant, I was honored with a visit from Sir James Anderson and Alderman Macarthur, M.P., both directors of the Company. They represented themselves as anxious to explain the position in which the Company stood in the matter. Sir James Anderson pointed out that the Company were not bound to sign the bond or contract in fulfilment of the printed memorandum agreed to in Melbourne before July 1st, which I at once admitted, and have never denied, but he added that the Company were unwilling to avail themselves of the privilege of delay thus accorded to them, without explaining their reasons, and endeavouring to obtain the assent of the respective Governments concerned to a certain modification of the terms. The Company were perfectly willing, he assured me, to sign and complete the contract immediately upon the basis of the negotiations entered into and arrangements made with our solicitors, but, inasmuch as the eight months allowed for the construction and laying down of the cable was to run from the completion of the contract, the Company desired completion, though immediate, to be yet subject to the understanding that the eight months should still run from July 1st. Sir James Anderson admitted that the Company had made a contract with the Imperial Governments for the laying down of a cable to the Cape, which would probably render it necessary to use the cable which had been intended for duplication of the cable in fulfilment of the contract made by the Company with the Governments of New South Wales and Victoria; but he had every reason to believe that another cable could be completed in time for the Australian line, with some slight extension of the time, and he had no doubt that under the circumstances, and considering the extraordinary emergency, the Colonial Governments in question would be prepared to make all allowances, and to submit to a certain delay, for which moreover the Company were prepared to offer another consideration in the shape of reduced rates, to commence from the signature of the contract. I said that if the interests of the whole British Empire were at stake it was not in my power, since I had no authority to consent to any modification of the contract, or to accept its completion by the Company, subject to any understanding inconsistent with its provisions; but I recommended immediate application to be made through the Imperial Government to the two Governments concerned, and offered to be the medium of communication, though I suggested that a direct communication from the Imperial Government to the Colonial Governments, as being less round-about, would be the most convenient method. I further expressed my opinion that if the Imperial Government were to set forth the difficulties in which they were placed, and the importance of the crisis involved by the late disastrous occurrences at the Cape, the Colonial Governments would cordially respond to such an appeal, and agree to meet in any reasonable way the wishes and apparent necessities of the Imperial Government; but as regarded the concession of letting the reduced rates run from the execution of the contract, I stated that I had been given to understand that this concession, though not embodied in the agreement, had been personally promised to Mr. G. Berry, and the other co-signatories to the agreement by the agents or representatives of the Company in Melbourne. Sir James Anderson seemed to think that such an application as I suggested should have and had been already made by the Imperial Government, and on my informing him that such was not the case expressed his surprise, as he had understood from the Right Honorable the Secretary of State for the Colonies, that the Imperial Government had intended to make such an application. The result of the interview was that the two directors arranged that the Company should communicate with the two Colonial Governments, and accordingly undertook to send me the substance of a telegram which they wished me to forward immediately to Sydney, and which, as well as the reply, they promised to transmit free of charge.

I have, &c.,

WILLIAM FORSTER.

Submitted, 26/5/79.

No. 4.

The Agent General for New South Wales to The Colonial Secretary.

Sir, 3, Westminster Chambers, Victoria-street, S.W., 11 April, 1879.

In continuation of my letter by this mail, in regard to the contract for the duplication of the telegraph cable, I have the honor to inform you that yesterday I received from the Eastern Telegraph Company copies of letters from the Treasury to John Pender, Esq., M.P., of 26th March last, and of the Eastern Extension Company to the Secretary of State for the Colonies of the 2nd instant, both of which I enclose for your information.

In accordance with the arrangement made between Sir J. Anderson, Alderman Macarthur, and myself, on the 7th instant, I forwarded yesterday to the Company a telegram (copy herewith), to be transmitted to you. I regret to learn by a subsequent communication from the Company (copy herewith) that they took upon themselves to add certain words to the telegram, as will be seen by comparison of the telegram actually sent with the copy I forwarded to them for transmission. Though the words added are of no great importance, and such, probably, as would have obtained the assent of Sir Archibald Michie and myself had they been submitted to us beforehand, I cannot but regard this proceeding on the part of the Company as an extreme liberty, and as little calculated to impress those with whom they transact business with any great confidence in their good faith or exact observance of the obligations they incur. My opinion, it will be seen, is shared by Sir Archibald Michie, as is shown by his minute appended to my own minute upon the letter in question, of both of which copies are appended.

I have, &c.,

WILLIAM FORSTER.

[Enclosures.]

[Enclosures.]

The Secretary, Eastern Telegraph Company, to The Agent General.

Dear Sir,

66, Old Broad-street, London, E.C., 8 April, 1879.

I am directed by Sir James Anderson to forward you copies of the letters he promised to send you yesterday, viz., one from the Treasury, dated 26th ultimo, and Sir James' letter to the Colonial Office of April 2nd.

He also desires me to say that we shall be happy to forward as a free service message any telegram (no matter how long) that you may wish to send to Australia, and the reply shall also be franked.

Yours, &c.,

F. E. HESSE, Secy.

H. S. Ibbetson, Esq., to J. Pender, Esq., M.P.

Sir,

Treasury Chambers, 26 March, 1879.

The Lords Commissioners of Her Majesty's Treasury have had before them your letter of the 24th instant, representing, with reference to the proposed establishment of telegraph communication between Aden and Natal, that the Eastern Telegraph and Telegraph Construction and Maintenance Companies are prepared to accept an Imperial subsidy of £35,000 in lieu of £37,500, with a participation in profits, after certain receipts, as proposed in your previous communication.

You state, however, with regard to the question of time to be allowed for repairs before the subsidy should cease, that the Companies cannot accept a lesser time than six months. Upon this point I am desired to observe that although my Lords cannot accede to this proposal, they are prepared so far to modify their previous condition as to agree to six months being allowed for repairs in the event of their being required on that portion of the line of cable to be laid between Aden and Zanzibar; three months, as proposed by them, to be still the period allowed for making repairs on the other sections of the line; but in both cases the periods may be extended, on the Government being satisfied that more time is required.

My Lords see no reason to object to the proposed tariff for messages between this country, the South African Colonies, and the several stations on the line, the charges for Government messages (both Imperial and Colonial) being, as already agreed, half those made to the general public.

My Lords likewise agree to the rate of speed—14 words per minute—at which it is intended that the cables shall work, and also to the proposed arrangements for keeping the stations on the line open from morning until night, and throughout the night when there is any traffic to forward.

I am further to state that my Lords will urge the Secretary of State to induce the Crown Agents to make, on the part of the Colonies interested, as far as they are able to do so, arrangements with the Companies analogous to those to which my Lords have given sanction.

In conclusion, my Lords direct me to add that they will request Sir Michael Hicks-Beach to communicate with the Governments of Victoria and New South Wales, with the view of obtaining their concurrence in postponing the duplication of the Australian cable for a short period.

I am, &c.,

H. SELWIN IBBETSON.

Sir J. Anderson to Sir Michael Hicks-Beach.

The Eastern Extension, Australasia and China Telegraph Company (Limited),

66, Old Broad-street, E.C., London, 2 April, 1879.

Sir,

With reference to the conversation which Lord Tweeddale had with you this morning on the subject of the cable to be laid for the Australian Colonies, it has been well understood in Australia that the Company were making the cable, and were prepared to lay it considerably within the contract time.

In newspaper reports which have gone out it has been stated that 2,000 miles of the cable intended for the Australian Colonies were being diverted, in order to be laid to the Cape of Good Hope.

We learn that this announcement has occasioned some annoyance to the representatives of the Colonies, who feel that their convenience has been sacrificed, without their sanction being elicited.

Our contract with the Australian Colonies stipulates that the agreement shall be signed on or before 1st July next, and that the cable shall be laid in eight months from the date of signing the contract, which has not yet been signed. All the details are, however, agreed.

What we ask is that the eight months for laying the cable shall count from the 1st July, instead of from the date of signing the contract, and that one or two weeks further grace may be given if such delay prove unavoidable.

In consideration of this we agree, on behalf of the Eastern Extension Telegraph Company, that the half rates for Government telegrams and quarter rates for Press messages over that system shall commence from the date of signing the contract, instead of from the date of the subsidies commencing to be paid.

I am, &c.,

JAMES ANDERSON,
Managing Director.

Mr. S. Yardley to Mr. F. E. Hesse.

Sir,

3, Westminster Chambers, S.W., 9 April, 1879.

Referring to the last paragraph of your letter of the 8th instant, I am directed by Mr. Forster to say that, in accordance therewith, he will thank you to be so good as to send the within message to the Honorable the Chief Secretary, Sydney.

Sir Archibald Michie, the Agent General for Victoria, has agreed to the terms of the message.

Yours, &c.,

S. YARDLEY,
Secretary, New South Wales Government Agency.

"Bond, in pursuance of agreement for duplication of cable, ready for signature. Company willing to sign immediately, subject to understanding that eight months, allowed for completion of cable, shall run from July 1, instead of from date of bond, and provided also that at most three weeks shall be added to the eight months, if required, and in consideration Company offer to make the reduced tariff for Government and for Press messages take effect immediately upon signature of bond. Cable, already partly prepared for Australian line, now required for Cape. Imperial Government intend appealing to Colonial Governments to make concession accordingly, to which, perhaps, in the present emergency, there may be no objection. Shall Agents General accept proposal? Will it vitiate agreement? Reply franked."

Mr. F. E. Hesse to Mr. S. Yardley.

The Eastern Extension, Australasia and China Telegraph Company (Limited),

66, Old Broad-street, London, E.C., 9 April, 1879.

Sir,

I beg to acknowledge receipt of your favour of this date, and to inform you that the telegram enclosed therein has been despatched to the Hon. the Chief Secretary, Sydney, as requested.

At Sir James Anderson's request I have added a few words to the message (as shown in red ink* on the enclosed copy). * Shown in to convey the arrangement made by him with the Honorable Mr. Berry.

Yours, &c.,

F. E. HESSE,

Secretary.

"Bond, in pursuance of agreement for duplication of cable, ready for signature. Company willing to sign immediately, subject to understanding that eight months, allowed for completion of cable, shall run from July 1, instead of from date of bond, and provided also that at most three weeks shall be added to the eight months, if required, and in consideration Company offer to make the reduced tariff for Government and for Press messages take effect immediately upon signature of bond, or from this date if bond ultimately signed. Cable, already partly prepared for Australian line, now required for Cape. Imperial Government intend appealing to Colonial Governments to make concession accordingly, to which, perhaps, in the present emergency, there may be no objection. Shall Agents General accept proposal? Will it vitiate agreement? Reply franked."

Minuto

Minute by Mr. W. Forster.

As the Company have thought proper to alter the telegram without my consent, I disclaim it altogether, and shall write to the Government to that effect, and in future shall take care to avoid any further negotiations of the sort with the Company.—W.F., 10/4/79.

Minute by Sir Archibald Michie.

I CONCUR entirely in the above observations of Mr. Forster, as the Company had no right to alter our telegram by a single word.—A.M., 10/4/79.

Mr. S. Yardley to Mr. F. E. Hesse.

9/4/79.
10/4/79.

Sir,

I have the honor, by direction of the Agent General for New South Wales, to acknowledge the receipt of your letter of yesterday's date, stating that the joint telegram of the Agent General for Victoria and Mr. Forster had been sent to the Honorable the Chief Secretary, Sydney, but with an addition, to convey the nature of the arrangement made between Sir James Anderson and Mr. Graham Berry.

I am to forward for your information copies of minutes on your letter, made respectively by Sir Archibald Michie and Mr. Forster.

3, Westminster Chambers, S.W., 10 April, 1879.
I have, &c.,
S. YARDLEY,
Secretary, New South Wales Government Agency.

Submitted, 26/5/79. See also 79/3,951, herewith. The Postmaster General.—H.P., 9/7/79.
The Secretary to the Post Office, B.C., 9 July, /79.—C.W.

No. 5.

The Secretary of State for the Colonies to The Governor of New South Wales.

Sir,

Downing-street, 25 April, 1879.

I have the honor to acknowledge the receipt of your telegram of the 15th April, conveying the assent of your Government to the terms proposed in my telegram of 7th April, by which the cable which was about to be used for the duplication of the Australian telegraph service could be made available for the immediate construction of a cable to South Africa.

The Government of New Zealand and Mr. Graham Berry, on behalf of the Government of Victoria, have also assented to the proposed arrangement, and I enclose, for the information of your Government, copy of the correspondence which has passed on the subject.

I also enclose a copy of a letter from the Eastern Extension Australasia and China Telegraph Company on which my telegram of the 7th April was founded, together with a copy of the reply, in which I have communicated to the Company the decisions of the Australasian Governments in the matter, and I have to request that you will convey to your Government the thanks of Her Majesty's Government for their ready acquiescence in the arrangement proposed by the Company.

I have, &c.,
M. E. HICKS-BEACH.

[Enclosures.]

TELEGRAM from the Governor of New Zealand to The Secretary of State for the Colonies.

TENTH April—your message of 7th April received—this Government consents to duplicate Australian cable being used for South Africa under terms named.

HERCULES ROBINSON.

Sir James Anderson to Sir Michael Hicks-Beach.

Sir,

The Eastern Extension, Australasia and China Telegraph Company,
66, Old Broad-street, London, E.C., 2 April, 1879.

With reference to the conversation which Lord Tweeddale had with you this morning on the subject of the cable to be laid for the Australian Colonies, it has been well understood in Australia that the Company were making the cable and were prepared to lay it considerably within the contract time.

In the newspaper reports which have gone out it has been stated that 2,000 miles of the cable intended for the Australian Colonies were being diverted in order to be laid to the Cape of Good Hope.

We learn that this announcement has occasioned some annoyance to the representatives of the Colonies, who feel that their convenience has been sacrificed without their sanction being solicited.

Our agreement with the Australian Colonies stipulates that the contract shall be signed on or before 1st July next, and that the cable shall be laid in eight months from the date of signing the contract, which has not yet been signed; all the details are however agreed.

What we ask is that the eight months for laying the cable shall count from the 1st July instead of from the date of signing the contract, and that one or two weeks further grace may be given if such delay prove unavoidable.

In consideration of this we agree, on behalf of the Eastern Extension Telegraph Company, that the half rates for Government telegrams and quarter rates for Press messages over that system shall commence from the date of signing the contract instead of from the date of the subsidies commencing to be paid.

I am, &c.,
JAMES ANDERSON,
Director.

The Colonial Office to The Hon. Graham Berry.

Sir,

Downing-street, 7 April, 1879.

In the course of the negotiations which have recently taken place between Her Majesty's Government and Mr. Pender, acting on behalf of the Eastern Extension Australasia and China Telegraph Company, for the laying of a submarine cable between Aden and Natal, Mr. Pender solicited the good offices of Her Majesty's Government in obtaining the concession of the Governments of Victoria and New South Wales to the postponement of the duplication of the Australian cable for a short period, and I am now directed by Sir Michael Hicks-Beach to inclose for your information a copy of a letter which Sir J. Anderson has addressed to this Department on the subject.

Her Majesty's Government would be much obliged if the Government of Victoria would assist them by making such arrangements with the Eastern Telegraph Company as would permit of the use for the South African Line of the cable now ready; and he trusts that you may feel yourself able to consent on the part of your Government to what is proposed.

I am to add that a similar request has been addressed by telegraph to the Governments of New South Wales and New Zealand.

I am, &c.,
R. G. W. HERBERT.
Mr.

7

Mr. Graham Berry to The Colonial Office.

Sir, I am directed by the Hon. Graham Berry to acknowledge the receipt of your letter of the 7th instant, and of the enclosure from Sir James Anderson, Director of the Eastern Extension Australasia and China Telegraph Company; and to inform you that the Government of Victoria willingly consent to the proposed extension of time within which the second cable is to be laid to Port Darwin; and it is with satisfaction they are thus able to co-operate in assisting to secure safety and peace for that portion of Her Majesty's dominions at present in greatest need of such help.

I have, &c.,
H. H. HAYTER.

The Colonial Office to The Hon. Graham Berry.

Sir, I am directed by the Secretary of State for the Colonies to acknowledge the receipt of your letter of the 9th instant, and to convey to you the thanks of Her Majesty's Government for the ready acquiescence which you have expressed on behalf of the Government of Victoria in the proposed extension of the time to be allowed to the Eastern Extension Australasia and China Telegraph Company for the laying of the duplicate Australian cable.

Sir Michael Hicks-Beach desires me at the same time to enclose for your information copies of the replies which have been received by telegraph from the Governments of New South Wales and New Zealand; and I am to say that copies of these telegrams and of your letter have been communicated to the Company in reply to their letter of the 2nd instant.

I am, &c.,
R. G. W. HERBERT.

The Colonial Office to The Eastern E. & A. and C. T. Co. (Limited).

Sir, In reply to your letter of the 2nd instant, I am directed by the Secretary of State for the Colonies to transmit to you, for the information of the Eastern Extension Australasia and China Telegraph Company (Limited), copy of the correspondence which has passed by telegraph with the Governments of New South Wales and New Zealand, and with Mr. Graham Berry as representing the Government of Victoria, with respect to the request contained in your letter that the Company should be allowed to count the eight months for the laying of the duplicate Australian cable from the 1st of July next instead of from the date of signing the contract with the representatives of the Colonies in this country.

I have, &c.,
R. G. W. HERBERT.

C. O. Tel. to
Govs. 7/4/79.
N.Z. Tel., 10/4/79.
N.S.W. Tel.,
15/4/79.
C.O. to Mr. Berry,
7/4/79.
Mr. Berry, 9/4/79.

The Col. Sec.—A.S., 10/7/79. The Postmaster General.—H.P., 26/7/79. The Secretary to
the Post Office.—C.W., B.C., 28 July, 1879. Secn.—S.S., 18/8/79.

No. 6.

The Agent General for New South Wales to The Colonial Secretary.

Sir, 3, Westminster Chambers, Victoria-street, S.W., 24 April, 1879.

I have the honor to express my regret that I have been unable to satisfy the solicitude felt by the Government, and expressed by yourself in several letters and telegrams, for the speedy signature of their respective contracts by the Eastern Extension Telegraph Company and the Pacific Mail Company.

Nevertheless, I have the honor to assure you, and the various correspondence on the subjects of these contracts will partially, but only partially, disclose, that the delay in either case has not been caused by any failure or neglect in myself, or in this department, to press the matter upon the other Colonial Agencies, or parties to the respective contracts. As regards the contract for duplication of the cable, conferences between myself and the Agent General for Victoria, and our solicitor, Mr. John Mackrell—at one of which Mr. Graham Berry was present—have been repeatedly proposed, not generally by myself, and have taken place, to which, of course, under the circumstances, I could not refuse to be a party. And on the understanding, which was generally accepted, that the preliminaries had been arranged with the concurrence of the respective solicitors, I have, through ours, repeatedly signified my readiness to sign the contract at any time and place the other parties might agree to appoint. And upon the arrival of your last telegram, dated the 18th instant, I lost no time in pressing both upon the Company and Sir Archibald Michie, the desirability of an immediate signature of the contract. But even now, all the assurance I am able to obtain from Mr. Mackrell is of a probability that the signatures will be appended in about a week. I have some reason to believe that Mr. Graham Berry, doubtless with the best intentions, has thrown obstacles in the way by criticisms on the phrasology. Of course Mr. Graham Berry has no control over me, but he has over the Agent General for Victoria; and I cannot but fear that the change which is about taking place in the Victorian Agency of another Agent General in lieu of Sir Archibald Michie—a change which I very much regret on other grounds—may cause further delay in the completion of the business.

As regards the contract with the Pacific Mail Company, I have no reason to believe that the delay is caused by any other reason than the usual difficulties of communication with a number of parties dispersed in different parts of the United States.

In conclusion, I have the honor to express my hope that before this reaches you you may have been previously informed by telegram of the signature of both contracts.

I have, &c.,
WILLIAM FORSTER.

The Postmaster General.—H.P., 11/6/79. The Secretary to the General Post Office, B.C., 11
June, '79.—C.W. Secn.—S.S., 12/6/79.

No. 7.

Telegram from Deputy Postmaster General, Melbourne, to Postmaster General, Sydney.

15 May, 1879.

It has been announced that reduced charges on Government and Press messages would take effect from 9th instant. Government messages seven and ten-pence per word, Press messages six and five-pence per word.

No. 8.

No. 8.

Telegram from Superintendent of Telegraphs, Adelaide, to Superintendent of Telegraphs, Sydney.

29 May, 1879.

KNEVETT is unable to allow reduced rates to other colonies until his London Board is officially advised what Colonies contribute to subsidy. It rests with Victoria and New South Wales to furnish this information; please settle this by telegraph to save time and confusion in accounts till furnished with names of contributing Colonies. Knevett will debit us with full rates and claims will have to be sent in for rebate with copies of messages and amounts claimed.

C. TODD.

No. 9.

Telegram from Postmaster General, New South Wales, to Postmaster General, New Zealand.

30 May, 1879. ~~31~~

COMPANY has asked what Colonies contribute to subsidy for duplication of cable in order that reduced rates upon Government and press messages may be charged; do not find your assent on papers after first negotiations fell through. Please intimate your assent in order that arrangements may be carried out.

No. 10.

Telegram from Postmaster General, New Zealand, to Postmaster General, New South Wales.

31 May, 1879.

NEW Zealand joins in scheme for duplication as finally proposed as per printed memo. of agreement dated 4th December, '78; of course subject to consent of Parliament, which meets early in July. A sum sufficient to meet New Zealand's proportion of subsidy will be placed on Estimates.

J. T. FISHER.

Mr. Cracknell can inform Mr. Knevett.—S.S. 2/6/79. B.C., 2/6/79., S.H.L. Mr. Knevett informed.—E.C.C., 2/6/79.

No. 11.

Telegram from Agent for E.E.A. & C. Telegraph Company, Adelaide, to Superintendent of Telegraphs, Sydney.

3 June, 1879.

NEW Zealand being declared contributing Colony will now allow rebate on each message you mark "Government"; this word to be sent free in the preamble in order they may obtain precedence it will not be necessary to send copies messages; but I will refer doubtful cases home for decision. Please advise New Zealand and Taylor.

Send this on to La Perouse and New Zealand.—E.C.C

No. 12.

Telegram from Chief Secretary, Adelaide, to The Colonial Secretary, Sydney.

5 June, 1879.

I HAVE sent following telegram to Honorable Chief Secretary, Victoria:—"It is understood the reduced rates for cable messages are now in force, but only extend to those colonies which contribute to subsidy. As your Government and that of New South Wales conducted negotiations and signed contract, will you please give Board of Directors, London, the necessary information."

This information has already been furnished to the agent of the Company in Adelaide. The contributing colonies—Victoria, South Australia, New Zealand, and this Colony—have signified their assent. Colonial Secretary, South Australia, might be informed. Information has been furnished to Company.—S.S., 9/6/79. The Principal Under Secretary.—S.H.L., 10/6/79. Submitted.—9/6/79.

No. 13.

The Colonial Secretary, New South Wales, to The Chief Secretary, South Australia.

Sir,

Colonial Secretary's Office, Sydney, 18 June, 1879.

With reference to your telegram of the 5th instant, communicating to me the terms of a telegram sent by you to the Chief Secretary of Victoria, in the matter of the reduced rates of charge for cable messages, I have the honor to inform you that my colleague, the Postmaster General, intimates to me that information on the subject has already been given to the Agent of the Telegraph Company in Adelaide,—the contributing Colonies, namely, Victoria, South Australia, New Zealand, and New South Wales, having signified their assent to the new arrangement.

I have, &c.,

HENRY PARKES.

No. 14.

No. 14.

The Chief Secretary, Victoria, to The Colonial Secretary, New South Wales.

Sir, Victoria. Chief Secretary's Office, Melbourne, 7 June, 1879.

I have the honor to suggest that a deed should be prepared for the signature of the several Governments of Australia and that of New Zealand, whereby each will bind itself under the authority of the Governor in Council, and the seal of the Colony in each case, to pay during the currency of the contract lately entered into with the Eastern Extension Telegraph Company its due proportion of the subsidy guaranteed to the Company after the completion of the second cable, and for which guarantee New South Wales and Victoria are, as you are aware, primarily liable. If you approve of this suggestion being carried out the document can be drafted by the Law Department of this Government, and forwarded for perusal by the Crown Law Officers of New South Wales before being engrossed.

I take the opportunity of noticing that the Government of Tasmania has not yet consented to join in the payment of the guarantee, and that the Honorable the Colonial Secretary of Western Australia, under date March 17th, has formally intimated that that Colony does not consider itself liable to contribute to it for the reasons stated in his letter, of which I enclose a copy for your information. I cannot think, however, that either the latter Government will adhere to that wholly unexpected decision, or that Tasmania will stand aside, and allow the other Colonies to bear the weight of an obligation incurred for the common good, and from which she will benefit *pro tanto* as much as they, on its being represented to each that it was only in the fullest reliance and good faith that we (New South Wales and Victoria) should be sustained in our action by the whole of the other five Colonies that we jointly undertook the liability in the manner we have done.

If you take the same view I would strongly suggest that a representation should be made to the two abovenamed Governments, urging them to undertake their respective shares of the liability. A joint letter might perhaps be the most forcible method of conveying our sentiments to them.

There are several matters of detail which still require settlement, but I will defer entering upon them until this, which is the most important branch of the subject, is first removed out of the way.

I have, &c.,
BRYAN O'LOGHLEN.

[Enclosure.]

The Colonial Secretary, Western Australia, to The Chief Secretary, Victoria.

Sir, Western Australia.—Colonial Secretary's Office, Perth, 17 March, 1879.

I have the honor to acknowledge the receipt of your letter, numbered and dated as in the margin, informing this Government of the terms agreed upon for the proposed contract for the second sub-marine cable between Port Darwin and Java, and showing the proportions in which it is proposed that the subsidy to be paid to the Eastern Extension Telegraph Company should for the present be divided amongst the various Colonies. Deer., 1878.

I am directed to state in reply that this Government, having failed at the first Conference held at Sydney, N.S.W., in January, 1877, in getting the support of the other Colonies to the construction of a cable from its shores either to Java or Ceylon (undertaking to complete the extension of the land lines necessary itself), refrained from sending a representative to the last Conference at Melbourne for the reason that the scheme then to be submitted was one in which Western Australia was not interested.

This Government cannot therefore be expected to participate in sharing liabilities for carrying out a scheme which has not its concurrence, and which was accepted without its assent.

I have, &c.,
LAWRENCE S. ELIOT,
For Colonial Secretary.

Submitted.—10/6/79.

No. 15.

Telegram from The Chief Secretary, Melbourne, to The Colonial Secretary, Sydney.

9 June, 1879.

Will be glad to have reply by telegram to a letter posted Saturday regarding cable subsidy arrangements.

Postmaster General.—Mr. Samuel will be good enough to favour me with his views on this matter to enable me to reply to letter from Chief Secretary of Victoria.—H.P., 17/6/79. The Secretary to General Post Office, B.C., 17 June, 1879.—C.W.

I can see no objection to a deed as suggested being prepared and signed by the Governments of the Colonies of Australia and New Zealand, agreeing to pay their due proportion of the subsidy guaranteed to the Company for the duplication of the cable, though I should have thought an exchange of letters between the Chief Secretaries of the contracting colonies would have been sufficient. I quite concur in the proposal to send a joint letter to the Governments of Tasmania and Western Australia, urging them to take their respective shares in the liability. If the Colonial Secretary concurs he will, perhaps, send a telegram to the Chief Secretary, Victoria, as requested.—S.S., 20/6/79. The Principal Under Secretary, B.C.—S.H.L., 20/6/79. Submitted, 20/6/79.

Telegram from The Colonial Secretary, Sydney, to The Chief Secretary, Melbourne.

21 June, 1879.

Concur generally with your letter of 7th, and also in proposed joint letter to Governments of Tasmania and Western Australia.

No. 16.

No. 16.

The Colonial Secretary, Sydney, to The Chief Secretary, Melbourne.

Sir,

Colonial Secretary's Office, Sydney, 23 June, 1879.

With reference to your telegram of the 9th and your letter of the 7th instant, in which you suggest that a deed should be prepared and executed by the several Governments of Australia and New Zealand, whereby each shall bind itself to pay, during the currency of the contract lately concluded with the Eastern Extension Telegraph Company, its due proportion of the subsidy guaranteed to the Company after the completion of the second cable, I have the honor to inform you that this Government concurs generally in the suggestions which you make on this head, as also in the proposal of addressing a joint letter to the Government of Western Australia, and to that of Tasmania, to urge them to undertake their respective shares of liability in this matter.

I have, &c.,

HENRY PARKES.

No. 17.

The Under Secretary, Colonial Secretary's Department, to The Secretary to the Post Office.

Sir,

Colonial Secretary's Office, Sydney, 26 June, 1879.

With reference to your communication of the 20th instant in the matter of the suggestion made by the Chief Secretary of Victoria, that a deed should be prepared and executed by the several Governments of Australia and New Zealand, whereby each should bind itself to pay during the currency of the contract lately concluded with the Eastern Extension Telegraph Company, its due proportion of the subsidy guaranteed to the Company after the completion of the second cable, I am directed by the Colonial Secretary to state that, in accordance with the terms of the Postmaster General's minute of the 20th instant, the Chief Secretary of Victoria has been apprised that this Government concurs generally in the suggestions made by him on this head, as also in the proposal of addressing a joint letter to the Government of Western Australia and to that of Tasmania, to urge them to undertake their respective shares of liability in this matter.

I have, &c.,

CRITCHETT WALKER.

Seen.—S.S., 28/6/79.

No. 18.

Telegram from Chief Secretary, Melbourne, to Colonial Secretary, Sydney.

3 July, 1879.

To save time will you oblige by writing the joint letters to Tasmania and West Australia, and forwarding them then for my signature. It is necessary to bear in mind that the latter only has refused absolutely to come in. Tasmania's representative protested at Conference, but nothing has since occurred to give grounds for supposing she does not acquiesce.

No. 19.

The Colonial Secretary, Sydney, to The Chief Secretary, Victoria.

Sir,

Colonial Secretary's Office, Sydney, 15 July, 1879.

In reply to your telegram of the 3rd instant, asking me to undertake the preparation of the joint letters which it was proposed to address to the Governments of Tasmania and Western Australia, to urge them to undertake their respective shares of liability in respect of the subsidy payable to the Eastern Extension Telegraph Company after the completion of the second telegraph cable, I have the honor to forward to you the letters which have now been prepared in pursuance of your suggestion, and to which I have affixed my signature.

I have, &c.,

HENRY PARKES.

[Enclosure.]

The Colonial Secretary, Sydney, and Chief Secretary, Victoria, to The Colonial Secretary, Western Australia.

Sir,

15 July, 1879.

We have had under consideration your letter, addressed to the Chief Secretary of Victoria, of the 17th March last, on the subject of the proposed apportionment of the subsidy to be paid to the Eastern Extension Telegraph Company for the duplication of the cable between Singapore and Port Darwin.

2. We regret to learn the decision which your Government has arrived at in this matter, and would strongly urge your reconsideration of the question. The whole of the Australasian Colonies being in telegraphic communication with each other, we submit that it is of secondary consideration at what point the submarine cable, which enables them to communicate with the rest of the world, connects with the line of the Australian coast.

3. That question having been decided, and a contract made, it appears to us that this consideration hardly affects the proposal which we again make, viz. :—That you should join in paying your quota of the subsidy in proportion to population, in consideration of which your Colony will have, in common with the other Australasian Colonies, the advantage of uninterrupted communication and reduced rates for Government and press messages.

4. Doubtless, had the cable started from your shores your messages would not have had to be repeated over your own and the South Australian land lines, but the Colonies of New South Wales, Victoria, and New Zealand labour under the same disadvantage.

5. We trust that on reviewing the matter your Government will see its way to a reversal of its decision, and will contribute to the subsidy.

We have, &c.,

HENRY PARKES,

Colonial Secretary of New South Wales.

Chief Secretary of Victoria.

The Colonial Secretary, Sydney, and Chief Secretary, Victoria, to The Colonial Secretary of Tasmania, Hobart Town.

Sir,

15 July, 1879.

Negotiations having, as you are aware, been now finally completed with the Eastern Extension Company for the duplication of the cable between Singapore and Port Darwin, and the contract having been signed, it becomes necessary to ascertain which of the Colonies purpose contributing towards the subsidy on the basis of population as proposed at the Conference held in Melbourne, in May, 1878.

2. Queensland, for reasons which it is not necessary now to enumerate, declined at the Conference to join. Victoria, South Australia, New Zealand, and New South Wales are in agreement; and your Colony not having yet consented to join, we are induced in the interests of the whole of the Australasian Colonies to seek your co-operation.

3. We note that the representative of your Colony, Sir James Wilson, at the Conference alluded to, stated, in a minute appended to the report of the Conference, that the decision "declining to entertain the suggestion that the cables which connect Tasmania and New Zealand with the Continent should be dealt with as forming with the lines of telegraph from Port Darwin to England, a common system of communication between Australasia and Europe" would in all probability preclude the co-operation of Tasmania in the proposed duplication of the telegraph from Port Darwin to Singapore.

4. We hope that your Colony will not stand aside and allow the other Colonies to bear the burden of an obligation incurred for the common good, and from which you will benefit. It is almost needless to state that it was only in the fullest reliance that the Colonies of Victoria and New South Wales would be sustained in their action by the other five Colonies, that they jointly undertook the liability they have incurred.

5. The Governments of Victoria and New South Wales recently consented, on the application of the Secretary of State for the Colonies, that the Australian duplicate cable which was then being manufactured should be used for the Cape Line, to meet the exigencies of the Zulu war; this consent being given on the understanding that the reduced rates, which were under the contract to come into operation on the completion of the cable, should take effect immediately, and they have consequently been in operation since the 16th May, 1879.

6. In paying your quota of the subsidy in proportion to population, your colony will in common with the others have the advantage of uninterrupted communication, as well as of the reduced rates for Government and Press messages.

7. We trust, therefore, under all the circumstances, to receive an intimation from you that you will consent to contribute on the same terms as the other Colonies.

We have, &c.,

HENRY PARKES,

Colonial Secretary of New South Wales.

Chief Secretary of Victoria.

No. 20.

The Agent General for New South Wales to The Colonial Secretary.

Sir,

3, Westminster Chambers, Victoria-street, S.W., 9 May, 1879.

I have the honor to forward the remainder, which I trust may be the last, of the correspondence in London in the matter of the duplication of the cable between London and Australia, consisting of the letters detailed in the margin, accompanied by a minute of mine, from all which you will easily gather that the signature of the contract has been delayed, almost at the eleventh hour, by a change in the Victorian agency, and by alterations in the deed proposed on behalf of the Company. I did not think it safe or expedient to accept Mr. Graham Berry, not being Agent General, as accredited representative of the Government of Victoria, without special authority from the Governor and Executive Council; and many of the alterations proposed seemed to me of very doubtful propriety. My objections have been sustained by the advice of our solicitors, and justified by the result.

On the 6th instant I signed the contract, and left the documents in Mr. Mackrell's hands to procure the other signatures. But this was done upon an understanding that the deeds should not be parted with, so as to have legal effect, until intimation of the required authority having been given to Mr. Berry should be received from Victoria. Most of the alterations proposed were withdrawn, and so the matter stands at this moment.

I have, &c.,

WILLIAM FORSTER.

[Enclosures.]

The Agent General for New South Wales to Messrs. Mackrell & Co.

Gentlemen,

3, Westminster Chambers, Victoria-street, S.W., 28 April, 1879.

I have the honor to call your attention to the time which has already elapsed since my receipt and immediate communication to you orally of the last telegram from the Government of New South Wales, having reference to our negotiations with the Eastern Extension Telegraph Co. in the matter of duplication of the cable between London and Australia, of which the concluding words expressly enjoined "contract to be immediately signed." I have accordingly the honor to request that you will take whatever steps may be necessary to obtain the appointment of an early day for having the signatures appended, or that if any further delay should occur, that you will kindly inform me of the reasons, not only for such delay, but for that which has already occurred since the receipt of the telegram.

I have, &c.,

WILLIAM FORSTER.

Messrs. Mackrell & Co. to The Agent General for New South Wales.

New Cable,

Dear Sir,

21, Cannon-street, London, E.C., 29 April, 1879.

In reply to your letter of yesterday's date we have the honor to inform you that although you were good enough to inform us of the receipt of the telegram sent you by your Government, assenting to the conditions proposed by the Company for the use of the cable for the Cape line, we were not able to proceed with the matter until we had the necessary assent on the part of the Victorian Government.

Some delay has arisen in obtaining this, in consequence of Sir Archibald Michie's term of office as Agent General having expired, and no one having been appointed to succeed him, and of the illness of the Chief Secretary for Victoria.

We have, however, to-day received the authority of the Chief Secretary to assent to the conditions on the part of the Victorian Government, and we hope to-morrow to be able to forward to the Company the draft as approved by yourself and by Sir Archibald Michie.

You will remember that the agreement provides that the cable should be constructed according to a specification mentioned in the schedule. We have been urging the Company to let us have the specification to attach to the draft.

No time shall be lost on our part in completing the matter, and we will report to you further thereon without delay.

We have, &c.,

JOHN MACKRELL & CO.

The Colonial Office to The Agent General for New South Wales.

Sir,

Colonial Office, Downing-street, 29 April, 1879.

I am directed by the Secretary of State for the Colonies to acknowledge the receipt of your letter of the 22nd instant, and I am to transmit to you, for your information, copy of the correspondence which has passed with the Government of New South Wales respecting the terms on which the cable which was about to be used for the duplication of the Australian Telegraph Service has been made available for the immediate construction of a cable to South Africa.

I have, &c.,

JOHN BRAMSTON.

The Colonial Office to The Hon. Graham Berry.

Sir,

Colonial Office, Downing-street, 7 April, 1879.

In the course of the negotiations which have recently taken place between Her Majesty's Government and Mr. Pender, acting on behalf of the Eastern Extension Australasia and China Telegraph Company, for the laying of a submarine cable between Aden and Natal, Mr. Pender solicited the good offices of Her Majesty's Government in obtaining the concession of the Governments of Victoria and New South Wales to the postponement of the duplication of the Australian cable for a short period, and I am now directed by Sir Michael Hicks-Beach to enclose, for your information, a copy of a letter which Sir James Anderson has addressed to this department on the subject.

Her Majesty's Government would be much obliged if the Government of Victoria would assist them by making such arrangements with the Eastern Telegraph Company as would permit of the use for the South African line of the cable now ready, and he trusts that you may feel yourself able to consent on the part of your Government to what is proposed.

I am to add that a similar request has been addressed by telegraph to the Governments of New South Wales and New Zealand.

I have, &c.,

R. G. W. HERBERT.

The

Mr. Forster to Messrs. Mackrell, 28/4/79.
Messrs. Mackrell's reply, 29/4/79.
C. O. letter of 29/4/79 to Agent General, with enclosures.
Messrs. Mackrell to Agent General 2/5/79, with enclosure.
Mr. Forster to C. O., 5/5/79.
Messrs. Mackrell to Mr. Forster, 5/5/79.
Minute dated 8/5/79.

The Hon. Graham Berry to The Colonial Office.

Sir, "Alexandra Hotel," London, 9 April, 1879.
I am directed by the Honorable Graham Berry to acknowledge the receipt of your letter of the 7th instant, and of the enclosure from Sir James Anderson, Director of the Eastern Extension Australasia and China Telegraph Company, and to inform you that the Government of Victoria willingly consent to the proposed extension of time within which the second cable is to be laid to Port Darwin, and it is with satisfaction they are thus able to co-operate in assisting to secure safety and peace for that portion of Her Majesty's dominions at present in greatest need of such help.

I have, &c.,
H. H. HAYTER.

The Colonial Office to The Hon. Graham Berry.

Sir, Colonial Office, Downing-street, 17 April, 1879.
I am directed by the Secretary of State for the Colonies to acknowledge the receipt of your letter of the 9th instant, and to convey to you the thanks of Her Majesty's Government for the ready acquiescence which you have expressed on behalf of the Government of Victoria in the proposed extension of the time to be allowed to the Eastern Extension Australasia and China Telegraph Company for the laying of the duplicate Australian cable.

Sir Michael Hicks-Beach desires me at the same time to enclose for your information copies of the replies which have been received by telegraph from the Governments of New South Wales and New Zealand, and I am to say that copies of these telegrams and of your letter have been communicated to the Company in reply to their letter of the 2nd instant.

I have, &c.,
R. G. W. HERBERT.

Sir James Anderson to Sir Michael Hicks-Beach.

The Eastern Extension Australasia and China Telegraph Company (Limited),
66, Old Broad-street, London, E.C., 2 April, 1879.

Sir, With reference to the conversation which Lord Tweeddale had with you this morning on the subject of the cable to be laid for the Australian Colonies, it has been well understood in Australia that the Company were making the cable, and were prepared to lay it considerably within the contract time.

In the newspaper reports which have gone out it has been stated that 2,000 miles of the cable intended for the Australian Colonies were being diverted in order to be laid to the Cape of Good Hope.

We learn that this announcement has occasioned some annoyance to the representatives of the Colonies who feel that their convenience has been sacrificed without their sanction being solicited.

Our agreement with the Australian Colonies stipulates that the contract shall be signed on or before 1st July next, and that the cable shall be laid in eight months from the date of signing the contract, which has not yet been signed. All the details are, however, agreed. What we ask is, that the eight months for laying the cable shall count from the 1st of July instead of from the date of signing the contract, and that one or two weeks further grace may be given if such delay prove unavoidable.

In consideration of this we agree, on behalf of the Eastern Extension Telegraph Company, that the half rates for Government telegrams and quarter rates for Press messages over that system shall commence from the date of signing the contract, instead of from the date of the subsidies commencing to be paid.

I am, &c.,
JAMES ANDERSON,
Director.

The Colonial Office to The Eastern E. A. & C. T. Co. (Limited).

Sir, Colonial Office, Downing-street, 17 April, 1879.
In reply to your letter of the 2nd instant, I am directed by the Secretary of State for the Colonies to transmit to you, for the information of the Eastern Extension Australasia and China Telegraph Company (Limited), copy of the correspondence which has passed by telegraph with the Governments of New South Wales and New Zealand, and with Mr. Graham Berry as representing the Government of Victoria, with respect to the request contained in your letter that the Company should be allowed to count the eight months for the laying of the duplicate Australian cable from the 1st of July next instead of from the date of signing the contract with the representatives of the Colonies in this country.

I have, &c.,
R. G. W. HERBERT.

Messrs. J. Mackrell & Co. to The Agent General for New South Wales.

Australian Cable.

Dear Sir, 21, Cannon-street, London, E.C., 2 May, 1879.
We have to-day had an interview with the solicitors to the Eastern Extension, &c., Telegraph Company, and discussed with them the revisions which, as instructed, we made in the draft contract, and they now write us a letter of which we enclose you copy.

We send with this a print of the contract as it was settled by you, with the alterations which they have made in manuscript.

It appears that the Company are satisfied to accept the execution of the agreement on behalf of Victoria by Mr. Graham Berry, there being no Agent-General appointed in Sir Archibald Michie's place.

Mr. Berry leaves on Tuesday next, and it is therefore necessary if this is to be done that the contract should be settled on Monday, so that it may be signed on that day.

We have sent a duplicate of the copy letter enclosed, and also a duplicate print of the agreement to Mr. Hoey, to submit to Mr. Berry, and shall be glad to have your views upon the matter as early as may be convenient, to-morrow if possible.

We have, &c.,
JOHN MACKRELL & CO.

Messrs. Bischoff & Co. to Messrs. Mackrell & Co.

Australian Cable.

Dear Sirs, 4, Great Winchester-street, London, 2 May, 1879.
We return this agreement which we have had reprinted as revised by you, and in which we have made some few alterations.

Art. 2. We explained in our letter of 31st March that we could not arrange for a pecuniary penalty. The contractors have undertaken payment of interest during construction, which constitutes a heavy penalty which they decline to increase, and the postponement of the subsidy would be in itself a heavy penalty.

Art. 4. By the existing agreement the rebate is expressly confined to messages "exchanged between England and Port Darwin"; the words we have struck out are not applicable to Government messages. The tariff of messages to China from Australia is higher than the stipulated rate.

Art. 11. We have framed a clause as arranged with you which we think will meet the convenience of the Colonies without affecting the position of the intended debenture holders.

Art. 15 and 16. We have added two clauses from the New Zealand Agreement, by which New South Wales and New Zealand are already bound, but which should apply equally to the Government of Victoria and any other Government taking the benefit of this agreement.

It is important the contract should be signed before Mr. Berry leaves; any delay in signature might seriously prejudice the fulfilment of the contract.

Yours truly,
BISCHOFF, BOMPAS, BISCHOFF, & CO.

We will alter and return your original draft. We send some plain print for your convenience.

Minute

Minute by The Agent General for New South Wales.

Duplication of Australian Cable.

I HAVE before me Messrs. John Mackrell & Co.'s letter of May 2, enclosing one from Messrs. Bischoff, Bompas, Bischoff, & Co. of same date, and accompanied by print of contract as last settled by and between Sir Archibald Michie and myself, with further alterations made in said print by the solicitors last named, and moreover informing me "that the Company are satisfied to accept the execution of the agreement on behalf of Victoria by Mr. Graham Berry, there being no Agent General appointed in Sir Archibald Michie's place;" and that "Mr. Berry leaves on Tuesday next, and it is therefore necessary if this is to be done that the contract should be settled on Monday, so that it may be signed on that day."

This letter causes me some difficulty and hesitation as to what course I ought to pursue. I have hitherto throughout this transaction acted on the most cordial terms with Sir Archibald Michie, and have had, and consequently I cannot avoid regretting that I shall have no longer the benefit of his eminent talents for business, as well as of his well-known legal ability and experience. And now I am not quite certain, even though "the Company are satisfied to accept the execution of the agreement on behalf of Victoria by Mr. Graham Berry," whether my instructions enable me to recognize in Sir Archibald Michie's place either Mr. Graham Berry or any other person who is not actually Agent General for Victoria, or who, so far as I am aware, has no legal power or right to act in this matter for the Government of Victoria. But I am quite certain that in performance of the functions entrusted to me I am neither required nor authorized to take any step in a matter so important with undue haste or precipitation, and that I should not be justified in proceeding to sign the agreement off-hand, or in accepting either the substitution of Mr. Graham Berry for Sir Archibald Michie, or the further alterations in the contract now proposed by the Company's solicitors, without full consideration, merely because Mr. Graham Berry leaves on Tuesday next. Accordingly with every desire to meet Mr. Graham Berry's convenience, and to throw no unnecessary obstacles in the way of his immediate departure from England and return to Victoria, I feel that I am both entitled and bound, before signing the contract, to have the strongest possible legal assurance upon the questions involved, that is to say, upon Mr. Graham Berry's legal rights and position, as representing one of the parties to the contract, as well as upon the propriety or necessity of the new provisions proposed on behalf of the Company, and the more so, not only because it is plain at a glance that these provisions are of considerable significance, but also because I had been led to believe, and the result of the last interview and consultation on the subject between Sir Archibald Michie, Mr. John Mackrell, and myself, that the preliminaries then arranged had been or would surely be assented to by the Company, and that no further difficulties were to be apprehended from that quarter, though some delay might occur from the change in the Victorian Agency. I note that upon none of the legal points above mooted Messrs. John Mackrell & Co. have as yet favoured me with any opinion.

As our solicitors name Monday for what they term settlement of the contract, which of course involves, and I suppose means, consultation, and it is now Saturday it will be obviously impossible to fix an earlier time, and I positively cannot undertake to be satisfied upon the several questions in issue in one day or any number of days.

I shall be glad to meet Mr. John Mackrell at my office on Monday at the earliest possible moment with a view to a preliminary consultation.

I append below a brief notice of what seem to me the most important points for consideration in the draft agreement as proposed to be altered by the solicitors for the Company, taking the clauses in their order.

Clause 1. The omission no doubt leaves it in the power of anyone duly authorized to sign for Victoria, but the legal right or authority of Mr. Graham Berry in that behalf is still open to question.

Clause 2. The relaxation in favour of the Company, by which the eight months for construction are to run from July instead of, as originally intended, from the date of signature was, I thought, to be only a matter of understanding, left to the good faith of the Governments. But here it is made a part of the contract, whereas the equivalent guarantee or benefit to the Governments in the shape of a penalty, and of reduction of rates from the date of signature, do not so appear, the former being now proposed to be omitted, and the latter not expressly included in clause 4 or any other clause relating to rates. I question therefore if it be right to assent to the one alteration unless accompanied by the others.

Clauses 3, 4, 5, 10, 11. I consider the alterations proposed immaterial.

Clause 12. I feel inclined to insist upon the original words "in any" rather than the word "for" in substitution.

Clauses 13 and 14. The alterations appear to me unimportant.

To the two new clauses proposed, and numbered respectively 15, 16, there is probably no great objection in principle, but I object to them as variations from, or additions to, the original memorandum, and obviously in favour of the Company.

I must add that whatever objections I entertain to the alterations proposed are greatly strengthened by the circumstances under which they are submitted to me, with only a limited time for consideration, and without any opportunity of consultation with, or of testing the authority of, the assumed attorney or representative of the Government or Colony of Victoria.

W. F., 3/5/79.

The Agent General for New South Wales to The Colonial Office.

Sir,

3, Westminster Chambers, S.W., 5 May, 1879.

I have the honor to acknowledge the receipt of Mr. Bramston's letter of the 29th ultimo, under cover of which he has been good enough to transmit to me for my information copy of correspondence which has passed with the Government of New South Wales, respecting the terms on which the cable, which was about to be used for the duplication of the Australian Telegraph Service, has been made available for the immediate construction of a cable to South Africa.

I have, &c.,

WILLIAM FORSTER.

Messrs. Mackrell & Co. to The Agent General for New South Wales.

Duplicate Cable.

Dear Sir,

21, Cannon-street, London, E.C., 5 May, 1879.

We have seen Mr. Berry, and arranged that he should send out a message as follows:—

"Berry to Chief Secretary, Melbourne.—Will sign contract for duplication of cable before I leave. It is thought authority should be given by Governor in Council. Take necessary steps, and reply when done."

He wishes that before he leaves the contract should be signed by you both, and that the exchange should not be made with the Company until the reply message is received.

As your name appears first in the document Mr. Berry wishes you to sign first, and he will then sign and leave it with us.

We have communicated with the Company, and we believed settled the draft with them, and they seem satisfied with this arrangement.

We will therefore call upon you to-morrow with the prints for signature as soon after half-past 2 as possible.

We return your minute, and will report fully upon the whole matter to you.

We have, &c.,

JOHN MACKRELL & CO.

The Postmaster General.—H.P., 19/6/79. Secretary to the Post Office, B.C., 19 June, 1879.—
C.W. Supt. of Telegraphs, for remarks.—S.S., 26/6/79.

No. 21.

The Agent General for New South Wales to The Colonial Secretary.

Sir,

3, Westminster Chambers, Victoria-street, S.W., 22 May, 1879.

My letter of the 9th instant, *via* Brindisi, informed you of all that had taken place up to the time of its despatch in regard to the contract for the duplication of the telegraph cable. I have now the honor to enclose for your information a copy of our solicitor's report of the 16th instant, which sets forth the steps taken from time to time in the settlement of the terms of this contract.

I trust that the Government will be satisfied with the contract, which, after very considerable negotiation, was duly executed on the 9th instant, as intimated in my telegram to you of the 12th [10th] instant.

I have, &c.,

WILLIAM FORSTER.

[Enclosures.]

Messrs. Mackrell & Co. to The Agent General for New South Wales.

Australian Cable.

Dear Sir,

21, Cannon-street, London, 16 May, 1879.

We have now to report the completion of the contract for the duplication of the lines of cable of the Eastern Extension, Australasian, and China Telegraph Company (Limited), and in doing so it may be of use if we report to you fully as to the steps which have been taken in the matter.

The only instructions which were received by you were the prints of the correspondence which had passed between your Government and the Government of Victoria and the Company, and of the preliminary agreement which had been entered into by them.

By the terms of this agreement the Company were to sign a contract "with all necessary conditions," and it was felt by yourself and Sir Archibald Michie, acting on behalf of the Colony of Victoria, that it was your duty to require, amongst other stipulations, that such conditions should be inserted in the contract as would secure the duplication of the lines of cable within the time stipulated.

Besides this, different views were entertained by yourselves and by the Company with reference to the meaning of certain clauses in the preliminary agreement, and entailed upon you and Sir Archibald the necessity of having many conferences together and with ourselves, and necessitated a rather protracted negotiation between ourselves and the solicitors to the Company.

Proposals were then made on behalf of the Company for an extension of time within which to lay the cable, in order that the cable which was being manufactured for the purposes of the contract might be made use of to open communication with the Cape of Good Hope; and, acting on further instructions which you received from your Government by cable, the contract had to be varied, to give the further time desired; and the Company then desired to introduce other stipulations into the contract which had not been referred to in the preliminary agreement.

Pending these negotiations, the term of office of Sir Archibald Michie as Agent General for Victoria expired, and a question then arose as to how the contract should be executed on behalf of the Government of that Colony. The Company prepared to accept the execution of the contract by Mr. Graham Berry, the Prime Minister of that Colony, who was in England, on behalf of his Government; but you felt that it was your duty to be satisfied that he had authority to bind his Government as contributors to the subsidy, and you were good enough to send us a copy of the minute which you made, under date the 3rd instant, upon this subject, and with reference to the new stipulation desired by the Company.

After a conference with you upon your minute, we had, as you know, a conference with Mr. Berry, and also with the solicitors for the Company, which resulted in arrangement that the alterations desired by the Company were given up, and in Mr. Graham Berry undertaking to communicate with his Government and get a Minute in Council passed authorizing the execution of the agreement by him on behalf of the Colony of Victoria. Accordingly a message was despatched by him to his Government, requesting such a minute to be passed.

There still, however, remained a difficulty as to the security which the contract should afford for the execution of the work within the stipulated period, to secure which you and Sir Archibald Michie had required that the Company should come under a daily penalty for default. It was urged, however, by the Company that this should not be insisted upon, as by the terms of the arrangement they would be under a heavy penalty if they failed to complete within the stipulated time, inasmuch as they would lose the bonus of £10,000 which was to be given to them by allowing the subsidy to run from the expiration of four months from the 1st July if they laid the cable within the eight months.

The Company also expressed themselves willing to come under terms to reduce their proportion of the rates for Government and press messages immediately, and they explained the arrangement which they had made with the Telegraph Construction and Maintenance Company whereby the latter Company have undertaken to pay interest on the amount of the capital raised for the cables from the time when the cables ought to be laid. You thereupon considered that by the arrangement proposed by the Company you would secure to your Government and to the Colony the immediate advantages which were to result from the arrangement, and this without any payment of subsidy for the present, subject only to the risk of the existing cables being interrupted before the new cables should be laid; and you therefore felt that you had practically obtained as much security for laying the cables which could be fairly insisted, and you authorized us to assent to the contract being modified as proposed.

The draft contract was then finally settled, and as Mr. Graham Berry was leaving England before a reply to the message to his Government as to the minute by the Governor in Council could be received, the contracts were executed by you and him on the 6th instant, but as escrows only, as you did not consider you were justified in assenting to the exchange of the contract executed by Mr. Berry on the part of the Government of Victoria until the proposed minute in Council should have been passed.

On the 9th instant a message was received by Mr. Cashel Hoey, who is now representing the Government of Victoria, to the following effect:—

"Received by Mr. Hoey from the Acting Chief Secretary of Melbourne.

"Forward this telegram to Berry. Order in Council authorizing you to sign contract for duplication of cable with intended [extended?] time passed to-day."

On submitting this telegram to you you felt yourself justified in authorizing us to complete the contract, which we did by getting the Company to affix their seal to the same in pursuance of a minute which had been previously passed, authorizing such seal to be affixed, and the contracts were exchanged.

We now send herewith one part of the contract executed by all parties, together with a certified extract from the minutes of the Company, and a certified copy of the message received by Mr. Hoey, and we will forward for use of yourself and your Government prints of the contract which are now being struck off.

Although by the contract the reduced rates for Government and Press messages are stipulated to commence as from the 6th instant, you will see by the letter from Mr. Graham Berry to the Company, of which we append a copy, that the reduced rates are to be allowed as from the 9th of April last, and your Government and the Press are entitled to be allowed for any charges made in excess of the reduced rates as from that day.

The matter has required very careful consideration and attention on your part, and entailed upon you a considerable amount of trouble, and we feel sure that your Government will be satisfied with the contract which you have succeeded in securing for them.

We have, &c.,

JOHN MACKRELL & CO.

The

The Eastern Extension Australian and China Telegraph Company (Limited).

66, Old Broad-street, London, E.C., 12 May, 1879.

EXTRACT of minute passed at a special Board meeting of the Directors of the above Company, held on Thursday, May 1st, 1879:—

"The draft contract with the Governments of Victoria and New South Wales for duplicating the Australian cable, as altered by Mr. Mackrell, was then considered and approved as amended, and ordered to be sealed with the Company's seal when settled by the respective solicitors."

True copy,—P. E. HESSE, Secretary.

S, Victoria Chambers, Westminster, S.W.

EXTRACT from telegram received this day at the office of the Agent General for Victoria from the Acting Chief Secretary, Melbourne:—

"Forward this telegram to Berry. Order in Council authorizing you to sign contract for duplication of cable with intended [extended?] time passed to-day."
9th May, 1879.

J. CASHEL HOEY.

The Hon. Graham Berry to Sir James Anderson.

Dear Sir James,

"Alexandra Hotel," London, 9 April, 1879.

I am in receipt of your communication of yesterday's date, and also of a letter from the Colonial Office to the same effect. I have already replied to the latter in the affirmative, and I now express my concurrence on behalf of the Government of Victoria in your proposal, viz., that the eight months for laying the cable should count from the 1st July instead of from the date of signing the contract, and that one or two weeks further grace may be given if such delay prove unavoidable.

This is on the express condition that the reduced rates for Government and Press messages provided for in the agreement shall commence on and from this day, the 9th April, providing the contract is eventually agreed to and carried out.

Very faithfully yours,

GRAHAM BERRY.

The Postmaster General.—H.P., 9/7/79.

The Secretary to the Post Office.—C.W., 9/7/79.

No. 22.

The Agent General for New South Wales to The Colonial Secretary.

Sir,

3, Westminster Chambers, Victoria-street, S.W., 22 May, 1879.

In continuation of my letter of this date I have the honor to inform you that I have this moment received from Messrs. Mackrell & Co. prints of the contract for the duplication of the telegraph cable, and I now forward ten copies for your use.

I have, &c.,

WILLIAM FORSTER.

The Postmaster General.—H.P., 9/7/79. The Secretary to the Post Office.—C.W., B.C., 9 July, 1879. Forwarded for the perusal of the Superintendent of Telegraphs.—S.H.L., 11/7/79.

No. 23.

Telegram from Colonial Secretary, Perth, to Colonial Secretary, Sydney.

Perth, 19 July, 1879.

THE lengthened continuousness of the interruption of telegraphic communication with Europe inflicts such serious injury upon the Australian colonies that this Government deem it right to invite your attention to the cause, which, it cannot be doubted, is to be traced to the adherence to an objectionable sea route, which it is actually proposed to duplicate. My telegram to you of the 6th April, 1878, specified the arrangement on which the Government of Western Australia was willing to enter upon terms with the rest of the Continent for the construction of a line of telegraphic communication with Europe, independent of and in addition to that now existing. The Government believe that the adoption of the course it has recommended is best calculated to secure safe and constant communication with India and Europe, and at any time will be very glad to learn that your Government is disposed to consider the question on the basis of the scheme it has submitted.

ROGER TUCKFIELD GOLDSWORTHY,

Colonial Secretary.

Submitted.—21/7/79. Postmaster General,—Perhaps Mr. Samuel will favour me with his view upon this message.—H.P., 21/7/79. The Secretary to the Post Office.—C.W., B.C., 21 July, 1879.

No. 24.

Minute of the Postmaster General.

I suggest that the Colonial Secretary of Western Australia be informed, in reply to this telegram, that a contract having been entered into, with the concurrence of a majority of the Australasian Colonies, for a duplicate cable over the existing route, and such cable being now in course of construction, this Government is not prepared to entertain a proposal for another cable by a different route.

S.S., 31/7/79.

The Principal Under Secretary.—S.H.L., 1/8/79. Submitted, 5/8/79. Prepare telegram accordingly.—H.P., 5/8/79. Telegram sent, 6 Aug., 1879. The Secretary to the Post Office, B.C., 8 Aug., 1879. Read.—S.H.L., 14/8/79.

No. 25.

No. 25.

Minute of The Superintendent of Electric Telegraphs.

I HAVE carefully read through the attached papers, also the agreement, and can see nothing objectionable, except, perhaps, in clause 8, by which this Colony and Victoria are made entirely responsible for the whole of the subsidy, £32,400, although this is made more clear by clause 11, where provision is made to the effect that should any other Australian Colony agree to contribute to the subsidy the Company will accept payment of the agreed contribution by such colony.

It appears from the despatches that the date of the proposed reduction in the rates for Government and Press messages was to take effect from the 9th April, 1879, and not the 9th May, as telegraphed by the Company. Such being the case, I have given directions for a list of the Government messages to be prepared, so that the 50 per cent. reduction may be adjusted.

E. C. CRACKNELL, 6/8/79.

No. 26.

The Colonial Secretary, Perth, to The Colonial Secretary, Sydney.

Sir, Western Australia. Colonial Secretary's Office, Perth, 26 September, 1879.

I have the honor to acknowledge the receipt of letter of the 15th July last, from yourself and the Chief Secretary of Victoria, and in conveying to you the thanks of His Excellency Major General Sir Harry St. George Ord for the courteous manner in which you have urged this Government to contribute towards the subsidy to be paid to the Eastern Extension Telegraph Company for a second cable from Singapore to Port Darwin, I am directed to inform you that the question has been submitted for the consideration of the Legislature, and the result of the deliberations is that His Excellency has been requested to make provision for the £367 which has been laid down as the *quota* payable by this Colony towards the subsidy to the Company.

Under such circumstances this Government will be prepared to contribute from the date on which it has been agreed that the arrangement should commence.

I have, &c.,
ROGER TUCKFIELD GOLDSWORTHY,
Colonial Secretary.

The Postmaster General.—H.P., 9/10/79. The Colonial Secretary will please direct that the receipt of this despatch be acknowledged.—S.S., 13/10/79.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

ELECTRIC TELEGRAPH STATION-HOUSE AT LA PEROUSE
FOR THE NEW ZEALAND CABLE SERVICE.*Ordered by the Legislative Assembly to be printed, 13 January, 1880.*

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ELECTRIC TELEGRAPH STATION-HOUSE AT LA PEROUSE FOR THE NEW ZEALAND
CABLE SERVICE.

No. 1.

Memorandum.

Already printed
by order of the
Legislative
Assembly on 21st
December, 1875.

It is hereby agreed that the period of fourteen days in article 3 of the Agreement dated 24th June, 1875 (a print of which is hereunto annexed), shall be read and construed as if the 30th July, 1875, were in lieu thereof therein asserted, and that the specification for the cable contained in the contract dated the 30th July, 1875 (a print of which is hereunto annexed), shall be the specification for the cable contracted by the said agreement to be laid, and that the terminal point of the cable in New Zealand shall be in that part of Blind Bay there known as Wakapuake Bay, and that the New South Wales end of the sub-marine portion of the cable may be laid in Botany Bay: Provided that this stipulation shall not relieve the Eastern Extension Australasia and China Telegraph Company of their obligation to carry the cable to the terminal point agreed upon there, viz., the Telegraph Station at Sydney. And that any agreement which may be come to between the Boards of the respective companies, parties to the said agreement of the 30th July, 1875, under clause 22 of the said contract of that date, shall not be binding upon the Governors of the Colonies of New Zealand and New South Wales, or either of them, without their written assent.

In witness whereof, Sir Julius Vogel has signed this memorandum, in the name and on behalf of George Augustus Constantine, Marquis of Normanby, and Sir Daniel Cooper has signed the same in the name and on behalf of Sir Hercules Robinson, and the Eastern Extension Australasia and China Telegraph Company (Limited) have hereunto affixed their Common Seal this 6th day of September, 1875.

The Common Seal of the Eastern Extension Australasia and China Telegraph Company (Limited) was affixed hereto in the presence of,—

JOHN PENDER,
Chairman.

GEORGE LYONS,
Secretary.



We have compared the above with the original, of which we declare it to be a true copy, 20th September, 1875.

THEO. GODLEE.
CHAS. BENNETT.

Clerks to Messrs. John Mackrell & Co.,
of 21, Cannon-street, London, Solicitors.

MEMO.—Duplicate of the above, signed on behalf of His Excellency the Governor of New Zealand by the Honorable Sir Julius Vogel, K.C.M.G., and on behalf of His Excellency the Governor of New South Wales by Sir Daniel Cooper, Baronet, and handed over to the Eastern Extension Australasia and China Telegraph Company (Limited), in exchange for the above.

Articles of Contract made the 30th day of July, 1875, between the Eastern Extension Australasia and China Telegraph Company, Limited (hereinafter called the Company), of the one part, and the Telegraph Construction and Maintenance Company, Limited (hereinafter called the Contractors), of the other part.

Whereby it is agreed as follows:—

1. The contractors shall, subject to the due performance by the company of the agreements and conditions hereinafter contained, and on their parts to be observed and performed, and for the consideration and upon the terms hereinafter expressed, manufacture for the Company a telegraphic cable of the total length of 1,370 nautical miles of the types mentioned and described in the specification hereunto annexed.

2. The cable shall be manufactured and constructed throughout of thoroughly good materials and workmanship, and in all respects in strict accordance with the specification hereunto annexed (which is to be deemed part of this contract), to the reasonable satisfaction of the engineer of the company (hereinafter called the Engineer), but subject to arbitration as hereinafter provided.

3. After the cable shall have been made and tested by the Engineer, the contractors shall cause the same to be coiled on board a suitable steamship or ships, and shall send the said cable to sea, and by means of apparatus and fittings to be approved by the engineer, or in case of difference between him and the contractors, by Mr. John Penn, and under charge of officers of approved skill and experience, use their best endeavours to lay the same between Australia and New Zealand on or before the 30th April, 1876.

4. The terminal point of the cable in New Zealand shall be at such part of the coast of Blind Bay or Golden Bay as shall be determined by the engineers of the company and the contractors before the departure of the expedition, and the terminal point of the cable in Australia shall be at such part of the coast at or near Sydney as the said engineers shall so determine. At each terminal point the company shall, before the arrival of the vessel or vessels containing the cable, erect a suitable cable-house, and the contractors shall, to the satisfaction of the engineer, supply each cable-house with proper instruments for the testing of the cable, until the expiration of the thirty days mentioned in article 15; such instruments to remain the property of the contractors.

5.

5. Previous to the departure of the expedition, the engineer and the contractors shall agree upon the course over which the cable shall be laid, and the positions in which the various types of cable shall be placed, and such agreement shall (unless the engineer consents to alteration thereof) be adhered to by the contractors as nearly as practicable.

6. It is hereby expressly agreed and declared that, after the said cable shall have been manufactured and coiled on board ship ready for sailing, and shall have been duly tested by the engineer and found to be in accordance with this contract, and the apparatus and fittings of the said ship or ships have been approved in writing by the engineer or the said John Penn as aforesaid, the contractors shall not be responsible in damages for any injury or breakage occurring to, or loss of the cable or any part thereof, or for failure or delay in laying the same, unless the same arise from the culpable neglect or default of the contractors or their agents, the true intent and meaning of these presents being that, the contractors shall be bound to take all reasonable precautions and use their best endeavours and make every reasonable effort in accordance with this contract to lay the whole line of cable between the points aforesaid, in good working order, in accordance with the said specification, so that the same shall give good and efficient electrical connection between the points aforesaid, but that they shall not be responsible in damages for failure or delay, if *bonâ fide* using their best endeavours as aforesaid.

7. Every facility, including batteries for testing, shall be afforded to the engineer and his assistants to test every part of the cable during manufacture, shipment, and transport. During the laying of the cable the testing shall be in the hands of the contractors, but shall be open to the continual inspection of the engineer or his assistants on board ship and on shore. The principle of testing shall be the same as adopted in laying the Atlantic Cable of 1874, or any improvement that may be mutually agreed upon. The engineer shall have the right of inspecting the charts and observations made during the laying of the cable, and also of having communications on the business of laying the cable forwarded from the ship to the cable-house on shore, and *vice versâ*, through the cable, at reasonable times, while the same is being laid.

8. The contractors shall provide victualling and accommodation for the engineer and his staff (not exceeding in the whole, five persons) on board the vessel or vessels during the laying of the cable, and until the return of the expedition.

9. The company shall obtain, at their own expense, all wayleaves and Government and other authorities required for landing the cable and connecting the same with the cable-houses, and the company shall procure possession of any land required for the purposes of this contract.

10. The contractors shall connect the shore ends with the cable-houses to be provided by the company at or near the landing places, in the most efficient manner, so that there shall be good and efficient electrical telegraphic connection between the two cable-houses.

11. The contractors shall effect insurances on the cable in the sum of £176 per mile, against fire, and river, and sea risks, until laid, by policies similar in form to those on the British Indian Telegraph Cable, and shall deliver such policies to the company, to the full amount of the payments from time to time made to the contractors.

12. The company shall pay to the contractors, for the works and matters hereinbefore undertaken by the contractors under this contract, and for the transfer of the ship hereinafter referred to, the total sum, or contract price, of £300,000, but subject to such reduction as hereinafter mentioned.

The said contract price shall be paid at the times and in manner following, that is to say,—

- (a.) Thirty thousand pounds upon the execution of this contract.
- (b.) One hundred and eighty-five thousand pounds, by weekly payments, as mentioned in Article 13.
- (c.) Twenty-five thousand pounds upon the certificate of the engineer of the shipment of the whole of the cable, and that the condition thereof is in accordance with this contract.
- (d.) Fifteen thousand pounds on the certificate of the successful laying and completion of the cable in accordance with this contract.
- (e.) Fifteen thousand pounds upon the transfer to the company of the steamship "Edinburgh," in manner hereinafter provided.
- (f.) And thirty thousand pounds, the balance of the contract price (subject to reduction as mentioned in Article 16), upon the Engineer's certificate mentioned in Article 15.

13. The payments in respect of the sum of £185,000 mentioned in Article 12, paragraph B, shall be subject to the following regulations, that is to say,—the contractors shall deliver, at the principal office of the company, a certificate signed by the engineer, and the contractor's engineer or electrician, stating the length of cable made up to the day of the date of the certificate, and certifying that the same is in perfect working order, and in all respects up to the conditions required by these presents, and on every Monday morning after that day, until the manufacture of the cable shall be completed, the contractors may deliver a like certificate, stating the length of the cable made during the week ending on the Saturday preceding, and also the total length manufactured up to the same date, and that the same total length of cable is in perfect working order, and in all respects up to the condition required by these presents; and on receipt of the above certificates respectively the company shall, not later than the Saturday next following every Monday after the date on which the certificate is duly delivered as aforesaid, pay over to the contractors or their agent authorized in writing to call for the same, at the office of the company, in respect of the said sum of £185,000, the sum of £135 per mile for every nautical mile of cable manufactured during the period to which the certificate bears reference. The balance of the said sum of £185,000 shall be paid upon the certificate of the engineer of the completion of the manufacture of the said cable.

14. The engineer of the company accompanying the expedition shall examine and test the line when laid, and as soon as practicable thereafter, telegraph to Messrs. Clarke, Forde, and Co., in London, and also write by the next post to them the results of his examination and testing, and shall forthwith deliver a copy of the telegram and letter to the contractor's agent, and upon the receipt by the engineer in England of such telegram or letter, he shall give his certificate that the cable has been successfully laid and completed in accordance with this contract, or shall state in writing his reasons for not giving such certificate, and shall forward a duplicate of such certificate or statement in writing, as the case may be, to the company and the contractors respectively.

15. The £30,000 mentioned in Article 12, paragraph F, shall (subject to the provisions of Article 16) be paid to the contractors, upon the certificate of the engineer in England that, for thirty consecutive days

days after the completion of the laying of the cable, the same has continued in good electrical condition, and the provisions of Article 14 shall (*mutatis mutandis*) apply to the examination and testing and certifying of the condition of the cable during the said thirty days.

16. If the contractors successfully complete the contract, and obtain the certificate referred to in Article 15, without disaster, delay or accident, occasioning damage to the contractors to the amount of £10,000, the sum of £30,000, mentioned in Article 12, paragraph F, shall be reduced to £20,000; and if any such disaster, delay, or accident shall occur, but shall occasion damage to an amount less than £10,000, then the difference between the amount of the damage so occasioned and £10,000 shall be deducted from the said sum of £30,000 and retained by the company.

17. Any surplus cable remaining out of the length specified, after the completion of the contract, shall belong to the company, and shall be delivered at Sydney or New Zealand as the company or their engineers shall, before the sailing of the vessels from England, direct.

18. The company shall, subject to the directions of the engineer, be at liberty to work the cable from the time when it is laid until finally certified under Article 15, and the receipts from working the same shall belong to the company, who shall bear the expense of working; but the contractors shall, until the final certificate is given, have full liberty to inspect and examine the line and its connections, and the working and testing thereof, and to test the same at reasonable times, under the supervision of the engineer.

19. The engineers, for the purposes of this contract, shall be Josiah Latimer Clark, Esquire, Henry Charles Forde, Esquire, Charles Hockin, Esquire, and Herbert Arnaud Taylor, Esquire, or any one or more of them acting in the name of their firm of Clark, Forde, & Co., and several members of the firm may act as engineer at the same in different places. The engineer in England shall, subject as hereinbefore provided, duly sign and give every certificate to which the contractors are entitled under this contract when the provisions of the contract upon the performance of which the contractors are entitled to the same respectively shall have been performed.

20. The contractors shall, after the engineer's certificate referred to in Article 15, transfer to the company, for a nominal price, and as the company's absolute property, the steamship "Edinburgh" (which is intended to be employed by the contractors for the purposes of this contract), together with her tanks, machinery, fittings, and stores; and shall deliver the said vessel at the place indicated, under Article 17, for the delivery of surplus cable as soon as practicable after the expiration of the thirty days mentioned in the said certificate. The contractors engage that before leaving England the said ship shall be placed in efficient order and condition as a cable-repairing ship, well found in all requisite tanks, fittings, machinery, and stores, to the reasonable satisfaction of a competent surveyor, to be appointed by the company for the purpose, but subject to arbitration in case of difference. The contractors shall make good any damages to the said ship after leaving England, and deliver her to the company in good order and condition, fair wear and tear and use of stores during her employment for the purposes of this contract being allowed.

21. If any dispute or difference shall arise between the company or their engineer and the contractors as to the meaning of these presents, or anything herein contained, or with reference to the manufacture and testing, shipment or laying of the cable, or any other matter or thing to be done hereunder, then, and in every such case, the matter in difference shall be referred to the arbitration of some person to be appointed by the President for the time being of the Institution of Civil Engineers at the instance of the party first applying for the appointment, and any arbitrator so appointed shall have the same powers in relation to such reference as an arbitrator appointed under the Railway Companies' Arbitration Act, 1859, has in relation to a reference under that Act, and the arbitration and award shall have all the legal effect and consequence of arbitration and award under the last-mentioned Act.

22. This contract may from time to time be varied by agreement between the Boards of the respective companies, parties hereto.

THE SPECIFICATION ABOVE REFERRED TO.

The following are the lengths and types of cable that are to be furnished by the contractors, viz. :—

	Knots.
Type A. Shore end	10
" B. Intermediate	59
" C. Main cable, No. 1	300
" C ¹ . Main cable, No. 2	1,001
Total	<u>1,370 knots.</u>

CORE.

Conductor. (a.) The conductor to be a strand of seven copper wires weighing 107 lbs. per nautical mile, or within 5 per cent. thereof, and the resistance at 75° Fahrenheit shall not be more than 12.13 ohms.

Insulator. (b.) The conductor is to be insulated with three coatings of gutta percha of improved inductive capacity, prepared according to Mr. Willoughby Smith's system, alternating with three coatings of Chatterton's compound, and to weigh 140 lbs. per knot, or within 5 per cent. thereof. The resistance of the completed core to be not less than 150 Megohms per nautical mile when tested at a temperature of 75° Fahrenheit, after twenty-four hours' immersion in water fourteen days after manufacture.

Serving. (c.) The core to be covered with a good and sufficient serving of jute yarn, steeped in cutch or other preservative mixture, and applied wet.

OUTER COVERINGS.

Outer coverings. (d.) *Type A.* (Shore End).—The served core to be covered with ten galvanized BB iron wires, each to gauge No. 00 B.W.G. equal to .375 of an inch when galvanized, or within 2½ per cent. thereof.

(e.) *Type B.* (Intermediate).—The served core to be covered with ten galvanized BB iron wires, each wire to gauge No. 6 B.W.G. equal to .200 of an inch when galvanized, or within 2½ per cent. thereof.

(f.) *Type C.* (Main Cable, No. 1).—The served core to be covered with fifteen galvanized homogeneous iron wires, the diameter of each wire to be No. 13 B.W.G. equal to 0.099 of an inch when galvanized, or within 2½ per cent. thereof, and to bear a breaking strain of not less than 53 tons per square inch, with an elongation of 1 per cent. (g.)

(g.) *Type C*¹. (Main Cable, No. 2).—The served core to be covered with nine galvanized homogeneous iron wires and nine Manilla yarns in alternate order. The homogeneous wires to be No. 13 B.W.G., equal to .099 of an inch when galvanized, or within 2½ per cent. thereof, and to bear a breaking strain of not less than 52 tons per square inch, with an elongation of not less than 3 per cent.

OUTSIDE SERVING.

The Cable C¹ manufactured as above to be covered with two layers of jute yarn, laid on in opposite directions, and two coatings of Clark's compound.

(h.) The cables A B and C, manufactured as above, are then to be covered with two layers of jute yarn, laid on in opposite directions, and three coatings of Clark's compound, the first coating being cool, and put on next the iron wires. Clark's compound.

(i.) The cable, when completed, shall be coiled in suitable water-tight tanks, and be kept as far as practicable constantly under water. Cable to be kept under water.

GENERAL CLAUSES.

(k.) The standard of insulation for the completed cable with either current, before being submerged, to be not less than 250 Megohms per nautical mile, when reduced to a temperature of 75° Fahrenheit after 5 minutes' electrification, the tests to be taken at the actual natural temperature, and to be reduced by calculation to the standard specified. Electrical test.

(l.) The completed cable shall be coiled on board ship in water-tight tanks, and be kept, as far as practicable, under water until submerged. Tanks on board ship.

(m.) The electrical condition of the cable when laid shall be such, as having regard to its previous condition, and making due allowance for the mean actual temperature of the water, as shown by the resistance of the conductor, to give no good grounds for believing that any fault exists in the insulator or conductor. Final electrical condition of cable.

In witness whereof the said parties hereto have caused their respective Common Seals to be hereunto affixed the day and year first written.

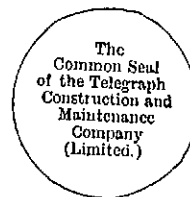
The Common Seal of the Eastern Extension Australasia and China Telegraph Company (Limited) was affixed hereto in the presence of,—



JOHN PENDER,
Chairman.

GEORGE LYONS,
Secretary.

The Common Seal of the Telegraph Construction and Maintenance Company (Limited) was hereto affixed in the presence of—



G. W. CAMPBELL,
Director.

W. SHUTER,
Secretary.

No. 2.

Minute of Superintendent of Telegraphs to Under Secretary for Public Works.

I BEG to recommend for the approval of the Honorable the Secretary for Public Works that the line of Telegraphs to connect the New Zealand Cable from the Bunnerong Road to La Perouse Monument, Botany Bay, be erected at a cost not exceeding (£11) eleven pounds sterling per mile, the Department finding all material necessary for the construction of such line.

E. C. CRACKNELL.

Approved.—J.L., 21/1/76.

No. 3.

The Superintendent of Telegraphs to The Secretary to the Post Office.

Sir,

Chief Telegraph Office, Sydney, 22 February, 1876.

As it is urgently necessary to erect suitable premises for the use of the officers in connection with the New Zealand Cable at La Perouse Monument, Botany Bay, I have the honor to request that you will be good enough to cause the necessary instructions to be given to the Colonial Architect to erect a building in accordance with the accompanying plan,* and to proceed with the work without delay.

I have, &c.,

E. C. CRACKNELL,
Superintendent, Electric Telegraphs.

*Plan not published.

The Colonial Architect should give particulars and furnish an estimate, so that provision may be made for this on the Estimates.

No. 4.

No. 4.

Messrs. Hudson Bros. to The Superintendent of Telegraphs.

Sir,

Redfern Saw Mills, Sydney, 12 April, 1876.

Herewith I beg to forward you detailed accounts of the cost of the several buildings erected by us at the Botany Station. I confess that I am surprised to see how much it has cost, but I hope it will not displease you. Since I have seen the account I have been considering how it happens that it has so far exceeded the amount I expected when you first spoke about it, but you will remember it was then proposed to make the building 50 ft. x 20 ft., and when a rough sketch was submitted and the rooms marked out, it was found that it would be necessary to make it 50 x 40—just double the size—and since the building was erected we have had two more additional rooms by enclosing a portion of the verandahs. I may also remind you that we have to erect a separate detached building to be used as a kitchen, besides painting the whole of the buildings with three coats best oil paint, also supply and fixing four iron tanks, each 400 gallons, with eaves, gutters, and down-pipes with all the necessary connections for laying on the water, and, besides that, no mention was made of any masonry being required for the operating room. I have simply charged for the money actually paid away, and have not charged a single penny for our own time in superintending the work, as you will see by the detailed account herewith, as I am afraid you will be surprised to see the cost has amounted to so large a sum.

I am, &c.,

HENRY HUDSON.

The Superintendent of Telegraphs, Dr. to Messrs. Hudson Bros., 1 April, 1876.

		£	s.	d.	£	s.	d.
26/10, 8/4, 4 x 3, Oregon	292	1	0	0	2	18	6
4/10, 4 x 4, Oregon	53	1	0	0	0	10	8
4, 10 x 12, sashes, p., hung		1	13	0	6	12	0
72 feet 7-in. pine fascia		0	0	3½	1	1	0
6/14, 6 x 2½ hwd.	84	0	17	0	0	14	3
2 pine doors, B. & F.		1	10	0	3	0	0
2 pair 5-in. butts and screws		0	2	0	0	4	0
228 pieces, 10 x ½ P. & G. c. pine	3,473	0	18	0	31	6	0
Paid Edmundson for stonework					15	0	0
89 pieces, 10 x ½-in P. & G. c. pine	1,234	0	18	0	11	2	2
3 " 24 x 2 beech dressed, 2 sides	72	1	15	0	1	5	3
57 " 11 x 1 rusticated boards	1,053	1	13	0	17	7	6
84 " 6 x 1 P. & G. Oregon	722	1	5	0	9	0	6
1 pine door					1	0	0
1 set jamb linings					0	7	6
2 cases 8-feet galvanized iron	20 cwt.	35	0	0	35	0	0
46/10, 5 x 3 Oregon	575	1	0	0	5	15	0
4/10, 5 x 4 "	67	1	0	0	0	13	6
166/9, 22/7, 6 x 2½ hw.	1,648	0	17	0	14	0	2
1/18, 4/20, 2/21, 1/22, 3/12, 1/16, 1/19, 2/20, 1/12, 1/14, 2/13, 7/15,							
2/16, 5/17, 6 x 3 h.w.	820	0	16	0	6	11	3
10 pieces 3 x 1½ Oregon run	43	0	8	0	0	3	6
21 " 6 x 4 "	1,308	1	0	0	13	1	8
44 " 6 x 1 P. & G. beech	183	1	12	0	2	18	6
12½ lbs. lead washers		0	1	0	0	12	6
35 " galvanized screws		0	1	0	1	15	0
2 cwt. nails		1	15	0	3	10	0
4/42, 8 x 4 Oregon	448	1	0	0	4	9	8
5/10, 9 x 4 "	150	1	0	0	1	10	0
14/9, 4 x 2½ hwd.	126	0	13	0	0	16	4
9/19, 5½ x 3 Baltic	235	1	10	0	3	10	6
1/33, 5 x 3 Oregon	41	1	0	0	0	8	3
16 sheets 9-foot iron		0	7	6	6	0	0
47 feet band moulding		0	11	0	0	5	2
2/10, 9 x 4 Oregon	60						
1/22, 6 x 4 "	44						
3/42, 8 x 4 "	336						
52 pieces, 5 x 3 Oregon	210						
24 " 5 x 3 "	300 = 950	1	0	0	9	10	0
54 " 5½ x 3 Baltic	1,232	1	10	0	18	9	8
1/15, 24 x 1½ dressed 1 side c. pine	37						
1/15, 24 x 1 "	30 = 67	1	2	0	0	14	9
18 hwd. weatherboards	152	0	17	0	1	6	0
200 feet run hwd. weatherboards	120	0	17	0	1	0	6
9 " 14 ridge capping		0	0	6½	0	5	0
2 " 7-inch rimlocks		0	6	0	0	12	0
6 box frames P. hung		1	13	0	9	18	0
2 doors 7 feet x 3 feet x 2 inches B. & F.		1	10	0	3	0	0
2 sets jamb linings		0	7	0	0	14	0
1/34, 6 x 6 Oregon	102	1	0	0	1	0	6
Bolts for principals					0	10	0
Paid for mason work (Edmundson)					15	0	0
120 feet 2½ pine B moulding		0	11	0	0	13	3
9/12, 6 x 2½ hwd.	108	0	17	0	0	18	4
30/7, 6 x 2½ "	210	0	17	0	1	15	9
61 pieces 5½ x 3 Baltic	1,387	1	10	0	20	16	2

		£	s.	d.	£	s.	d.
60 pieces 6 x 1 P. & G. Oregon	607	1	5	0	7	11	6
63 " 6 x 1 P. & G. & B. c. pine	315	1	0	0	3	3	0
79 " 8 x 1/2 "	648	0	18	0	5	16	8
78 " 11 x 1 rusticated Baltic	1,409	1	13	0	23	15	0
84 " 6 x 2 1/2 h.w	636	0	17	0	5	8	2
52 feet sup., 8 x 1 1/2 Oregon	52	1	0	0	0	10	6
39 pieces 4 x 3 "	890	1	0	0	8	18	0
10 " 11 x 1 1/2 Baltic dressed, 2 sides and chamfered	308	1	15	0	5	8	0
10 " 8 x 1 P. & G. Baltic	145	1	13	0	1	13	4
4 box skylight frames		0	12	0	2	8	0
12 lbs. 2 1/2 nails		0	0	6	0	6	0
54 feet 1 1/2 in. R. capping		0	0	6 1/2	1	9	3
Paid Edmundson, mason's work					20	0	0
70 pieces 6 x 1 P. & G. hw.	421	1	3	0	4	16	10
60 " 6 x 1 P. & G. Oregon	668	1	5	0	8	7	0
92 sheets 6-feet curved iron		0	5	0	23	0	0
40 " 8 " "		0	7	0	14	0	0
25 Oregon moulded verandah posts		0	11	0	13	15	0
Paid Edmundston, balance					6	1	6
36 pieces 4 x 3 Oregon	441	1	0	0	4	8	3
15 " 5 x 3 1/2 Baltic dressed	341	1	13	0	5	12	6
73 " 6 x 1 P. & G. hw.	484	1	3	0	5	11	4
47 " 11 x 1 rusticated bds.	883	1	13	0	14	11	4
82 " 4 x 3 Oregon	856	1	0	0	8	11	3
55 " 6 x 1 P. & G. Oregon	599	1	5	0	7	9	9
2 pairs 4-in. butts and screws		0	2	0	0	4	0
1/2 gross nuts and bolts		0	12	0	0	6	0
12 lbs. screws and washers		0	1	0	0	12	0
30 feet 3-in. pine B. moulding		0	14	0	0	4	3
6 sets jamb-linings		0	7	0	2	2	0
2 gallons turps					0	15	0
1 drum raw oil					1	5	0
14 lbs. dryers		0	0	9	0	10	6
1 quart notting					0	7	6
8 pine doors, 6-8 x 2-8 x 1 1/2, D.M.		0	18	0	7	4	0
14 lbs. lamp black		0	0	10	0	11	8
1/2 gallon turps					0	4	0
1 quart notting					0	7	6
1 1/2 cwt. lead		2	0	0	3	0	0
1 drum mixed oil					1	5	0
8 pair 4-in. butts and screws					0	8	0
20 lbs. nails		0	0	6	0	10	0
2 cwt. white lead		2	0	0	4	0	0
1/2 gallon knotting		1	2	0	0	11	0
420 feet 6 x 1 P. & G. hw.		1	3	0	4	17	0
4 skylights		1	5	0	5	0	0
2 sash tools		1	0	0	0	2	0
50 lbs. putty		0	0	4	0	16	8
5 doz. 1 1/2 brass screws		0	0	9	0	3	9
6 " 6-in. rimlocks		0	7	6	2	5	0
1 drum turps		0	5	0	1	5	0
7 lbs. dryers		0	0	9	0	5	3
99 pieces 8 x 1 1/2 P. & G. c. pine	1,175	0	16	0	9	8	0
1 24-foot ladder		0	2	0	2	8	0
8 sheets glass		0	16	0	6	8	0
Paid Callaghan, painter					1	0	0
410 feet 3-in. pine moulding		0	13	0	2	13	4
12 lbs. putty		0	0	4	0	4	0
1 package nuts and bolts					0	7	0
12 lbs. 2-in. nails					0	6	0
12 feet super. 6 x 1 P. & G. & B. 2 sides c. pine					0	2	6
50 " 6 x 1 P. & G. hw.					0	11	6
2 doors					2	0	0
5 sets jamb-linings					1	15	0
12 sets window stops					1	10	0
12 " " nozings					0	12	0
112 pieces 8 x 1 1/2 P. & G. c. pine	1,295	0	16	0	10	7	3
Paid M'Bride					0	10	0
2 pine doors, 1 1/2 D.M.		1	0	0	2	0	0
1 piece 12 x 2 c. pine	44	0	18	0	0	8	0
15 lbs. red putty		0	0	4	0	5	0
3 6-in. rimlocks		0	7	6	1	2	6
24 pces. 3 x 2 c. pine	332	0	10	0	1	13	3
4 " 4 x 2 1/2 "	72				0	9	4
36 " 6 x 2 1/2 hwd.	216	0	17	0	1	16	9
41 " 6 x 1 P. & G. hwd.	312	1	3	0	3	11	9
2 rimlocks					0	15	0

	£	s.	d.	£	s.	d.
1 thumb latch.....				0	2	0
1 6-barrel bolt				0	1	0
128 ft. 3-in. pine moulding	0	13	0	0	16	8
8 pces. 6 x 1 P. & G. and B. c. pine'.....	59			0	11	9
22 „ 6 x 1 „ hwd.....	178	1	3	0	2	1
2 „ 5½ x 3 dressed Baltic	66	1	15	0	0	14
4 sweeps 10 ft. 4 x 2 pine		0	7	0	1	8
1 6-in. rim lock				0	7	6
2 8-in. tower bolts.....				0	2	0
1 6-in. rim lock				0	7	6
18 lbs. nails	0	0	6	0	9	0
6 feet 14-in. r. capping	0	0	6½	0	3	3
1/9, 12 x 2 c. pine	18	0	18	0	0	3
1/18, 12 x 1 M. pine	18			0	4	0
40 feet ½-in. beading				0	5	0
1 pce. ½-in cedar	11			0	3	3
Paid Callaghan				3	0	0
4 iron tanks	6	0	0	24	0	0
12 lbs. nails	0	0	6	0	6	0
3 „ dryers.....	0	0	9	0	2	3
137 feet 6 x 1 P. & G. and B. c. pine.....	1	0	0	1	7	6
200 „ ½-in. M. pine, P. & G.....	1	1	0	2	2	0
2 pair 14-in. T hinges and screws	0	2	0	0	4	0
1 „ 12-in. „	0	2	0	0	2	0
3 „ 4-light 10 x 8 sashes				0	12	0
21 boards rusticated pine	310	1	13	0	5	2
24 lbs. white lead		0	0	4½	0	9
3 pairs 2½ butts and screws				0	3	0
3 brass buttons and screws		0	0	8	0	2
14 lbs. white lead		0	0	4½	0	5
1 thumb latch.....				0	2	0
4 lbs. 2-in. nails.....		0	0	6	0	2
15 pces. 6 x 1 Kauri	105	1	0	0	1	1
10 lbs. nails		0	0	6	0	5
1 gross 1½ screws		0	2	6	0	2
5/10, 6 x 1 rough hwd.....	25	1	0	0	0	5
9 pces. 6 x 1 P. & G. hwd.....	63	1	3	0	0	14
28 lbs. white lead		0	0	4½	0	10
3 gallons linseed oil		0	5	6	0	16
2 lbs. dryers		0	0	9	0	1
4 5-in. O.G. angles		0	3	0	0	12
3 gross bolts and nuts	36 doz.	0	1	0	1	16
14 lbs. screws and washers		0	1	0	0	14
3 „ nails.....					0	1
86 sheets 6-ft. iron, curved		0	5	0	21	10
2 pipes, with jamb nuts					0	12
544 lbs. 4lb. lead		0	0	4½	10	4
Paid cartage on tanks					1	10
240 feet 5-in. O.G. gutter.....		0	0	6½	6	10
4 3-in. plain heads.....		0	3	6	0	14
12 feet 3-in. down pipe.....		0	0	6	0	6
18 lbs. ½-in. lead pipe		0	0	8	0	12
Soldering pipe, 10 unions.....		0	1	0	0	10
Carpenters' time.....	3,233	0	1	6	242	9
Plumbers' time.....	136 hrs.	0	1	6	10	4
Cartage	70 loads	0	15	0	52	10
					£983	5
						3

No. 5.

W. G. Taylor, Esq., to The Superintendent of Telegraphs.

The Eastern Extension Australasia and China Telegraph Company (Limited).

Sir,

La Perouse, Sydney Station, 21 April, 1876.

With reference to the accompanying papers from Messrs. Hudson, with regard to the buildings for the Cable Station at La Perouse, I have to remark:—

1. That the building as originally designed and agreed on was to be 50 feet x 30 feet, with verandah all round. When we came to consider the space necessary for both cable and land line offices, the alteration to a breadth of 40 feet was made, and this space gained, was at one end subdivided into two small rooms, one as the Government office, and one as my own office. As it is, the accommodation is limited enough, and the work of the station could scarcely have been satisfactorily performed with less space. In addition, I had three rooms for servants made on the verandah, and a platform of a few yards length from the house we use as kitchen to the quarters.

2. The four tanks have been fixed near the station and piping led to them from the roof. This was absolutely necessary as we were, during the first two months after opening, obliged to cart water from a great distance and at a great cost.

3. The block of masonry in the cable-house, to which I presume Hudson refers in last paragraph of his letter, was necessary for the instruments used for testing, and was the table from which we worked for the first month after opening.

I ought to mention to you that the only course I took in suggesting any alterations was to instruct the foreman of carpenters, leaving it to him to acquaint Messrs. Hudson, and them to get authorization for it.

If you would do us the honor of a visit some day, I am sure you will see that our accommodation is meagre enough, and that there are some alterations of a trifling nature which would add greatly to our comfort during the approaching winter, which you must know is our first in this colony.

I am, &c.,

W. GRIGOR TAYLOR,

Manager, N.Z. & N.S.W. Section, Eastn. Teleg. Co.

P.S.—Messrs. Hudson's papers are returned herewith.—W.G.T.

No. 6.

Minute of Superintendent of Telegraphs to The Secretary to the Post Office.

MESSRS. HUDSON BROTHERS, who undertook to erect the temporary offices and quarters at La Perouse for the New Zealand cable staff and our officers, have discovered that the buildings in question have cost them a very large sum over and above their estimate, and they are anxious that the whole matter should be brought under the notice of the Honorable the Postmaster General, with a view to an equitable adjustment of their claim; they are willing to take the cost of the material and labour and submit the items to any one in the trade competent to judge of the amount charged.

An account with the items is forwarded herewith, and if the Honorable the Postmaster General approves, I would recommend that Mr. John Young be requested to check the amounts in question.

E. C. CRACKNELL,
1/5/76.

Submitted.—S.H.L., 2/5/76.

No. 7.

Minute of Superintendent of Telegraphs to The Secretary to the Post Office.

THE temporary quarters at La Perouse are still incomplete, and require an addition to the kitchen, the front under the verandah boarding in, an extension of the verandah near the kitchen, an enclosure for the battery room, steps and railing round the verandah, and some other minor matters, in all amounting to about £100, which I have to request the authority of The Honorable the Postmaster General to expend.

E. C. CRACKNELL,
3/5/76.

Submitted.—S.H.L., 5/5/76.

Approved.—J.F.B., 5/5/76.

B.C., 6/5/76—S.H.L.

No. 8.

Messrs. Hudson Brothers to The Postmaster General.

Sir,

19 May, 1876.

Hearing that there is some difficulty in paying our account for the buildings erected at "La Perouse" for the New Zealand Cable, through the amount being so much in excess of the sum authorized, we beg most respectfully to request you will be pleased to pay us on account the sum sanctioned, viz., £387 14s.; and we also beg to point out to you that the sum named as being the probable cost of the quarters did not include the cable-house, which cost about £120, and is included in the account rendered. As we were entirely ignorant that we were to blame in doing work as pointed out as necessary and urgent, but which it now appears was not specially authorized, we trust the Government will not cause us to suffer, as we should not have done it had we not been ordered.

We are, &c.,

HUDSON BROTHERS.

No. 9.

Minute of Postmaster General.

The total amount which I have authorized for the temporary building at La Perouse is £387 14s., which amount can be paid. The cable-house was of course necessary, though not authorized by me, and the cost of erecting it can be estimated by the Colonial Architect.—J.F.B., 29/5/76.

No. 10.

Messrs. Hudson Brothers to The Postmaster General.

Sir,

Sydney, 30 May, 1876.

Will you kindly inform us when we shall be able to get some money on account of the buildings erected by us at La Perouse Station, Botany. We are very seriously inconvenienced for the want of it; our engagements to provide money to carry on contracts, pay wages, &c., will not admit of any postponement, and having paid away so much on the above work, we are now somewhat embarrassed to meet our engagements, and most respectfully beg to urge you to authorize the payment of at least a portion of our account.

We are, &c.,

HUDSON BROTHERS.

Submitted. This paper might be forwarded to the Supt. Telegraphs, as it bears upon the communication on the subject addressed to him by this Department on the 1st instant.—S.H.L., 8/6/76. £300 was paid Messrs. Hudson Brothers on account of this work yesterday.—P.B.W., 8/6/76. Read.—J.F.B., 8/6/76.

No. 11.

The Secretary to the Post Office to Messrs. Hudson Brothers.

Gentlemen,

General Post Office, Sydney, 1 June, 1876.

In reply to your letter, dated the 19th ultimo, I am directed to inform you that the Postmaster General has approved of the payment to you of the sum of £387 14s., being on account of the erection of temporary telegraphic buildings at La Perouse, and that instructions have been given for the necessary steps to be taken in the matter.

With respect to the cable-house, which has also been erected, I am to state that although not authorized by Mr. Burns it appears to be required; and that the Colonial Architect has now been referred to with a view to the cost of its erection being estimated.

I have, &c.,
S. H. LAMBTON,
Secretary.

No. 12.

The Secretary to the Post Office to The Superintendent of Telegraphs.

Sir,

Sydney, 1 June, 1876.

With reference to the temporary telegraph building at La Perouse, I am directed to inform you that the Postmaster General has approved of the payment to Messrs. Hudson Brothers, of Redfern, of the sum of £387 14s., being on account of the erection of such building, and to request that you will be good enough to have the necessary steps taken in the matter accordingly.

I have, &c.,
S. H. LAMBTON.

Accountant.—P.B.W., 3/6/76. Seen. Voucher made out for £300 on account.—A.M'C., 5/6/76.

No. 13.

The Secretary to the Post Office to The Under Secretary for Public Works.

Sir,

Sydney, 1 June, 1876.

With reference to the cable-house which has been erected at La Perouse, Botany, I am directed to inform you that before sanctioning the payment of a claim of Messrs. Hudson Brothers, Redfern, for £120, on account of the building in question, the Postmaster General is desirous that the cost of erection should be estimated by the Colonial Architect.

I am, therefore, to request that the Secretary for Public Works will be so good as to cause Mr. Barnet to be instructed accordingly.

I have, &c.,
S. H. LAMBTON.

Colonial Architect is requested to make estimate accordingly.—B.C., 3/6/76.—J.R. I have had the building examined by an officer of my department, who reports its value to be about £175.—J.B., 7 Aug., 76. Secretary to the Post Office, B.C., 10/8/76.—J.R.

No. 14.

Minute of Postmaster General.

THE further sum of £120 can be paid to Messrs. Hudson Brothers.—J.F.B., 12/8/76. The Acting Superintendent of Telegraphs, B.C., 14/8/76.—S.H.L. Accountant.—P.B.W., 15/8/76. Seen.—A.M'C.

No. 15.

The Assistant Superintendent of Telegraphs to The Under Secretary for Finance and Trade.

Sir,

Chief Telegraph Office, Sydney, 5 June, 1876.

With reference to the temporary telegraph building at La Perouse, I have the honor to forward herewith Messrs. Hudson Brothers' voucher for £300, and to request, as they are in urgent need of the money, that you will be good enough to approve of the amount being paid out of the Treasurer's Advance Account until it is voted on the Additional Estimates for 1876.

I have, &c.,
P. B. WALKER,
Assistant Superintendent, Electric Telegraphs.

Approved as regards the £300, on the distinct understanding that the Government is in no way pledged thereby to acknowledgment of the correctness of the claim for additional cost of the buildings, which are stated at £1,050 instead of the £300 as originally estimated. The £300 may be paid from the Treasurer's advance account.—A.S., 13/6/76.

Examiner.—Messrs. Hudson Brothers are to concur in the above, in writing, say by signing the memorandum herein, before payment of the £300 is made.—G.E., 13/6/76.

We hereby accept the above understanding.—HENRY HUDSON (for Hudson Brothers). Witness—Chas. Pinhey.

[Enclosure

[Enclosure to No. 15.]

New South Wales.

[Series B.—Contingency Form No. 1.]

Pay Voucher No. 2,302.

Head of Service—Treasury Advance Account; Appropriation Act of 1876. Contingent expenses—Department of Electric Telegraphs.

[Departmental No., 3,355. Sub-head of Estimate—Temporary telegraph building, La Perouse.]

HUDSON BROTHERS, Sydney, for the supply of the undermentioned articles or service, under authority of the Hon. the Postmaster General, 1/6/76.

Date or period of supply or service.		Amount.
1876.		£ s. d.
May 30	To amount due on account, for the erection of temporary telegraph buildings for the use of the New Zealand and New South Wales Cable and Electric Staff at La Perouse	300 0 0
	Total.....	£ 300 0 0

Treasury, New South Wales, Examining Branch, 6 June, 1876.

I certify that the amount charged in this voucher as to computations, castings, and rates is correct, that the service has been faithfully performed, and that the expenditure is duly authorized in terms of the Audit Act.

P. B. WALKER,
Acting Superintendent of Telegraphs.

Received, on the 14th day of June, 1876, the sum of £300 sterling.

HUDSON BROTHERS.

No. 16.

Messrs. Hudson Brothers to The Acting Superintendent of Telegraphs.

Sir,

Sydney, 25 August, 1876.

We beg most respectfully to draw your attention to our account for buildings erected at Botany for the New Zealand cable, and trust you will be good enough to order the account to be paid, as it is now some months since the work was performed.

We are, &c.,

HUDSON BROTHERS.

Accountant to see to this matter at once.—P.B.W., 25/8/76.

Hudson Bros.' claim amounts to £983 5s. 3d., for work performed by them at La Perouse. Of this £300 has been paid, and £120 more is authorized to be paid, leaving a balance of £563 5s. 2d. still due to them, and for which there is no authority.—A.M.C., 29/8/76.

A voucher forwarded to the Treasury, for £207 14s., on 5th September, making the balance now due, as per Messrs. Hudson's account, £475 11s. 3d.—A.M.C., 5/9/76.

[Enclosure to No. 16.]

New South Wales.

[Series B.—Contingency Form No. 1.]

Pay Voucher No. 16,815.

Head of Service—Electric Telegraph. Payable from vote of £2,500; Item No. 565 of Appropriation Act of 1876. Contingent Expenses.—Department of Electric Telegraphs.

[Departmental No. 4,593. Sub-head of Estimate, to connect the shore end of New Zealand Cable with Sydney Station buildings at cable landing.]

HUDSON BROTHERS, Sydney, for the supply of the undermentioned articles or services, under the authority of the Hon. the Postmaster General, 1/6/76 and 12/8/76:—

Date or period of the supply of service.		Amount.
1876.		£ s. d.
September 5	To second instalment on amount due for work performed at La Perouse, in the erection of offices, &c., for the use of the New Zealand Cable Staff, to connect the shore end of New Zealand Cable with the Sydney office	207 14 0
	Amount previously paid, £300.	Total..... £ 207 14 0
		£ s. d.
	Authorized on 1st June	387 14 0
	„ 12th August	120 0 0
		£507 14 0
	Previously paid.....	300 0 0
		£207 14 0

Treasury, New South Wales, Examining Branch, September 5, 1876.

I certify that the amount charged in the voucher as to computations, castings, and rates is correct, that the service has been faithfully performed, and that the expenditure is duly authorized in terms of the Audit Act.

P. B. WALKER,
Acting Superintendent of Telegraphs.

Received, on the 7th day of September, 1876, the sum of two hundred and seven pounds fourteen shillings sterling.

HUDSON BROTHERS.

No. 17.

W. G. Taylor, Esq., to The Superintendent of Telegraphs.

The Eastern Extension Australasia and China Telegraph Company (Limited),

Sir,

La Perouse, Sydney Station, 18 December, 1876.

Cable Station at
La Perouse.

I have the honor to bring to your notice the subject of the accommodation of this Company at the La Perouse end of the New Zealand and New South Wales Cable, and beg to refer you to paragraph 8 of the agreement made in London, June 24th, 1875.

From the 7th clause of this agreement your Colony departed, and refused to allow me to construct a line from the end of the cable to Sydney Office. This communication was effected, and is now worked by your Department.

You will also remember that for about two months the officers of this Company lived and worked in tents erected in the enclosure close by the landing-place. In March of this year a temporary wooden building was provided for the Company's and your officers' working and accommodation, and as this building is still in an unfinished state, and as I see no preparations for the erection of the necessary permanent offices and quarters, I beg to point out to you that the chance of spending another winter in this house is naturally viewed with considerable alarm, and will be attended with loss to the Company, and with considerable risk and personal loss and discomfort to the employés here.

You know, sir, the difficulties that attended our working when the line opened; you and the Honorable the Postmaster General have seen how meagre and unsatisfactory is the accommodation we now have; and knowing as you do the disappointing revenue this section of the Company's cable has yielded, I trust you will soon provide a suitable station for the working and administration of this end in the place where, by your objections to paragraph 8, the officers of the Company are doomed to be located and where the business of the line must be transacted.

You will pardon me for mentioning that at the New Zealand end the offices and quarters are finished, furnished, and occupied.

For the information of the Managing Director, I should be glad to know from you when we may be able to move the instruments and property now here and in Sydney into the permanent station buildings.

I am, &c.,

W. GRIGOR TAYLOR,
Superintendent and Electrician.

No. 18.

The Acting Superintendent of Telegraphs to W. G. Taylor, Esq.

Sir,

Electric Telegraph Office, Sydney, 21 December, 1876.

I have to acknowledge the receipt of your communication of the 18th instant, and to inform you that it will be submitted for the consideration of the Honorable the Postmaster General.

I have, &c.,

P. B. WALKER,
Acting Superintendent Telegraphs.

No. 19.

W. G. Taylor, Esq., to The Superintendent of Telegraphs.

The Eastern Extension Australasia and China Telegraph Company (Limited).

Sir,

Sydney Station, 20 January, 1877.

It is now more than a month since I addressed you on the subject of the accommodation provided at La Perouse for the working of the New Zealand section of this Company's cable, and I must beg again to urge this matter on your notice.

The information elicited by my last letter was so very unsatisfactory, that I am compelled to ask you to instruct me to what department of the Government I am to apply, in order that the terms of our contract may be fulfilled.

I am, &c.,

W. GRIGOR TAYLOR,
Superintendent and Electrician.

No. 20.

The Acting Superintendent of Telegraphs to The Secretary to the Post Office.

Sir,

Chief Telegraph Office, Sydney, 24 January, 1877.

I have the honor to forward, herewith, the correspondence relating to the permanent buildings required by the Eastern Extension Australasia and China Telegraph Company, at La Perouse, for the New Zealand Cable offices, and to request that instructions may be given to the Colonial Architect to proceed in the matter, as the Company's Superintendent is pressing for the premises to be completed in accordance with the terms of contract.

I have, &c.,

P. B. WALKER,
Acting Superintendent Electric Telegraphs.

Submitted.—S.H.L., 25/1/77. Approved.—J.F.B., 27/1/77. Referred to Mr. Cracknell (*vide* Postmaster General's minute on papers herewith), B.C., 28/2/77.—S.H.L. *Vide* minute and *plan of building herewith.—E.C.C., 28/2/77.

* Plan not published.

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No. 21.

Minute of Superintendent of Telegraphs to The Secretary to the Post Office.

I beg to submit, for the approval of the Honorable the Postmaster General, a rough *plan of the proposed Cable-station at La Perouse, and to request that the Colonial Architect be directed to prepare plans, so that tenders may be called for without delay, as the present building will be quite unfit for use unless extensive repairs are made before the winter sets in. * Plan not published.

I may further remark that the Cable Company's officers were promised suitable quarters at the cable landing, which at present they do not possess.

E. C. CRACKNELL,
28/2/77.

Submitted.—S.H.L., 1/3/77. Approved.—J.F.B., 2/3/77.

No. 22.

The Secretary to the Post Office to The Under Secretary for Public Works.

Sir, General Post Office, Sydney, 2 March, 1877.

With reference to the permanent buildings agreed to be provided for the Eastern Extension Australasia and China Telegraph Company at La Perouse, for the New Zealand Cable Offices, I am directed to forward a rough plan, and to request that the Secretary for Public Works may be moved to instruct the Colonial Architect to proceed with the erection of the premises as early as possible, in order that the buildings in question may be completed in accordance with the terms of contract with the Company.

I am to mention that it is represented that the buildings at present in use will be quite unfit for occupation unless extensive repairs are made before the winter sets in.

I have, &c.,
S. H. LAMBTON.

Colonial Architect. B.C., 2/3/77 (with plan).—J.R. I have had an approximate estimate made of the buildings in accordance with the plan furnished, and find they will cost from £5,000 to £6,000. I am not aware of any fund from which the expense can be defrayed.—J.B., 26 March, /77. How many persons are stationed at Botany in connection with the Telegraph Office?—J.H., 28/3/77. Mr. Cracknell. B.C., 29/3/77.—G.H., for U.S.

The number of persons at present to be provided with suitable quarters are as under:—1 superintendent and electrician for the cable, 5 cable clerks, 1 battery-man, 2 domestic servants, 1 clerk for the land line, and 1 more to be provided for. The superintendent and electrician will require at least four rooms in his private quarters. The Under Secretary, Public Works. B.C.—E.C.C., 6/4/77.

As there is plenty of stone for building purposes at Botany, I am of opinion that the Colonial Architect can provide suitable accommodation for a smaller amount than the sum named—£5,000.—J.H., 11/4/77. Colonial Architect. B.C., 12/4/77.—J.R. Urgent.

No. 23.

The Secretary to the Post Office to The Superintendent of Telegraphs.

Sir, General Post Office, Sydney, 28 March, 1877.

With reference to your B.C. minute, dated the 28th ultimo, submitting for the approval of the Postmaster General a rough plan of the proposed cable station at La Perouse, and requesting that steps might be taken to expedite the erection of the same, as the buildings at present occupied by the Cable Company's officers are much out of repair, I am directed to inform you that on the 2nd instant the Public Works Department was requested to issue instructions to the Colonial Architect to proceed with the erection of the proposed new buildings as early as possible, in accordance with the terms of contract with the Company, your plan being at the same time forwarded to the Works Office.

I have, &c.,
S. H. LAMBTON.

No. 24.

Messrs. Hudson Brothers to The Postmaster General.

Sir, Sydney, 17 March, 1877.

We beg most respectfully to request you will be good enough to have our account for the erection of buildings at La Perouse, Botany, examined and settled; it is now over twelve months since the work was finished, and now the Superintendent of Telegraphs has returned we trust the matter will be settled.

We have, &c.,
HUDSON BROTHERS.

Referred to the Superintendent of Telegraphs for report, B.C., 22/3/77.—S.H.L. The papers connected with this matter are before the Hon. the Postmaster General.—E.C.C., 23/3/77. The Secretary General Post Office.—B.C. Submitted.—S.H.L., 26/3/77.

No. 25.

Minute of Superintendent of Telegraphs to The Secretary to the Post Office.

I beg to request the authority of the Honorable the Postmaster General to obtain the sanction of the Honorable the Minister for Public Works to pay Messrs. Hudson Brothers the sum of £475 11s. 3d., for erection of telegraph buildings at Botany Bay, out of the vote to connect the shore end of the New Zealand Cable with the Electric Telegraph Department of New South Wales.

E. C. CRACKNELL.

New

New South Wales.

[Series B.—Contingency Form No. 1.]

Pay Voucher No. 9,408.

Head of Service—Electric Telegraphs. Payable from vote of £2,500; Item No. 573 of Appropriation Act of 1876.
Contingent Expenses.—Department of Electric Telegraphs.

[Departmental No. 1,590. Sub-head of Estimate to connect shore end New Zealand Cable, &c., &c.]

HUDSON BROTHERS, Sydney, for the supply of the undermentioned articles or services, under authority of the Postmaster General, 27/4/77, and Secretary for Works, 9/5/77.

Date or period of supply or service.		Amount
1876. August 25	To balance due for the erection of offices to connect the shore end of the New Zealand Cable with the chief office, Sydney	£ s. d. 475 11 3
	Total	475.11 3

Treasury, New South Wales, Examining Branch, 16th May, 1877.

I certify that the amount charged in this voucher as to computations, castings, and rates is correct, that the service has been faithfully performed, and that the expenditure is duly authorized in terms of the Audit Act.

E. C. CRACKNELL,
Head of the Department.

Received on the 17th day of May, 1877, the sum of £475 11s. 3d. sterling.

HUDSON BROTHERS.

During 1876 no charge was made against item 573 of Appropriation Act of that year. The former payments were charged against item 565 of 1876 for erection of temporary offices for New Zealand Cable New South Wales Operators, at La Perouse. Can the charge in attached voucher be allowed against item 573, as the balance on item 565 is only £92 6s. ? Submitted.—D.W.G., 28/5/77. The Inspector of Accounts. Any contract registered against the vote 573? Mr. G., 29, E.A.R. No contract registered.—D.W.G., 29. The Inspector of Accounts. The service being one, I don't think that objection need be raised, there being Ministerial authority for the payment.—C.R., 30.

I see no alternative but to pay the balance claimed by Messrs. Hudson Brothers, as they appear to have performed the work, which I understand was sanctioned by my predecessor, and it does not appear by the papers that any objection was raised to the additional work while it was being proceeded with.—S.S., 27/4/77.

Superintendent Telegraphs, B.C., 27/4/77.—JAS. D., for Secy.

No. 26.

Minute of Superintendent of Telegraphs to The Under Secretary for Public Works.

THE Honorable the Postmaster General having approved of the balance due for the erection of offices to connect the shore end of the New Zealand Cable with the chief office (£475 11s. 3d.) being paid to Messrs. Hudson Brothers, I beg to request the authority of the Honorable the Secretary for Public Works, to charge the amount in question against the vote taken for this work—item 573, Estimates 1876.

E. C. CRACKNELL, 7/5/77.

Approved.—J.H., 9/5/77. Mr. Cracknell, B.C., 10/5/77.—J.R.

No. 27.

The Colonial Architect to The Superintendent of Telegraphs.

Sir, Colonial Architect's Office, Sydney, 10 May, 1877.

With reference to proposed buildings at La Perouse for the Eastern Extension Telegraph Company, I do myself the honor to request you will be good enough to furnish me with particulars of the smallest amount of accommodation that will answer for the requirements of the service, in order that plans may be prepared accordingly.

I have, &c.,

JAMES BARNET,

Colonial Architect.

This has already been done through the Works Department.—E.C.C.,—11/5/77.

No. 28.

The Superintendent of Telegraphs to The Colonial Architect.

Sir, Chief Telegraph Office, Sydney, 11 July, 1877.

I have to request that you will be good enough to inform me if anything has been done in the matter of the proposed new premises for a telegraph station at La Perouse, as the present building is now in a dilapidated state, and not in a proper condition for the cable officers to live in.

I have, &c.,

E. C. CRACKNELL,

Superintendent Electric Telegraphs.

No. 29.

No. 29.

W. G. Taylor, Esq., to The Superintendent of Telegraphs.

The Eastern Extension Australasia and China Telegraph Company (Limited).

Sir,

La Perouse, Sydney Station, 5 July, 1877.

I beg your indulgence in again drawing attention to the question of the accommodation at this end of the New Zealand and New South Wales section of this Company's cables, with reference to my letters of December 18th, 1876, and January 20th, 1877.

The number and size of the rooms are utterly inadequate. The instruments, batteries, and stores are being damaged by exposure, and the Company's employes put to very great inconvenience and extra expense by this imperfect building.

In February, last year, I was informed that the necessary station buildings would be erected in eight months; I do not yet see any preparations for the work.

May I beg some information on the subject?

I am, &c.,

W. GRIGOR TAYLOR,

Superintendent and Electrician, N.Z. and N.S.W. Cable.

This should be forwarded to the Colonial Architect, who will, I am sure, see the necessity for pushing on the plans for the new building at La Perouse.—E.C.C., 5/7/77. The Secretary, General Post Office.—B.C. Submitted.—S.H.L., 9/7/77. Has any vote been taken for these buildings?—S.S., 10/7/77. £3,000 have been placed on the Additional Estimates for this year.—E.S.T., 11/7/77. This may go on to the Colonial Architect.—S.S., 12/7/77. The Under Secretary for Works, B.C., 12/7/77.—S.H.L. Col. Architect to expedite work, B.C., 13/7/77.—J.R.

No. 30.

Minute of the Secretary of Public Works.

An estimate of £3,000 was voted by the Legislative Assembly to provide for the erection of permanent buildings at Botany for the officers, &c., of the Eastern Extension Australasia and China Telegraph Company; but the vote was assented to on the clear understanding that I should ascertain from the Post and Telegraph Department whether there was a covenant or agreement between the Government of this Colony and the Company, by which the former undertook to erect permanent buildings for the officers of the said Company at Botany. It was pointed out by Mr. A. Stuart and Mr. H. C. Dangar, M.P.'s, that buildings had already been erected at Botany for the use of the Company's staff of officers, and that there was not any covenant in the agreement between this Government and the Company which required the Telegraph Department of this Colony to provide any other accommodation for the officers of this Company, except at the head office in Sydney. I shall be glad to be favoured with the views of the Postmaster General upon this subject, and likewise to be furnished with all the papers relating thereto, with the view of obtaining the opinion of the Attorney General in respect to the liability of the Government of this Colony in respect to erecting buildings for the officers of this Company at Botany.—J.H., 2/8/77. Secretary to the Post Office. B.C., 3/8/77.—J.R.

The Superintendent of Telegraphs will please furnish the information asked by the Secretary for Public Works, and also inform me in what way the Government of this Colony engaged to erect permanent or any buildings at Botany for the Cable Company. The 8th clause of the agreement provides that the Government of the Colonies of New Zealand and this Colony shall give office accommodation, the 7th clause providing that the Company and not the Government should carry their wires into the Telegraph Station at Sydney. Instead of the Company doing this, the Government of this Colony has constructed a line from this office to Botany, and have at considerable cost erected temporary offices and living accommodation for officers, and are asked to erect permanent buildings. The reason for the change from the original agreement requires explanation; it appears to have been sanctioned by my predecessor.—S.S., 6/8/77.

Urgent.—The Supt. of Telegraphs, B.C., 6/8/77.—S.H.L.

No. 31.

Minute of Superintendent of Telegraphs to The Secretary to the Post Office.

HEREWITH I beg to submit **précis* in reference to the erection of permanent buildings for the accommodation of the cable officers at La Perouse.

The facts of the case are as follow:—

The agreement signed in England arranged for bringing the cable into Sydney, the terminal point being the telegraph station. This, of course, was found to be impracticable, as it would have been certain destruction to the cable if it were brought into Sydney harbour, and at any rate it could not be brought to the Sydney telegraph office; it was therefore found more desirable to land the cable at Botany Bay, and construct a land line to connect it with Sydney—a sixpenny rate for ten words being charged for the land line. This of course altered the conditions of the agreement, and it was arranged to build suitable offices at the junction of the cable with the land line.

It will also be seen by clause 8 of the agreement that we are bound to give accommodation in the "telegraph stations at the terminal points of the said cable which the Company shall use for the transmission of messages through the said cable." Now, as it was necessary to make Botany Bay the landing place, it was also necessary to provide a suitable building, and a temporary wooden structure was erected, at the expense of the Government.

Permanent

*See enclosure to letter to Crown Solicitor, No. 32.

Permanent buildings have now been erected by the New Zealand Government at the cable landing in Blind Bay, near Nelson, at a cost of £3,170; but no steps have yet been taken with a view to calling for tenders for the permanent building at La Perouse, although a sum of £3,000 was voted for the purpose.

The erection of the permanent building was approved of by the Honorable the Postmaster General in February, 1877, and the Colonial Architect was directed to prepare the necessary plans, that tenders might be called for without delay. It is therefore quite clear that the Government is bound to provide office accommodation in accordance with clause 8 of the agreement, and that the erection was decided upon by a previous Government, and orders were given for the plans to be prepared for the erection of the building, which, it must be remembered, is as much for the accommodation of our own officers as those of the Company.

The Company's superintendent was informed that the building would be proceeded with without delay, and as the present building is quite unsuitable, I beg to recommend that the permanent building be erected without further delay.

E. C. CRACKNELL, 19/9/77.

Submitted.—S.H.L., 21/9/77.

I think this matter might be referred to the Crown Law Officers, to ascertain if there is any agreement between the Company and the Colony for the erection of permanent and expensive buildings as recommended. It appears from the papers, that it was part of the agreement with the Company to bring the cable into Sydney harbour, and then we were to provide office accommodation—which might have been done without any great expense—but as it seems it was necessary for the protection of the cable and in the interests of the Company, to land the cable at Botany Bay, I am at a loss to understand why we should be asked to incur such a large expenditure.—J.D., 24/9/77.

No. 32.

The Secretary to the Post Office to The Crown Solicitor.

Sir,

Sydney, 4 October, 1877.

I am directed to enclose papers concerning the proposed erection of permanent buildings for the Cable Company at La Perouse, Botany, at an estimated cost of £3,000, including a copy of the agreement entered into with the Cable Company, under which it is considered that the Government of this Colony should incur such expense.

I am to state that the Legislative Assembly has (in Committee of Supply) voted the money required for this purpose, but on the understanding that before it is spent, the Government shall be fully satisfied that in terms of the agreement it was really necessary to incur so large an outlay for the erection of permanent buildings for office and residence accommodation for the Cable Company.

Amongst the papers will be found a *précis* of the case; a minute of the Superintendent of Telegraphs, dated the 19th September, 1877; a minute of Mr. Hoskins, the late Secretary for Works, dated 2nd August, 1877; and a minute of the Postmaster General, dated 24th September, 1877, to which your attention is specially directed.

I am to request that you will be so good as to advise Mr. Davies, whether in your opinion, under the circumstances of the case, the terms of the agreement really require the expenditure of any further sum for the accommodation of the Cable Company's officers.

I have, &c.,

S. H. LAMBTON.

[Enclosures to No. 32.]

By His Excellency Sir Hercules George Robert Robinson, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of New South Wales and its Dependencies, and Vice-Admiral of the same.

To Sir Daniel Cooper, Baronet, of No. 20, Prince's Gardens, South Kensington, London.

GREETING:—

WHEREAS certain Articles of Agreement were on the fourteenth day of February, one thousand eight hundred and seventy-three, made and entered into between the Honorable Henry Parkes and the Honorable Saul Samuel, on behalf of New South Wales, and the Honorable Julius Vogel and the Honorable William Hunter Reynolds, on behalf of New Zealand, and the Honorable Arthur Hunter Palmer and the Honorable J. Malbon Thompson, on behalf of Queensland, which articles are as follows, that is to say:—

(1.) The three Colonies shall jointly enter into an arrangement for the construction of an electric cable, to be laid between some point in New Zealand and some point in New South Wales, and also a cable to be laid from Normanton, in Queensland, to Singapore; the latter to be a through cable, touching only at such points as may be agreed on, and to be entirely distinct the whole distance from the line between Port Darwin and Singapore.

(2.) The arrangement to be for a guarantee of five per centum for a term not exceeding thirty-five years upon a sum not exceeding one million pounds for the cost of the two lines.

(3.) Twelve thousand pounds per annum to be allowed to cover in full all expenses. All receipts above twelve thousand pounds to pass in reduction of the guarantee. The contractors to retain receipts in excess of the guarantee, but if the profits are more than ten per centum the Governments may require that the rate shall be lowered to amounts calculated to reduce the profits to ten per centum.

(4.) The guarantee to be paid only whilst the lines are in working order. Provided that four weeks in each year will be allowed for repairs. If the New Zealand line only be in order, one-third of the guarantee to be paid; if the Singapore line only be in order, two-thirds of the guarantee to be paid. If the lines are not kept in order with due diligence, or if communication should permanently fail, the guarantee to cease.

(5.) The two lines to be commenced and constructed simultaneously.

(6.) The cost per message of twenty words from New Zealand to New South Wales not to exceed fifteen shillings, the charge for each word above twenty being ninepence; and the cost per twenty words from Normanton to Singapore not to exceed forty shillings for the first two years, and thirty-five shillings afterwards, the charge for each word above twenty being two shillings.

(7.)

(7.) Queensland to undertake to keep the land line to Normanton open for the use of the other contributing Colonies, at rates not to exceed at any time seven shillings for twenty words.

(8.) The three Governments to act in unison, and to jointly arrange the details.

(9.) This agreement after being approved of by the respective Governments to be subject to ratification by the respective Parliaments, and the details to be arranged in London by representatives appointed by the three Colonies.

(10.) The Governments will require to be satisfied that the contractors have made proper provision for the use of a through line of communication between Singapore and London.

And whereas the said agreement has been approved of by the Governments and Parliaments respectively of New South Wales, New Zealand, and Queensland. Now, know you that having full confidence in your integrity, ability, and discretion, I, the said Sir Hercules George Robert Robinson, Governor of the Colony of New South Wales, as aforesaid, have thought it fit with the advice of the Executive Council of the said Colony, to and do hereby appoint you, the said Sir Daniel Cooper, Baronet, to act as agent for the said Colony, in England, in co-operation with the duly appointed representatives of the said Colonies of New Zealand and Queensland, in making the necessary contract or contracts for the laying and constructing electric telegraph cables between the said Colonies of New Zealand and New South Wales, and between Normanton in the Colony of Queensland aforesaid, and Singapore, and to act in that capacity under such instructions as you shall from time to time receive.

Given under my hand and the seal of the said Colony, at Government House, Sydney, in New South Wales, aforesaid, this twenty-first day of November, in the year of our Lord one thousand eight hundred and seventy-four, and in the thirty-eighth year of Her Majesty's reign.

HERCULES ROBINSON.

By His Excellency's command,
HENRY PARKES.

EXTRACT from the proceedings of conference conducted by telegraph, on Saturday, the 29th January, 1876, between the Honorable Sir Julius Vogel, K.C.M.G., of New Zealand, at Melbourne, and the Honorable John Robertson, Colonial Secretary, and the Honorable J. F. Burns, Postmaster General of New South Wales, at Sydney. (Ordered by the Legislative Assembly to be printed, 9th August, 1876.)

No. 6.—NEW CABLE CHARGES.

FROM SIR JULIUS VOGEL.

WHAT do you propose about charges for telegrams at Sydney? Cooper agreed to make a charge of sixpence a telegram for delivery, the contractors to deliver them to your messengers at Sydney. You have, I understand, objected to the contractors going to Sydney. What do you propose about charge for telegrams to Sydney?

Answer.

TELEGRAPH Act would not permit line Botany to Sydney in hands Company. We are constructing a line, and propose charge sixpence each way for messages ten words, which will barely cover expenses. This will include delivery charges. Do you approve?

FROM SIR JULIUS VOGEL.

HAD I known at the time I was negotiating with Cooper, that there was an impediment to going to Sydney with line I would have agreed to place Sydney on same footing as elsewhere. I think the compromise you now propose very reasonable, but would suggest half-penny a word, for reasons which apply to all telegrams, and which I have prepared to bring before you as follow:—

The cable charge between New South Wales and New Zealand will include address and signature, whilst ordinary charges do not. Would it not be better therefore to make the land charge for these messages one penny a word, getting other Colonies to do the same? Of course, when messages go past Sydney, I understand the penny rate only is to be charged, and not the additional half-penny. And the rate for English messages is to be the same as that charged from Melbourne to Adelaide.

Answer.

As the cable rate is a ten-word tariff, it would cause confusion in accounts to charge a word rate on land and a ten-word rate for the cable. Would prefer the sixpenny rate, unless Company will consent to word by word tariff, when will be prepared to adopt your suggestion. Hope you will agree to this. The Company could not bring the cable into Sydney, and it would not be safe to lay a subterranean line. The through rate to other Colonies, including Darwin, will not be altered.

FROM SIR JULIUS VOGEL.

I do not think you see the point of their ten words including address and signature whilst Colonial rates do not. However, we can always communicate when line is laid. Meanwhile, you might telegraph Company, suggesting word rate of nine-pence. In any case I will agree to your proposal, sixpence ten words Sydney, and I presume half-penny a word additional. Say if this is so, and also that you do not propose to charge the Sydney rate on messages going past Sydney. That would be contrary to agreement in every way.

Answer.

QUITE understood point. Ten words, including address, sixpence; ten words and half-penny for additional word, satisfactory. This does not apply to messages going past Sydney.

Précis of correspondence, &c., relating to the erection of permanent buildings for the accommodation of the Cable officers at La Perouse, the shore end of the New Zealand Cable.

On the 21st November, 1874, Sir Daniel Cooper was empowered by His Excellency Sir Hercules Robinson, Governor of New South Wales, to act as agent for this Colony in England, in co-operation with the duly

appointed representatives of New Zealand and Queensland, in making the necessary contract or contracts for the laying and constructing electric telegraph cables between the Colonies of New Zealand and New South Wales, and between Normanton (in Queensland) and Singapore.

Subsequently, on the 27th April, 1875, a telegraphic communication was received by the Colonial Secretary of this Colony from Sir Daniel Cooper, London, stating that the "Eastern Extension Company has agreed with Vogel to lay cable from Australia to New Zealand, tariff 7s. 6d. for ten words, and 9d. each additional word, for subsidy of £7,000 yearly, for ten years. Company agree to reduce rate from Port Darwin to London to £3 for ten words, and 6s. for each additional word, for £20,000 a year for ten years; New Zealand to pay all the £7,000 if Australian Colonies will make up the £20,000 for reducing English messages. Vogel suggests you £7,500, Victoria £7,500, South Australia £5,000, reducing also cost of messages to Darwin, Queensland, and Tasmania free. Vogel asks you to pay one-third of £7,500 subsidy; failing £20,000 arrangement, or until it is arranged, he will land cable at Sydney, if you agree, as per yesterday's telegram, not to charge for messages at Sydney, nor more than Victoria rate to Adelaide, and to give Company office room at Sydney."

In a minute referring to the above communication from Sir Daniel Cooper, dated 5th May, 1875, the Superintendent of Telegraphs, Sydney, expressed his opinion that the £7,000 subsidy for laying the cable, with tariff at rate of 7s. 6d. for ten words, and 9d. every additional word, one-third of subsidy to be paid by New South Wales Government, was a fair offer, and that the £2,333 to be paid by this Colony as its share of subsidy was a very fair amount for the probable benefits which would accrue to the Colony; but considering that nearly the whole of the business of the Colony with New Zealand would emanate from Sydney, he urged that a fair charge should be made for all messages transmitted between Sydney office and the cable, to cover clerical and other expenses necessary for working the New Zealand business, which must be repeated from the land lines to and from the cable. He also anticipated that the cable business would not be very large—certainly not more than 100 messages daily, which at the proposed tariff would not exceed £12,000 per annum; and the £7,000 subsidy would make a gross revenue of £19,000 per annum, or about 6 per cent. on cost, leaving no margin for working expenses, which he thought unusually liberal.

On the 24th June, 1875, an agreement was entered into between the Government of New Zealand, the Government of New South Wales, and the Eastern Extension Australasia and China Telegraph Company, relative to the laying of a submarine cable between New Zealand and New South Wales, in which the following clauses appear:—

"Clause 6. The Governors respectively shall afford to the Company all proper and reasonable facilities to enable the Company to lay the said cable and to keep the same in repair, and to acquire any land necessary for their terminal stations in the respective Colonies, and in the event of the Governors having at their respective disposal and in possession lands not being land in a town suitable for such purpose, the Governors respectively shall and will make a free grant thereof to the Company.

"Clause 7. Before the time hereinbefore appointed for opening the said cable, the Governor of New Zealand shall cause to be constructed such land line or lines of telegraph wires as it shall be necessary to construct, to enable messages to be transmitted from the said terminal station of the said cable in New Zealand to and over the existing system of telegraph wires in that Colony, and the Governor of New South Wales shall afford to the Company the necessary facilities for enabling the Company to carry their wires into the telegraph station at Sydney, and the Governors respectively shall provide such operators, clerks, apparatus, instruments, appliances, and materials as shall be requisite or necessary for enabling messages which are to be or have been transmitted through the said cable to be transmitted over the telegraph systems of New Zealand and New South Wales respectively.

"Clause 8. With a view to the more speedy transfer and transmission of messages, the Governors respectively shall until the said subsidy shall cease to be payable and for a period of ten years afterwards, and for so long thereafter as the tariff shall not be in excess of the charges mentioned in clause 11 of these presents, give to the Company accommodation in their telegraph stations respectively at the terminal points of the said cable which the Company shall use for the transmission of messages through the said cable."

On the 29th January, 1876, Sir Julius Vogel, Postmaster General of New Zealand, being in Melbourne, a conference by telegraph was arranged to take place between him and the Hon. John Robertson and the Hon. J. F. Burns, the Colonial Secretary and Postmaster General respectively of this Colony, respecting the San Francisco Mail Service, and the telegraph cable charges, when the following agreement was made in reference to the cable charges:—As the Telegraph Act would not permit a line of telegraph from Botany to Sydney in the hands of a company, the New South Wales Government had to construct a line and proposed to charge sixpence each way between Sydney and Botany for messages of ten words, and for messages going beyond Sydney to charge the ordinary rate, which Sir Julius Vogel agreed to. No mention was made in this conference respecting the erection of building for station at Botany.

On the 22nd February, 1876, the Superintendent of Telegraphs, in a letter to the Secretary, General Post Office, Sydney, requested that the Colonial Architect be instructed to erect a building at La Perouse, in accordance with a plan which was forwarded.

On the 18th December, 1876, Mr. Taylor, the Superintendent of the New Zealand Cable, addressed a communication to the Superintendent of Telegraphs, Sydney, drawing attention to clause 8 of the agreement with the Company, which provided that accommodation should be given the cable officers in the head office at Sydney, and also drawing attention to the fact that the Government departed from the 7th clause of agreement in constructing a line from Sydney to Botany, as this clause provided that every facility should be afforded the Company to enable them to carry the wires into Sydney, and thus have the Sydney station as their terminus, where the accommodation was to be given them, in accordance with the spirit of clause 8. He urged that permanent buildings should be proceeded with immediately, as the officers were then in a very uncomfortable predicament, owing to the dilapidated state of the temporary wooden structure in which they were then quartered, although there does not appear to be any specific agreement whatever between the Government of this Colony and the Company in regard to the erection of buildings at La Perouse.

In reply to the above communication from Mr. Taylor, he was informed that the matter would be referred to the Postmaster General; and accordingly, on the 24th January, 1877, the Superintendent sent a communication to the Secretary, General Post Office, Sydney, requesting that instructions might be given

given to the Colonial Architect to proceed with the erection of buildings at Botany, as the Company's Superintendent was pressing for a completion of the premises in accordance with the terms of contract, which request was approved of by the Hon. the Postmaster General. Subsequently, on the 28th February, 1877, in a minute to the Secretary, General Post Office, a rough plan of the proposed buildings was submitted, with the request that the Colonial Architect be requested to prepare plans, so that tenders might be called for without delay. This minute was approved of, and duly forwarded. On the matter being referred to the Colonial Architect, he estimated that the cost of the buildings, according to plans suggested, would be from £5,000 to £6,000.

In a minute (12/4/77) referring to this matter, the Hon. the Secretary for Public Works intimated his opinion that the Colonial Architect could provide the required accommodation for a much smaller sum than that mentioned, as there was plenty of stone for building purposes at Botany, and £3,000 has been voted, which will be quite sufficient for the purpose.

P.B.W., 20/8/77.

No. 33.

The Colonial Architect to The Superintendent of Telegraphs.

Sir,

Colonial Architect's Office, Sydney, 15 October, 1877.

With reference to proposed buildings at La Perouse for the Eastern Extension Telegraph Company, I have to request I may be furnished with the information asked for by my letter of 10th May last, in order that plans may be prepared.

I have, &c.,

JAMES BARNET,
Colonial Architect.

No. 34.

Minute of Postmaster General.

LET me have all the papers connected with the proposed erection of buildings at La Perouse for the accommodation of the cable officers.—J.F.B., 25/1/78.

The papers on this subject were sent to the Crown Solicitor on the 4th October, 1877.—S.H.L. 25/1/78.

I think the agreement was modified to some extent by the Government fixing the terminus at Botany instead of the head office. Mr. Cracknell might get the papers, and let me have his report in relation to this matter.—J.F.B., 28/1/78.

No. 35.

The Crown Solicitor to The Secretary to the Post Office.

Crown Solicitor's Office, Sydney, 10 June, 1878.

I HAVE the honor to transmit copy of the advising of the Hon. the Attorney General upon the papers respecting the proposed erection of permanent buildings at La Perouse for the Cable Company.

The papers are returned herewith.

I have, &c.,

JOHN WILLIAMS,
Crown Solicitor.

Opinion.

As a bare question of legal construction there is no covenant or agreement between the Governor and the Company to erect permanent or any buildings at Botany for the accommodation of the Company's officers. The terminal station of the Company is by the agreement to be the telegraph station at Sydney (see clause 2). Why this has been departed from is best known to those immediately concerned. I am not aware of any irremovable objection to it. Though the Company could not erect posts and fix wires in this Colony by law, a private Act could have been passed enabling them to do so, as would be necessary in the case of any company passing through land not their own; or still more simply, the Government might have done the work for them, and allowed them the use of the wires from Botany to Sydney. The Government have in fact made the line to Sydney, but for some reason they have not given the accommodation in the telegraph office in Sydney, but instead thereof have built temporary offices at La Perouse. I think the Government are bound to give accommodation in Sydney, or failing that to make such other arrangement as may be reasonably satisfactory to the Company. It is no matter of law, but a simple question of policy whether the erection of premises at a cost of £3,000 is such a reasonable arrangement. I do not see that the erection of the cable at Botany, in lieu of bringing it into Sydney Harbour, can affect the case at all; for if landed on the shores of Port Jackson, it would still have had to be brought to the telegraph office.

W.J.F., A.G., 8/6/78.

Submitted.—S.H.L., 11/6/78.

For the Cabinet.—J.F.B., 15/6/78.

No. 36.

The Colonial Architect to The Secretary to the Post Office.

Sir,

Colonial Architect's Office, Sydney, 24 September, 1878.

With reference to the vote of £3,000 for permanent buildings at La Perouse to accommodate New Zealand Cable officers, I do myself the honor to inquire if it is intended to erect these buildings; and if so, that the information asked for by my letters of 10th May and 15th October, 1877, may be furnished, in order that plans, &c., may be prepared for the work.

I have, &c.,

JAMES BARNET,
Colonial Architect.

Submitted.—S.H.L., 25/9/78.

No. 37.

No. 37.

Minute of Postmaster General.

THERE is no doubt that there is nothing in the contract rendering it obligatory on the Government to erect buildings at La Perouse, but it is clearly bound to afford the Company every facility for carrying the wires into the telegraph station at Sydney, and to provide clerks, instruments, &c., to connect the cable messages with the telegraphic systems of New South Wales and New Zealand. It is also bound, under the 8th clause of the agreement, to give the Company reasonable accommodation at the terminal station, *i.e.*, at Sydney, for the transmission of its messages. I understood from Mr. Cracknell, when I dealt with this matter on a previous occasion, that he was unable to give the necessary accommodation in the Sydney office, which was his reason for recommending the establishment of the terminal station at La Perouse; and that the receipts for messages sent over the line between there and Sydney would, in all probability, more than cover the interest on the sum which would be required for the erection of an office and officers' residence at La Perouse. I believe that the arrangement then made was a good one, and that it would not have excited dissatisfaction in any quarter if there had not been some blundering in erecting the temporary building, which is altogether too large, and in the estimate of the cost of the permanent one, which is too high.

I should like, before now finally deciding, to be furnished with a return of the business on the Sydney and La Perouse Line. J.F.B., 2/12/78.

No. 38.

Minute of Superintendent of Telegraphs to The Secretary to the Post Office.

IN compliance with the request contained in the Postmaster General's minute of the 2nd instant, respecting the La Perouse Line, &c., I beg to state that the revenue derived from that line for the year ending June, 1878, was £944, less £454 for salaries, leaving a net balance in favour of the line of £490, equal to 14 per cent. on the cost of line and the proposed buildings.

There is no doubt that permanent buildings should be erected as soon as possible, as the present temporary erection is becoming very leaky, and in wet weather the syphon recorder cannot be worked on the cable, through which great inconvenience is felt. It has also become absolutely necessary that quarters should be provided for our own staff stationed at La Perouse, the present building being most unsuitable in every respect. E. C. CRACKNELL, 10/12/78.

Plans for the proposed new building can be prepared in accordance with the estimate proposed by Mr. Cracknell, and the matter be brought under the early consideration of my successor.—J.F.B., 11/12/78.

Under Secretary for Works, B.C.—S. H. LAMPTON, 12/12/78. Colonial Architect.—W.F. for U.S., B.C., 16/12/78.

No. 39.

Legislative Assembly.

Answers to Questions, Tuesday, 17 June, 1879.

(8.) Messrs. Hudson Brothers:—Mr. McElhone asked the Colonial Treasurer,—

- (1.) What amount did Hudson Brothers render account for, or claim, for building the telegraph station at La Perouse, Botany?
- (2.) What amount did Mr. Stuart arrange to pay them for this work when he was Treasurer?
- (3.) Has any money since been paid to Hudson Brothers for above work, and what Treasurer sanctioned it?
- (4.) Was not the sum paid to them when Mr. Stuart was Treasurer paid them in full settlement for building the above telegraph station?
- (5.) If any further sum has been paid them for above work since Mr. Stuart left office, on what grounds was it so paid to them, and on whose recommendation?

Mr. Watson answered,—

- (1.) £983 5s. 3d.
- (2.) £300.
- (3.) Yes; the balance of their claim.
- (4.) No.

(5.) The balance was paid—part on the authority of Mr. Burns, the late Postmaster General, on the 7th September, 1876, and payment of the remainder was authorized by Mr. Samuel, when Postmaster General, on the 27th April, 1877, on the certificate and recommendation of the Superintendent of Telegraphs.

No. 40.

Minute of Postmaster General.

THE papers relating to the erection of temporary buildings at La Perouse for the accommodation of officers connected with the working of the New Zealand Cable, and the land line between Sydney and Botany, for the production of which Mr. Burns has moved in the Legislative Assembly, cannot be separated from those relating to the proposed erection of permanent buildings, as they both relate to the question of the liability of the Government to provide any accommodation at La Perouse.

There seems to be a considerable amount of ambiguity in the early part of the correspondence, and having been carefully through it, I fail to find any information on some very important points. The principal agreement with the Company, dated the 24th June, 1875, distinctly provides for the terminal point of the Sydney and New Zealand Cable to be the "Sydney Telegraph Office."

What

What may be called the supplementary agreement, dated the 6th September, 1875, leaves it optional with the Company to lay the cable in Botany Bay, instead of Sydney Harbour; but at the same time it distinctly states that the Company will not be relieved of their obligation to lay the cable to the terminal point, viz., the telegraph station at Sydney. I observe the Superintendent of Telegraphs in his reports states, in effect, that it was decided that the terminal station should not be at Sydney, as provided by these two agreements, but at Botany. It is further stated that it was decided to erect a temporary building at Botany, and to construct a land line thence to Sydney; and Mr. Cracknell also states that the reason for this land line being constructed by the Government was that the Telegraph Act would not permit of the Company constructing the line.

All these reports and statements, however, appear to have been made after the terminal station had been fixed at Botany, and after the temporary buildings had been constructed, and also after the land line had been erected. I can find no documents containing any Ministerial decision authorizing the alteration of the terminal station, the erection of the temporary building, or the construction of the land line, *prior to the execution of the works*. Possibly there may be documentary evidence in support of these important deviations from the original contract, and before further action is taken Mr. Cracknell will be good enough to make any remarks he may have to offer in explanation of these points.

Further information seems to be doubly necessary at the present juncture, as, in connection with the papers which Mr. Burns more particularly requires to be produced, there was a very serious excess of the estimate for the present temporary building at La Perouse. According to a minute of Mr. Stuart, when Treasurer, the original estimate for this work by Messrs. Hudson Brothers (for which no formal tenders appear to have been sent in) was £300; but for some reason or other, which does not seem as yet to have been clearly explained, a large quantity of additional work was permitted to be done, bringing up Hudson Brothers' bill to £983 odd, which the Government had to pay. The questions now raised are also important as bearing on the liability of the Government to erect additional buildings of a permanent character at a cost of some £3,000, which buildings are to take the place of the temporary ones erected by Hudson Brothers three years ago at the cost above stated (£983). It is very important that before incurring this large additional expenditure, it should be made quite apparent that the Government are really obliged to provide these buildings.

When the vote of £3,000 for these permanent buildings was before the House in Committee of Supply, in August, 1877, the question was raised as to the liability of the Government, and the Minister for Works then promised that the money should not be expended until the Government had satisfied itself in respect of such liability (see Mr. Hoskins' minute of the 2nd August, 1877). With a view of getting information on this point, Mr. Davies, when Postmaster General, asked for the opinion of the Attorney General; and Mr. Foster subsequently gave it as his opinion that the Government were not legally bound to provide this accommodation. Mr. Foster pointed out, with reference to the land line to Botany, that if the Telegraph Act did not permit of the Company constructing it, the Government might have done it for them (presumably at the Company's cost), and allowed the Company to use it. That Mr. Foster was in some doubt as to the early arrangements in this matter, will be seen from the following extract from his opinion:—"The Government have in fact made the line to Sydney, but for some reason they have not given the accommodation in the telegraph office in Sydney, but instead thereof have built temporary offices at La Perouse. I think the Government are bound to give accommodation in Sydney, or, failing that, to make such other arrangement as may be reasonably satisfactory to the Company. It is no matter of law, but a simple question of policy, whether the erection of premises at a cost of £3,000 is such a reasonable arrangement. I do not see that the landing of the cable at Botany, in lieu of bringing it into Sydney Harbour, can affect the case at all, for if landed on the shores of Port Jackson it would still have had to be brought to the telegraph office."

The whole matter may be summarized as follows:—Admitting, as has been alleged, that it was not desirable or practicable to bring the cable into Sydney Harbour as contemplated by the agreement, was the permission to take it to Botany intended as a concession to the Company? If the Company had been permitted to erect their own land line, or if the Government had done it for them as suggested by the Attorney General, Mr. Foster, at the Company's expense, would they not in that event have had themselves to provide accommodation at Botany, the Government providing the stipulated accommodation in the Sydney station? And if so, why, in making these important concessions to the Company—viz., permitting them, for the protection of their own cable, to bring it into Botany, and constructing a land line for them to the head office—should the Government be asked to incur the large additional expenditure of nearly £1,000 for temporary buildings, and £3,000 for permanent buildings, besides, if I am correctly informed, maintaining a staff of officers at La Perouse for the purpose of attending to the land line? I understand that the revenue derived from this land line more than pays interest on the cost; but as there is no population at La Perouse, it occurs to me that this revenue can only be obtained from an addition to the charge made by the Company for messages by the New Zealand cable, to the extent of an additional sixpence per message, a charge, I conceive, we ought in fairness to have been permitted to make, if the wire *had* been carried into the Sydney station; indeed, I thought this was provided for by the agreement.—S.S., 25/6/79.

The Superintendent of Telegraphs.—S.H.L., 25/6/79. Noted.—B.C. Retd., 1/11/79.

No. 41.

W. G. Taylor, Esq., to The Secretary to the Post Office.

The Eastern Extension Australasia and China Telegraph Company, Limited.

Sir,

New Zealand Cable, Sydney Station, 30 June, 1879.

I beg to be permitted to address you on the question of the cable station here. I have seen by the report of the proceedings in Parliament on Thursday, the 26th instant, that the vote of £3,000 for this work has been withdrawn. I understand this to mean that the work is not to be taken in hand this year.

Permit me to point out to the Honorable the Postmaster General that the present building is utterly inadequate for the work of the station, for the accommodation of the staff of the New South Wales

Wales Government, and of the Cable Company, or for the safe and proper working of the cable. The roof leaks, the stationery, instruments, stores, and furniture are exposed to great damage and waste, and the injury and decay to which all wooden buildings are subject is already making matters worse.

More than three years ago, when the decision was arrived at that the cable should be landed here and worked from here, the then Postmaster General (the Honorable J. F. Burns) told me that a temporary building would be provided, and promised me that proper and substantial offices and quarters should be erected without delay. This I communicated to the Board of Directors of this Company.

The temporary building was at our disposal a month after the cable was laid, but nothing further was done for the next two years.

When Colonel Glover, the managing director of this Company was here, in September last, the question was revived, and Mr. Burns again assured Colonel Glover that the cable offices and quarters should be erected at once. This assurance was taken by Colonel Glover and myself as final and reliable. On these two occasions the word of a Minister of the Crown was given that the New South Wales Government should carry out its part of the negotiations respecting this cable, and was accepted in all good faith. The cable has been laid and been working for three and a half years, while no adequate buildings have been erected.

I have the honor, therefore, to draw your attention again to these facts, and to request that you will submit them to the Honorable the Postmaster General. I would also respectfully desire that I may be informed what further steps it may be necessary for me to take, and whether it is the intention of the New South Wales Government to erect the buildings this year.

I have, &c.,
W. GRIGOR TAYLOR,
Superintendent and Electrician of the N.Z. and N.S.W. Cable.

No. 42.

W. G. Taylor, Esq., to The Secretary to the Post Office.

The Eastern Extension Australasia and China Telegraph Company, Limited.

Sir,

La Perouse, Botany, Sydney Station, 24 July, 1879.

I beg most respectfully to again draw your attention to my letter of 30th ultimo, on the subject of the cable station here, and to request that I may be favoured with a reply thereto. While I write the rain now falling is coming through the roof in many places.

May I ask what the intentions of the Government are, or will you kindly instruct me what steps I am to take, or to whom I am to apply to ascertain this.

I have, &c.,
W. GRIGOR TAYLOR,
Superintendent and Electrician of the N.Z. and N.S.W. Cable.

Submitted.—S.H.L., 26/7/79.

[For reply to this letter see enclosure to No. 44.]

No. 43.

Telegram from Colonel Glover, London, to Postmaster General.

OBSERVE Parliament have rejected vote for telegraph office, Botany. Hope no delay may take place; new office absolutely necessary, and was unreservedly promised by late Government at time laying cable; present building temporary and most inconvenient. GLOVER.

Let a copy of our letter to Mr. Taylor be at once sent to Superintendent Telegraphs with a request that he will report as to the amount of accommodation really necessary.—S.H.L., 9/9/79.

No. 44.

The Secretary to the Post Office to The Superintendent of Telegraphs.

Sir,

General Post Office, Sydney, 10 September, 1879.

I am directed to enclose herewith a copy of a letter recently addressed to the Superintendent and Electrician at the Cable Company's station at La Perouse, and to request that you will report, at your earliest possible convenience, the amount of accommodation really necessary at the cable station.

I have, &c.,
S. H. LAMBTON.

[Enclosure to No. 44.]

The Secretary to the Post Office to W. G. Taylor, Esq.

Sir,

General Post Office, Sydney, 31 July, 1879.

In reply to your letters of the 30th ultimo and 24th instant, I am directed to state that the vote of £3,000 to which you refer, was only withdrawn because there seemed no possibility of the work being carried out this year, even had the Government determined to recognize the Company's claim for the erection of buildings of such a costly character.

The Postmaster General is surprised that the present building should be in the very unsatisfactory condition in which you represent it to be, as it is not three years since it was erected at a cost of nearly £1,000, and he does not admit that wooden buildings are, as you state, liable to injury and decay in so short a period.

Mr. Samuel thinks that all the repairs that can be necessary might be made at a moderate cost.

There is no record in this department of any promise having been made by the late Postmaster General, Mr. Burns, "that proper and substantial offices and quarters should be erected without delay," in addition to the temporary ones; nor does it appear that at any time there was any arrangement of this kind between the Government of New Zealand, your Company, and this Colony.

But

But as there is an implied pledge that these works should be carried out, by the amount having been placed upon the Estimates, the Postmaster General will cause an amount to be placed on the next Estimates-in-Chief, for the erection of suitable premises, after due inquiry as to the actual requirements of your establishment and our own, and the obligations of the Government.

I have, &c.,
S. H. LAMBTON,
Secretary.

No. 45.

The Superintendent of Telegraphs to The Secretary to the Post Office.

Sir, Chief Telegraph Office, Sydney, 16 October, 1879.

In acknowledging the receipt of your communication of the 10th instant, I have the honor to inform you that the amount of accommodation which is really necessary at La Perouse is as follows:—Four rooms for the Superintendent and Electrician; six bedrooms for the operators, 16 x 14; two bedrooms for servants, 16 x 14; one mess-room, 24 x 16; kitchen and scullery, water tanks, stable and buggy-shed; battery-room and store, 20 x 16; two instrument rooms, 16 x 14; Superintendent's office, 16 x 14.

I have, &c.,
E. C. CRACKNELL,
Superintendent of Telegraphs.

The New Zealand Govt. provided 19 rooms at the cable station, Cable Bay, near Nelson.—E.C.C., 16/10/79. Submitted.—S.H.L., 16/10/79.

£3,500 may again be placed upon the Estimates for these buildings.—S.S., 16/10/79.

No. 46.

The Secretary to the Post Office to The Under Secretary for Public Works.

Sir, General Post Office, Sydney, 17 October, 1879.

With reference to an amount of £3,000, which was voted on the Additional Estimates for 1877, for the erection of permanent buildings at La Perouse, Botany, for the accommodation of the New Zealand Cable officers, but which was allowed to lapse, I am directed by the Postmaster General to request that a sum of £3,500 for the same purpose may be placed on the Estimates for the ensuing year.

I have, &c.,
JAS. DALGARNO,
Pro Secretary.

No. 47.

Telegram from Colonel Glover, London, to Postmaster General.

WITH reference to my message of 1st September, would inquire if any arrangements have been made, or are in contemplation, regarding office at La Perouse? It was part of agreement of your Government, when altering scheme for terminus of New Zealand cable.

COL. GLOVER,
18/10/79.

No. 48.

Telegram from Postmaster General to Colonel Glover, London.

THERE is no record of any such agreement as you mention. Have, however, again placed a sum on Estimates, as was done before.

Sydney, 20 October, 1879.

S.S.

No. 49.

Telegram from Colonel Glover, London, to Postmaster General.

ORIGINAL proposal was to carry Company's line into Sydney, but Government objected, and then it was agreed to build an office at La Perouse; if you will ask Burns, Cracknell, and Taylor they will confirm this and give full information. Hope no delay will occur. Burns it out had he remained in office; it was promise of Government; as such, we relied on its being done. (Query? Should probably read, Burns would have carried it out, &c.)

GLOVER,
28/10/79.

No. 50.

Minute of Postmaster General.

IT will be necessary to afford some explanation to Parliament with regard to the item placed on the Estimates for the buildings at La Perouse. Col. Glover's last message should also be answered, and the papers prepared to be laid before Parliament, ordered on the motion of Mr. Burns. This cannot be done, not having received a reply to my minute of the 25th June last, from Mr. Cracknell, whose attention should be called to the matter, which is urgent.

S.S., 29/10/79.

Supt. Telegraphs.—S.H.L., 29/10/79.

No. 51.

No. 51.

Minute of Superintendent of Telegraphs to The Secretary to the Post Office.

THE arrangement in the original agreement, that the New Zealand cable should terminate at the Sydney office, having been found impracticable—and should never have been decided upon—it became necessary to modify the arrangements to meet the difficulty, which was done by landing the cable at Botany and constructing a land line, and as this line cannot be worked in direct circuit with a long subterranean cable for technical reasons, and a submarine line would have been very unsafe and unreliable, it was necessary to erect offices and quarters at La Perouse, not only for the accommodation of the Company's officers, but for our own. Even if it had been practicable to work the line from Sydney (and the Company's electricians were quite of my opinion that it was not), there was not sufficient office accommodation in this building to be spared for the Company.

It will be seen by the printed telegraphic correspondence between Sir Julius Vogel, Sir John Robertson, and Mr. Burns, that this difficulty was seen and dealt with, and the tariff over the land line arranged.

The Ministerial authority for the erection of the land line was given by Mr. Lackey on the 21st January, 1876—*vide* minute marked “*A” —one month previous to its completion; and Mr. Burns authorized me to arrange with Messrs. Hudson Bros. for the erection of temporary quarters, as the work could no longer be carried on in tents at La Perouse.

I am not responsible for the excess in the estimate, which was rendered necessary through additional accommodation being required. Mr. Burns some time afterwards went with me to La Perouse to meet Mr. Taylor and Mr. Hudson, and signified his approval of the extra accommodation, and directed that some £30 or £40 more should be expended upon the place—this can be verified both by Mr. Hudson and Mr. Taylor.

I have already stated in a previous minute that the Government promised to erect the permanent buildings, and this promise was renewed to Colonel Glover by Mr. Burns when the former gentleman was in Sydney, and instructions were given to the Colonial Architect to proceed with the plans.

If the Company had worked their own land line, which they never contemplated, it would have been a different matter, but they would not have done this, as they had the seventh clause of the agreement to fall back upon. The fact is, the whole of the difficulty arose through the want of sufficient local knowledge when the original agreement was prepared in London, and in my opinion the best thing was done to correct the errors referred to; there is no concession that I can see in favour of the Company, and the Government are amply compensated for the work they have performed by the extra work the New Zealand business passing through the Colony brings to our lines, and the special rate over the line to Botany.

I may add that the Government of New Zealand provided accommodation consisting of nineteen rooms at the cable terminus in that Colony.

E. C. CRACKNELL,
31/10/79.

Submitted.—S.H.L., 1/11/79. Send a message to Col. Glover, and say that an amount has been placed upon the Estimates, and the buildings will be proceeded with when it is voted.—S.S., 3/11/79.

No. 52.

Telegram from Postmaster General to Colonel Glover, London.

Sydney, 3 November, 1879.

AMOUNT placed upon Estimates for cable buildings, La Perouse, which will be proceeded with when money is voted.

SAUL SAMUEL.

1879.

NEW SOUTH WALES.

ROAD TRUST ACCOUNTS.

(FOR THE HALF-YEARS ENDED 30 JUNE AND 31 DECEMBER, 1878.)

Presented to Parliament, pursuant to the various Acts.

NO.	SCHEDULE.	PAGE.
1 & 2. South Head Roads	11 Vict. No. 49, clause 6	2
3 & 4. Parramatta	13 " " 41, " 19	3
5 & 6. Windsor	18 " " 16	4
7 & 8. Richmond	18 " " 16	5
9 & 10. Maitland	17 " " 16, clause 23	5 & 6

ROAD TRUST ACCOUNTS.

No. 1.

THE COMMISSIONERS OF THE SOUTH HEAD ROADS TRUSTS.

ACCOUNT of Receipts and Disbursements for Half-year ending 30th June, 1878.

Dr.		RECEIPTS.		DISBURSEMENTS.		Cr.		
1877.		£	s. d.	£	s. d.	1878.	£	s. d.
Dec. 31	To Balance	690	9 9			June 30	By Secretary and Surveyor's salary.....	50 0 0
1878.							" Miscellaneous—	£ s. d.
April 4	" Special vote from Parlia- ment in aid of funds...	92	0 0				Interest on mortgage debt...	165 0 0
June 30	" Tolls (six months)	1,635	0 0	2,417	9 9		Tools and sundries.....	20 16 11
								185 16 11
							" Old South Head Road—	
							Blue metal	934 5 8
							Wages, ballast, &c.....	562 9 9
								1,496 15 6
							" New South Head Road—	
							Blue metal	64 2 0
							Wages, ballast, &c.....	339 18 10
								404 0 10
							" Glenmore Road—	
							Wages, ballast, &c.....	34 1 5
							" Point Piper Old Road—	
							Wages, ballast, &c.....	33 10 3
							" Watson's Bay Road—	
							Wages, ballast, &c.....	28 4 3
							" Balance.....	185 0 8
				£	2,417 9 9			£ 2,417 9 9

MEMO:—Amount of Mortgage debts due,
30 June, 1878..... £5,500 0 0For the Commissioners of the South Head Roads Trusts,—
WM. WALLIS, Hon. Treasurer to Trusts.
GERARD PHILLIPS, Secretary.

No. 2.

COMMISSIONERS OF THE SOUTH HEAD ROADS TRUSTS.

RECEIPTS and Disbursements for the Half-year ending 31st December, 1878.

Dr.		RECEIPTS.		DISBURSEMENTS.		Cr.		
1878.		£	s. d.	£	s. d.	1878.	£	s. d.
June 30	To Balance	185	0 8			Dec. 31	By Secretary and Surveyor (six months)	50 0 0
Aug. 3	" Grant from Treasury in aid of funds	375	0 0				" Miscellaneous—	£ s. d.
Dec. 31	" Six months' rent of Tolls.	1,635	0 0	2,195	0 8		Interest on mortgage (six months)	165 0 0
							Tools, advertisements, and sundries	9 14 7
								174 14 7
							" Old South Head Road—	
							Blue metal stone	536 5 0
							Ballast, wages, &c.....	186 6 0
								722 11 0
							" New South Head Road—	
							Blue metal stone	178 13 0
							Ballast, wages, &c.....	491 1 4
								669 14 4
							" Glenmore Road—	
							Ballast, Wages, &c.....	46 5 3
							" Point Piper Road—	
							Ballast, wages, &c.....	6 8 3
							" Watson's Bay Road—	
							Ballast, wages, &c.....	42 3 8
							" Balance in Bank New South Wales	483 3 7
				£	2,195 0 8			£ 2,195 0 8

MEMO:—Amount borrowed upon Mort-
gage of Tolls
For the Commissioners, South Head Roads Trusts,—
WM. WALLIS, Hon. Treasurer.
GERARD PHILLIPS, Secretary & Surveyor.

No. 3.

Mr. Sydney Wickham to The Auditor General.

Sir,

Road Trust Office, Parramatta, 10 July, 1878.

Under the direction of the Commissioners of the Parramatta Road Trust, I have the honor to enclose herewith an abstract of the receipts and expenditure of the said Trust for the half-year ending 30th June, 1878, with vouchers in support thereof.

I have, &c.,

SYDNEY WICKHAM, Secretary.

PARRAMATTA ROAD TRUST.

ABSTRACT of Receipts and Expenditure of the Commissioners of the Parramatta Road Trust for the Half-year ending 30th June, 1878.

Dr.				Cr.			
RECEIPTS.				EXPENDITURE.			
1878.		£ s. d.	£ s. d.	1878.		£ s. d.	£ s. d.
June 30	To five months' rent of Toll Gate at Broken Back Bridge	175 8 4		June 30	SALARIES--		
	" Rent of Old Toll House	2 4 0			By Clerk and Treasurer	14 1 3	
	" Bank interest upon deposit of £500.....	25 0 0			" Overseer	51 0 0	65 1 3
			202 12 4		MISCELLANEOUS--		
	Total receipts		202 12 4		By Wages for Labour	150 2 9	
	Balance credit, 31st Dec., 1877		747 9 9		" Timber for Bridge	14 5 0	
					" Rent	4 16 0	
					" Tools and repairs to tools	3 14 0	172 17 9
					Total expenditure.....		287 19 0
					By deposit at Commercial Bank	500 0 0	
					" Cash credit at Commercial Bank	212 3 1	712 3 1
							£ 950 2 1
			£ 950 2 1				

We certify the above account to be correct,—

JAMES BYRNES,
AND. PAYTEN,
NEIL STEWART, } Trustees.

No. 4.

Mr. James Byrnes to The Auditor General.

Sir,

Road Trust Office, Parramatta, 30 May, 1879.

I have the honor to enclose herewith abstract of the receipts and expenditure of the Commissioners of the Parramatta Road Trust for the half-year ending 31st December, 1878, with vouchers in support of same.

I have, &c.,

JAMES BYRNES, Chairman.

PARRAMATTA ROAD TRUST.

ABSTRACT of the Receipts and Expenditure of the Commissioners of the Parramatta Road Trust for the Half-year ending 31st December, 1878.

Dr.				Cr.			
RECEIPTS.				EXPENDITURE.			
1878.		£ s. d.	£ s. d.	1878.		£ s. d.	£ s. d.
Dec. 31	To six months rental of Toll Gate at Broken Back Bridges ...	210 10 0		Dec. 31	SALARIES--		
"	" Rent of Old Toll House ...	5 8 0			By Clerk and Treasurer	18 15 0	
			215 18 0		" Overseer	40 2 6	58 17 6
					MISCELLANEOUS--		
					By Wages for Labour	153 14 6	
					" Rent	11 4 0	
					" Tools, powder, fusc, &c. ...	8 2 5	
					" Stationery and stamps ...	0 15 6	
					" Timber	5 11 7	
					" Spikes	0 17 0	
					" Rubble stone	3 8 4	
					" Repairs to tools	0 16 0	
					" Sale of Toll Gate for 1879	1 1 0	185 10 4
					Total expenditure.....		244 7 10
	Total receipts		215 18 0		By deposit at Commercial Bank	500 0 0	
	" Balance, 30th June, 1878		712 3 1		" Cash credit at Commercial Bank	183 13 3	683 13 3
							£ 928 1 1
			£ 928 1 1				

SYDNEY WICKHAM, Treasurer.

JAMES BYRNES, Chairman,
NEIL STEWART, } Commissioners.

No. 5.

WINDSOR ROAD TRUST.

Account of Receipts and Disbursements of the Commissioners of the Windsor Road Trust for the Half-year ended 30th June, 1878.

Dr.			Cr.		
1878.		£ s. d.	1878.		£ s. d.
Jan. 1	To Balance on hand	162 2 11	Feb. 4	By paid Peter O'Hara, timber.....	1 15 0
" 5	" Rent of Fitzroy Bridge Tolls for December	21 8 4	April 1	" B. Isaacs, printing	2 0 5 0
Feb. 9	" " January	13 8 4	"	" Secretary, quarter's salary, &c. 3	6 10 0
Mar. 8	" " February	13 8 4	"	" J. Holden, gravelling Windsor Road	4 2 10 8
April 2	" " March	13 8 4	"	" W. Walker, filling up holes, George-street.....	5 3 3 0
May 6	" " April	13 8 4	" 8	" A. W. Hobbs, posting bills ...	6 0 2 6
June 10	" " May	13 8 4	"	" J. Hough, repairs Windsor Road	7 1 15 0
			June 3	" M. Neilson, advertising	8 1 10 8
			" 10	" W. Rogers, gravelling, Windsor to Richmond	9 4 11 4
			" 30	" E. Wood, gravelling George-st. 10	4 7 9
				" Secretary, quarter's salary, &c. 11	6 10 0
				By balance on hand	217 12 0
		£ 250 12 11			£ 250 12 11

RICH. RIDGE,
THOMAS PRIMROSE, } Commissioners.
JOHN WOOD,

No. 6.

WINDSOR ROAD TRUST.

Account of Receipts and Expenditure of the Commissioners of the Windsor Road Trust for the Half-year ending 31st December, 1878.

Dr.			Cr.		
1878.		£ s. d.	1878.		£ s. d.
July 1	To Balance on hand	217 12 0	Aug. 5	By paid W. Crozier, repairs, road Windsor to Richmond	8 8 0
" 8	" Rent of Fitzroy Bridge Tolls for June ...	13 8 4	" 19	" E. Wood, do do	21 13 0
Aug. 5	" " July	13 8 4	"	" W. Crozier, do do	7 16 0
Sept. 2	" " August	13 8 4	Sept. 2	" J. Teale, do Windsor Road	12 16 0
Oct. 4	" " September	13 8 4	"	" W. Crozier, do do	3 6 0
Nov. 8	" " October	13 8 4	"	" J. Hough, do do	*4 2 6
Dec. 5	" " November	13 8 4	" 16	" J. Teale, do do	2 0 0
			" 30	" A. W. Hobbs, bill-sticking	0 5 0
			"	" J. H. Teale, repairs, road Windsor to Richmond	14 8 0
			"	" W. Rodgers, do Windsor Road	0 18 0
			"	" Secretary, 1 quarter's salary, &c. ...	6 10 0
			Nov. 4	" J. Teale, gravelling Windsor Road	10 0 0
			"	" W. Crozier, repairs to do ...	8 8 0
			"	" C. Douglass, repairs to Fitz Roy Bridge.....	1 1 0
			"	" F. Simon, wheelbarrow	1 17 6
			Dec. 31	" Australian, printing	1 4 0
			"	" Secretary, 1 quarter's salary, &c. ...	†6 10 0
				By balance on hand	186 19 0
		£ 298 2 0			£ 298 2 0

* 3s. 8d. under paid.—A.W.S.

† Wrong date.

RICH. RIDGE,
THOMAS PRIMROSE, } Commissioners.
JOHN WOOD,

No. 7.

RICHMOND ROAD TRUST.

ACCOUNT of Receipts and Expenditure of the Commissioners of the Richmond Road Trust for the Half-year ended 30th June, 1878.

Dr.			Cr.		
1878.		£ s. d.	1878.	V	£ s. d.
Jan. 1	To balance on hand	20 5 4	Feb. 6	By paid M. Neilson, advertising	1 0 16 8
Feb. 6	„ Rent of Blacktown Road Tolls for January	8 8 4	April 3	„ C. R. Bedwell, commission	2 1 5 0
April 2	„ „ February and March	16 16 8	„ J. Pyc, repairs, Blacktown Road	3 2 10 0	
June 2	„ „ April and May	16 16 8	„ Secretary, quarter's salary, &c.	4 7 19 6	
„ 30	„ „ June	8 8 4	May 1	„ R. Bonus, repairs, Main Windsor-street, Richmond	5 8 0 0
	„ Balance	4 15 11	June 5	„ W. Fletcher do	6 12 17 6
			„ D. Hanley do	7 20 4 4	
			„ M. Power do	8 14 0 0	
			„ 30	„ Secretary, quarter's salary, &c.	9 7 18 3
		£ 75 11 3			£ 75 11 3

EDW. POWELL,
W. T. PRICE,
JOSEPH ONUS, } Commissioners.

No. 8.

RICHMOND ROAD TRUST.

ACCOUNT of Receipts and Expenditure of the Commissioners of the Richmond Road Trust for the Half-year ended 31st December, 1878.

Dr.			Cr.		
1878.		£ s. d.	1878.	V	£ s. d.
July	To Rent of Tolls for July (allowed)	0 0 0	July 1	By balance	4 15 11
Sept. 4	„ „ August	8 8 4	Sept. 4	„ C. Kenny, repairs, road, Richmond to Windsor	1 2 0 0
Oct. 2	„ „ September	8 8 4	„ 30	„ Faux & Heard, box for papers	2 2 0 0
Nov. 6	„ „ October	8 8 4	„ Secretary, quarter's salary, &c.	3 7 17 3	
Dec. 4	„ „ November	8 8 4	„ 31	„ Balance on hand	4 7-17 3
„ 31	„ „ December	4 4 2			13 7 1
		£ 37 17 6			£ 37 17 6

JOSEPH ONUS,
W. T. PRICE,
R. H. DUCKER, } Commissioners.

No. 9.

MAITLAND DISTRICT COUNCIL.

ABSTRACT of Receipts and Expenditure of the Maitland District Council from January 1st to June 30th, 1878.

Dr.			Cr.		
1878.		£ s. d.	1878.		£ s. d.
June 30	To Balance carried forward	44 6 4	Jan. 1	By Balance brought on from previous half-year	1 2 4
			June 30	Incidental Account—	
				By D. Pryke, work	9 6 0
				„ Mrs. Graney, rent	7 10 0
				„ Secretary's salary	24 0 0
				„ Stamps, &c.	2 8 0
					43 4 0
		£ 44 6 4	July 1	By Balance brought down	44 6 4

JOHN BOWDEN, Warden.
WALTER CRACKNELL, Secretary.

We have examined the books of accounts and compared them with the vouchers, and find same correct,—

GEO. H. STEPHENS,
GEO. LEE, } Auditors.

No. 10.
MAITLAND DISTRICT COUNCIL.

ABSTRACT of Receipts and Expenditure of the Maitland District Council, from July 1st to December 31st, 1878.

Dr.			Cr.
1878. Dec. 31	To amount advanced by Bank Australasia ...	£ s. d. 76 5 2	
			1878. July 1
			Dec. 31
			By balance brought on
			„ Incidental account, viz.:-
			Stamps
			Mrs. Graney, rent.....
			Secretary's salary
			Interest paid Bank on over-
			draffs
		£ 76 5 2	£ s. d. 44 6 4
			31 18 10
		£ 76 5 2	£ 76 5 2

JOHN BOWDEN, Warden.
WALTER CRACKNELL, Secretary.

We have examined books of accounts and find same correct,—

WILLIAM KEATING, }
P. W. DAWSON, } Auditors.

1879-80.

NEW SOUTH WALES.

ROAD TRUST ACCOUNTS.

(FOR HALF-YEARS ENDED 30 JUNE AND 31 DECEMBER, 1879.)

Presented to Parliament, pursuant to the various Acts.

NO.	SCHEDULE.	PAGE.
1 & 2. South Head Roads	11 Vict. No. 49, clause 6	2
3 & 4. Parramatta	13 " " 41, " 19	3
5 & 6. Windsor	18 " " 16	4
7 & 8. Richmond	18 " " 16	5
9 & 10. Maitland	17 " " 16, clause 23	5 & 6

ROAD TRUST ACCOUNTS.

No. 1.

THE COMMISSIONERS OF THE SOUTH HEAD ROADS TRUSTS.

ACCOUNT of Receipts and Disbursements for Half-year ending on 30th June, 1879.

Dr.				Cr.			
RECEIPTS.				DISBURSEMENTS.			
1879.	£	s.	d.	1879.	£	s.	d.
June 30	To Balance from last half-year		483 3 7	June 30	By Secretary and Surveyor's Salary		50 0 0
	„ Tolls	1,410	0 0		Miscellaneous Expenditure—		
	„ Government Grant	375	0 0		By interest on debts, tools, and sundries		172 19 5
	„ Do.	100	0 0		Old South Head Road—		
	„ Balance		1,885 0 0		By Blue metal stone	864	10 1
			113 5 8		„ Wages, ballast, &c.	329	14 10
							1,194 4 11
					New South Head Road—		
					By Blue metal stone	456	6 0
					„ Wages, ballast, gravel, &c.	560	17 7
							1,017 3 7
					Old Point Piper Road—		
					By Wages, ballast, metal, &c.		32 8 5
					Glenmore Road—		
					By Wages, ballast, &c.		14 12 11
			£ 2,481 9 3				£ 2,481 9 3

MEMO.—Amount borrowed on Mortgage of
Tolls.....£5,500 0 0For Commissioners, South Head Roads Trusts,—
WM. WALLIS, Hon. Treasurer.

No. 2.

THE COMMISSIONERS OF THE SOUTH HEAD ROADS TRUSTS.

ACCOUNT of Receipts and Disbursements for Half-year ending 31st December, 1879.

Dr.				Cr.			
RECEIPTS.				DISBURSEMENTS.			
1879.	£	s.	d.	1879.	£	s.	d.
Sept. 6	To Grant for Barrack Reserve	100	0 0	June 30	By Balance		113 5 8
Dec. 31	„ Tolls	2,100	0 0	Dec. 31	Salaries—		
			2,200 0 0		By Secretary and Surveyor's Salary		50 0 0
					Miscellaneous Expenditure—		
					By interest on Mortgage, &c., Tools, and Sundries		240 16 6
					Old South Head Road—		
					By Blue metal	819	12 0
					„ Ballast, Wages, &c.	551	10 0
							1,371 2 0
					New South Head Road—		
					By Ballast, Gravel, Wages, &c.		130 12 8
					Point Piper Road—		
					By Repairs		2 12 4
					„ Balance		291 10 10
			£ 2,200 0 0				£ 2,200 0 0

MEMO.—Amount of Debt on Mortgage of
Tolls.....£5,500 0 0For the Commissioners,—
WM. WALLIS, Hon. Treasurer.
GERARD PHILLIPS, Secretary.

3

No. 3.

PARRAMATTA ROAD TRUST.

ABSTRACT of the Receipts and Expenditure of the Commissioners of the Parramatta Road Trust for the Half-year ending 30th June, 1879:

Dr.				Cr.			
RECEIPTS.				EXPENDITURE.			
1879.		£ s. d.	£ s. d.	1879.		£ s. d.	£ s. d.
June 30	To six months rental of Toll Gate at Broken Back Bridge	203 16 8		June 30	Salaries—		
	„ Rent of Old Toll House.....	1 12 0			Clerk and Treasurer	18 15 0	
			205 8 8		Overseer	47 5 0	66 0 0
	„ Total receipts		205 8 8		Miscellaneous—		
	„ Balance, 31st Dec., 1878.....	683 13 3			Wages for Labour.....	272 18 6	
	„ Balance, 30th June, 1879 ...	194 16 11			Rent	9 12 0	
			818 10 2		Stationery and Stamps	0 12 0	
					Timber	146 13 6	
					Tools, spikes, paints, oil, &c.	16 16 4	
					Repairs to Tools	2 19 10	
					Advertisements	1 4 5	
					Tent	3 10 0	
					Legal Expenses	2 2 0	456 8 7
					Total expenditure		522 8 7
					Interest on overdraft to 30th June, 1879.....	1 10 3	1 10 3
					By deposit at Commercial Bank	500 0 0	500 0 0
			£ 1,023 18 10				£ 1,023 18 10

JAMES BYRNES.
AND. PAYTEN.

No. 4.

PARRAMATTA ROAD TRUST.

ABSTRACT of the Receipts and Expenditure of the Commissioners of the Parramatta Road Trust for the Half-year ending 31st December, 1879.

Dr.				Cr.			
RECEIPTS.				EXPENDITURE.			
1879.		£ s. d.	£ s. d.	1879.		£ s. d.	£ s. d.
Dec. 31	To six months rental of Toll Gate at Broken Back Bridge	202 10 0		Dec. 31	By balance Dr. at Commercial Bank, 30th June, 1879.....	194 16 11	194 16 11
	„ Rent of Toll House.....	7 0 0			Salaries—		
			209 10 0		Clerk and Treasurer	18 15 0	
	„ Deposit at Commercial Bank, 30th June, 1879	500 0 0			Overseer	19 0 0	37 15 0
			500 0 0		Miscellaneous—		
	„ Balance Dr. at Commercial Bank, 31st December, 1879	68 14 6			Wages for Labour.....	73 0 0	
			68 14 6		Rent	11 4 0	
					Tools and repairs, &c.	7 10 5	
					Rubble stone	5 8 4	
					Advertisements	1 14 4	
					Legal Expenses	1 1 0	
					Sale of Toll Gate	1 1 0	100 19 1
					Interest on overdraft to 31st December, 1879	4 13 6	4 13 6
							278 4 6
					By deposit at Commercial Bank to 31st December, 1879...	500 0 0	500 0 0
			£ 778 4 6				£ 778 4 6

JAMES BYRNES, Chairman.
ANDREW PAYTEN.
NEIL STEWART.

No. 5.

WINDSOR ROAD TRUST.

Account of Receipts and Expenditure of the Commissioners of the Windsor Road Trust for the Half-year ended 30th June, 1879.

Dr.			Cr.		
1879.		£ s. d.	1879.		£ s. d.
Jan. 1	To Balance on hand	186 19 0	Mar. 3	By paid Mary Neilson, advertising	1 0 17 4
" 6	" Rent of Fitzroy Bridge Tolls for December	13 8 4	"	" W. Beard, junr., ironmongery	2 0 6 0
Feb. 5	" " January	16 3 4	"	" S. Atkins, repairs, Richmond Road ..	3 12 0
Mar. 3	" " February	16 3 4	"	" J. Hough, do Windsor Road ..	4 21 3 0
April 2	" " March	16 3 4	"	" C. Douglass, do Fitzroy Bridge ..	5 2 7 0
May 2	" " April	16 3 4	"	" J. Teale, do Windsor Road ..	6 48 4 3
June 9	" " May	16 3 4	"	" J. Holden, do do ..	7 4 10 0
			" 31	" Secretary, quarter's salary, &c. ...	8 6 10 0
			April 7	" Scott Brothers, timber	9 2 14 0
			June 30	" B. Isaacs, printing	10 0 5 0
				" C. Douglass, repairs, Fitzroy Bridge ..	11 0 14 0
				" Secretary, quarter's salary, &c. ...	12 6 10 0
				By balance on hand	183 11 5
		£ 281 4 0			£ 281 4 0

RICH. RIDGE,
THOMAS PRIMROSE, } Commissioners.
JOHN M. M'QUADE,
JOHN WOOD.

No. 6.

WINDSOR ROAD TRUST.

Account of Receipts and Expenditure of the Commissioners of the Windsor Road Trust for the Half-year ended 31st December, 1879.

Dr.			Cr.		
1879.		£ s. d.	1879.		£ s. d.
July 1	To Balance on hand	183 11 5	July 9	By paid P. O'Hara, for timber	1 4 10 10
" 7	" Rent of Fitzroy Bridge Tolls for June ...	16 3 4	Sept. 1	" C. Douglass and A. W. Hobbs, repairs, Fitzroy Bridge	2 0 8 6
Aug. 9	" " July	16 3 4	"	" W. Crozier, repairs, Road Windsor to Richmond	3 8 11 0
Sept. 8	" " August	16 3 4	" 15	" Same, do	4 1 11 6
Oct. 7	" " September	8 1 8	" 30	" Secretary, quarter's salary, &c. ...	5 6 10 0
Nov. 3	(less allowance on account of flood and bridge)		Oct. 20	" G. Pye, gravelling road Windsor to Richmond	6 3 10 0
Dec. 5	" Rent of Fitzroy Bridge Tolls for October ..	16 3 4	Nov. 3	" A. W. Hobbs, posting bills	7 0 2 6
	" " November ...	16 3 4	"	" Michael Keough, gravelling road to Richmond	8 5 7 6
			Dec. 2	" Same, do	9 10 0 0
			" 8	" Charles Douglass, repairing Toli- house	10 0 7 0
			"	" Wm. Rogers, repairs, Windsor Road	11 0 8 0
			"	" A. W. Hobbs, posting bills	12 0 5 0
			"	" P. Keough, gravelling Road Wind- sor and Richmond	13 14 3 0
			" 22	" John Teale, gravelling Windsor Road, &c.	14 43 14 0
			"	" James Hough, repairs, Windsor Road	15 50 8 6
			" 31	" W. Gosper, commission on sale of tolls, &c.	16 3 4 7
			"	" Secretary, quarter's salary, &c. ...	17 6 10 0
				By balance on hand	103 17 10
		£ 272 9 9			£ 272 9 9

RICH. RIDGE,
THOMAS PRIMROSE, } Commissioners.
JOHN WOOD,

No. 7.

RICHMOND ROAD TRUST.

ACCOUNT of the Receipts and Expenditure of the Commissioners of the Richmond Road Trust for the Half-year ended 30th June, 1879.

Dr.			Cr.		
1879.		£ s. d.	1879.	V	£ s. d.
Jan. 1	To balance on hand.....	13 7 1	Jan. 1	By paid G. Davies, advertising	1 0 16 0
Feb. 7	„ Rent of Blacktown Tolls for January, 1879.....	12 18 4	Feb. 5	„ B. Isaacs, printing	2 0 5 0
Mar. 6	„ „ February	12 18 4		„ C. R. Bedwell, Commission on Sale of Tolls	3 2 5 0
April 9	„ „ March	12 18 4		„ H. Pyc, repairs, Windsor-street	4 2 8 0
May 8	„ „ April	12 18 4		„ M. Neilson, advertising.....	5 0 16 8
June	„ „ May	12 18 4	Mar. 31	„ Secretary, quarter's salary, &c....	6 7 17 0
			April 2	„ M. Power, repairs, Windsor-street.....	7 22 13 0
				„ Same, repairs, Windsor and Richmond Road	8 5 0 0
			June 30	„ Secretary, quarter's salary, &c....	9 7 15 0
				Balance on hand	28 3 1
		£ 77 18 9			£ 77 18 9

JOSEPH ONUS,
W. T. PRICE,
R. H. DUCKER, } Commissioners.

No. 8.

RICHMOND ROAD TRUST.

ACCOUNT of the Receipts and Expenditure of the Commissioners of the Richmond Road Trust for the Half-year ending 31st December, 1879.

Dr.			Cr.		
1879.		£ s. d.	1879.	V	£ s. d.
July 1	To balance on hand.....	28 3 1	July 2	By paid D. Handley, repairs, Blacktown Road	1 8 10 0
„ 8	„ Rent of Blacktown Tolls for June	12 18 4	Sept. 3	„ T. Buckton, gravelling, Richmond to Richmond Bridge.....	2 12 11 0
Aug. 8	„ „ „ July	12 18 4	„ 30	„ W. Walker, quarter's salary as Secretary, &c.	3 7 17 0
Sept. 9	„ „ „ August	12 18 4	Dec. 3	„ T. Buckton, repairs, Blacktown Road	4 21 0 6
Oct. 8	„ „ „ September	12 18 4	„ 31	„ D. Handley, repairs, Blacktown Road	5 4 10 0
Nov. 8	„ „ „ October.....	12 18 4		„ C. R. Bedwell, commission on sale of Tolls.....	6 2 10 0
Dec. 8	„ „ „ November... ..	12 18 4		„ „ Australian," advertising.....	7 1 4 0
				„ M. Neilson	8 0 19 6
				„ Secretary, quarter's salary, &c....	9 7 15 0
				Balance on hand	38 16 1
		£ 105 13 1			£ 105 13 1

EDW. POWELL,
JOSEPH ONUS,
W. T. PRICE, } Commissioners.

No. 9.

MAITLAND DISTRICT COUNCIL.

ABSTRACT of Receipts and Expenditure of the Maitland District Council from January 1st to June 30th, 1879.

Dr.			Cr.		
1879.		£ s. d.	1879.		£ s. d.
Jan. 1 to June 30.	To Amount advanced by Bank of Australasia on bond.....	105 2 10	Jan. 1 to June 30.	By Amount due Bank of Australasia to date.....	76 5 2
				„ Incidental Account, viz.—	
				Stamps	0 7 0
				F. Graney, rent	5 0 0
				Secretary's salary, five months	20 0 0
				Interest paid Bank	3 10 8
		£ 105 2 10			28 17 8
					£ 105 2 10

JOHN BOWDEN, Warden.
WALTER CRACKNELL, Secretary.

We have examined books of account and find same correct,—

WILLIAM KEATING.
S. W. DAWSON.

No. 10.

MAITLAND DISTRICT COUNCIL.

ABSTRACT of Receipts and Expenditure of the Maitland District Council from July 1st to December 31st, 1879.

Dr.			Cr.		
1879.		£ s. d.	1879.		£ s. d.
July 22	To Advance from roads	64 13 6	July 1	By Amount of overdraft, Bank of Australasia	105 2 10
" "	" Rent of punt house	5 12 0		" Interest on ditto	3 6 2
" "	" M. Moore, sale of office furniture	4 2 6	Oct. 13	" Incidental Account—	
Nov. 18	" Advance from roads	65 0 2	Dec. 31	Tucker, Gillics, & Thomp- son Account.....	17 5 9
" 19	" Sale of iron safe	7 0 0		Refund on sale of safe...	1 0 0
Dec. 13	" Advance from road	5 2 0		Stamps	0 5 0
" 31	" Balance due to Bank.....	3 16 7		W. G. Lipscombs	0 7 0
				Secretary's salary, seven months.....	28 0 0
					46 17 9
		£ 155 6 9			£ 155 6 9

JOHN BOWDEN, Warden.
WALTER CRACKNELL, Secretary.

We, the undersigned, have examined the books and vouchers of accounts and find same correct,—

S. W. DAWSON, }
WILLIAM KEATING, } Auditors.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUBORDINATE ROADS.

(UNDER OFFICERS OF ROADS DEPARTMENT—SHOWING PROPOSED DISTRIBUTION OF VOTE ON ESTIMATES.)

Ordered by the Legislative Assembly to be printed, 27 May, 1880.

CLASSIFICATION AND PROPOSED DISTRIBUTION FOR 1880.

No.	Class.			Length in Miles.		Proposed Expenditure.
	1878.	1879.	1880.			
Northern Roads.						
						£
1	2	2	1	7	Road from St. Leonard's, <i>via</i> Balgowlah, to Manly ...	350
2	4	4	4	12	" Wiseman's Ferry, <i>via</i> Shepherd's Gully, to St. Alban's. ...	120
3	5	4	4	18	" Wallsend to Maitland and Gosford Road, at Coorانبong ...	180
4	4	4	3	15	" Mulbring, <i>via</i> Ellalong, to Millfield, Quarrybylong Road ...	225
5	4	4	3	8	" Gosford to Kincumber ...	120
6	3	3	2	8	" Erina Creek, near East Gosford, to Long's Grant ...	200
7	4	4	3	4	" Town of Ellalong to Main Road from Maitland to Wollombi... ..	60
8	4	4	2	11	" Wollombi Road to Congewai ...	275
9	5	2	2	5	" Coorانبong Wharf to Dora Creek... ..	125
10	3	2	2	27	" The Broken-back Gap, to Wyong Creek ...	675
11	2	2	1	13	" Wyong Creek to Gosford ...	650
12	...	5	5	20	" Gosford to the Blood Tree ...	140
13	...	5	5	30	" The Penang, near Gosford, to Buckelly, Main North Road ...	210
14	4	4	3	11	" Main Northern Road near Laguna, Wollombi, to Upper Wattagan Creek... ..	165
15	...	...	4	6	" Blue-Gum Flat to Chittaway ...	60
16	4	4	3	26	" Wyong Creek to Mangrove Creek, at Pemberton's Hill ...	390
17	4	5	5	21	" Bullock Wharf to upper part of Mangrove Creek... ..	147
18	5	5	5	85	" Wollombi and Warkworth Road to Colo River (Bulga Road) ...	595
19	4	4	4	44	" Wollombi to Wiseman's Ferry ...	440
20	4	2	2	22	" St. Alban's, through Wallambine Common, to Mount Manning... ..	550
21	4	4	1	9	" Newcastle to Wallsend ...	450
22	...	...	1	...	" Lambton to Waratah ...	345
23	...	...	1	...	" Maitland Road, within Waratah ...	1,000
24	...	...	1	...	" Lambton Road ...	900
25	...	...	1	...	" Road West of Tunnel Crossing ...	400
26	...	...	1	...	" Croudace's Road ...	550
				402	Carried forward ...	£ 9,322

No.	Class.			Length in Miles.		Proposed Expenditure.
	1878.	1879.	1880.			
				402		
					Northern Roads—continued.	
					Brought forward	£ 9,322
27	...	2	2	6	Road from Minmi to Woodford Railway Station	150
28	2	2	2	15	" Eastern foot of the Dividing Range to Wollombi...	375
29	3	3	3	4	" Luskintyre Bridge to Lochinvar Railway Station..	60
30	1	1	1	18	" East Maitland to Broken-back Gap	900
31	2	1	1	31	" Raymond Terrace to Stroud	1,550
32	2	1	1	73	" Stroud, <i>via</i> Gloucester, to Tinonee...	3,650
33	5	5	5	12	" Raymond Terrace and Stroud Road, <i>via</i> the Duck-hole Swamp to the Parading Ground	84
34	3	3	3	10	" Raymond Terrace by east side of Williams' River to Seaham	150
35	5	5	5	3	" Raymond Terrace and Stroud Road to Raymond Terrace and Seaham Road (Miskell's Road)	21
36	1	1	1	6	" Raymond Terrace towards Maitland to its junction with the Morpeth Road...	300
37	2	2	2	16	" Dunmore Bridge to Clarencetown	400
38	5	5	5	7	" Deep Creek to Allandale Railway Station...	49
39	3	1	1	14	" Paterson and Gresford Road to Clarencetown and Dungog Road	700
40	1	1	1	16	" Clarencetown to Dungog	800
41	5	5	5	9	" Clarencetown to Half-way House on Raymond Terrace and Stroud Road	63
42	4	4	4	8	" Clarencetown, <i>via</i> Glen William, to Clarencetown and Dungog Road	80
43	2	2	2	8	" Dungog to Chichester River	200
44	2	2	2	15	" Dungog and Chichester Road to Underbank	375
45	4	3	3	6	" Dungog and Gloucester Road to Posterton	90
46	5	5	4	13	" Dungog and Monkerai Road to Stroud	130
47	...	...	3	12	" Gloucester to Copeland	180
48	5	5	3	15	" Upper Myall to Bulladelah...	225
49	...	3	3	7	" Old Bulladelah Inn to Raymond Terrace Road at School Hill	105
50	...	4	4	45	" Bulladelah, <i>via</i> Bungwall, to Forster	450
51	3	3	3	18	" Bulladelah to the Stroud and Raymond Terrace Road	270
52	3	3	3	7	" Bandon Grove to Little River	105
53	3	1	1	30	" Paterson <i>via</i> Dungog and Monkerai, to Stroud and Gloucester Road at Langworthy's	1,500
54	3	3	3	2	" Main North Road at Harper's Hill to Allandale Railway Station	30
55	3	3	3	12	" Jerry's Plains to Denman	180
56	1	1	1	87	" Denman, <i>via</i> Cassilis, to Coolah	4,350
57	3	3	3	40	" Giant's Leap to Kerrabee, and junction of Wollar Rd.	600
58	4	4	4	34	" Scone to Denison Diggings at Moonan	340
59	5	5	5	5	" Main North Road South of Cliffdale to Dynamigan or Dry Creek	35
60	...	5	5	5	" Caywell Creek and Spring Gully to Main North Road near Cliffdale	35
61	4	4	4	25	" Singleton, <i>via</i> Goorangoola to Archinell's Dry Creek	250
62	...	...	6	12	" Doyle's Creek to Jerry's Plains	60
63	...	3	3	10	" Jerry's Plains to Muswellbrook	150
64	3	3	3	24	" Muswellbrook to Sandy Hollow	360
65	4	4	4	5	" Main North Road near Muswellbrook to Musclee Creek	50
66	...	5	2	34	" Coolah to Nesby's Junction	510
67	...	3	3	50	" Meregoen <i>via</i> Caigan to Coonabarabran	750
68	...	6	6	15	" Mudgee Road at Wollar to the Mill at Green Hills	75
69	4	4	4	33	" Main Northern Road to Nundle, Hanging Rock, and Swamp Creek	330
70	4	4	4	7	" Box-Tree, <i>via</i> the Gap, to Silver Mines	70
71	3	3	3	10	" Main North Road at Wallabadah to Quirindi	150
72	...	...	6	6	" Wallabadah up Quirindi Creek	30
73	4	4	4	6	" Quirindi to Middle Island	60
74	5	5	5	6	" Quirindi up Jacob and Joseph's Creeks	42
75	5	5	5	5	" Quipolly up north bank of creek to Railway	35
76	5	5	5	15	" Box-tree and Blandford Road to M'Donald's, on Isis River	105
77	5	5	5	20	" Blandford to Scott's and Green's Creeks	140
78	2	2	2	15	" Muswellbrook to Denman	375
79	...	...	4	50	" Breeza towards Merriwa	500
				1359	Carried forward	£ 31,896

No.	Class.			Length in Miles.		Proposed Expenditure.
	1878.	1879.	1880.			
					Northern Roads—continued.	
					Brought forward	£ 31,896
80	5	3	3	39	Road from Scone to Merriwa	585
81	5	5	5	10	" Scone and Merriwa Road at Kingdon Ponds Bridge to Middle Creek	70
82	5	5	5	45	" Scone and Denison Diggings Road at Bellevue, <i>via</i> Crawney, to Nundle	315
83	6	6	6	12	" The Scone, Dartbrook, Kayuga, and Muswellbrook Road at Kayuga, <i>via</i> Sandy Creek, to Great Northern Road, near Aberdeen	60
84	6	6	6	50	" Main Northern Road, <i>via</i> Currabubula, to Tamworth	250
85	2	2	2	38	" Tamworth, <i>via</i> Dungowan, to Bowling Alley Point and Nundle	950
86	5	5	4	16	" Dungowan, <i>via</i> Cadell's, to head of Ogumbil Creek	160
87	...	...	5	5	" Dungowan Creek on North Bank to Cadell's Station	35
88	...	...	6	7	" Tamworth to the Forest	35
89	6	6	6	12	" Tamworth, <i>via</i> Moore Creek, to Attunga	60
90	1	1	1	50	" Tamworth to Gunnedah	2,500
91	4	4	5	65	" Willow Tree to Gunnedah	455
92	1	1	1	65	" Gunnedah to Narrabri	3,250
93	...	3	3	25	" Gunnedah towards Barraba	375
94	3	3	3	146	" Turrawan to Walgett	2,190
95	1	1	1	29	" Tamworth to Manilla	1,450
96	...	5	4	80	" Narrabri to Bingera	800
97	5	4	5	45	" Bingera to Moree	315
98	2	2	2	66	" Coonabarabran to Gunnedah	1,650
99	3	6	6	30	" Coonabarabran to Baradine	150
100	2	5	5	60	" Rocky Creek to Moree	420
101	5	5	5	48	" Baradine to Pilliga	336
102	5	5	3	70	" Narrabri to Moree	1,050
103	5	5	4	58	" Warialda to Moree	580
104	5	5	4	57	" Warialda to Yetman	570
105	1	1	2	70	" Manilla, <i>via</i> Barraba, to Bingera	1,750
106	...	5	4	42	" Bingera to Bundarra, <i>via</i> Keera	420
107	1	1	2	25	" Bingera to Warialda	625
108	...	5	5	30	" Warialda to Gunyerwarialda	210
109	2	2	2	50	" Cobbedah to Rocky Creek	1,250
110	4	3	2	45	" Inverell to Warialda	1,125
111	3	3	3	43	" Inverell to Queensland Border, <i>via</i> Ashford	645
112	5	5	3	30	" Inverell to Bannockburn, <i>via</i> Graman	450
113	...	5	5	20	" Inverell to Reedy Creek	140
114	...	...	2	18	" Inverell to Tingha	450
115	2	2	2	86	" Main Northern Road at Rocky Gully, <i>via</i> Bundarra to Inverell	2,150
116	...	...	4	32	" Bingera, <i>via</i> Myall Creek, to Inverell	320
117	4	4	3	42	" Main North Road at Uralla, <i>via</i> Rocky River, to Bundarra	630
118	5	2	2	30	" Bendemeer to Walcha	750
119	2	1	1	135	" Armidale to Grafton	6,750
120	4	2	3	85	" Armidale to Inverell	1,275
121	3	3	2	25	" Main North Road at Uralla to Walcha	625
122	...	2	2	20	" Yarrawick to Armidale	500
123	...	5	5	25	" Armidale, <i>via</i> Cameron's Creek, to Rockvale	175
124	...	5	5	20	" Armidale to Mihi Creek	140
125	6	6	6	28	" Armidale to Uralla and Walcha Road, at 12-mile post, Salisbury Plain	140
126	2	2	2	15	" Glen Innes to Wellingrove	375
127	1	1	1	30	" Newton Boyd Road to Vegetable Creek	1,500
128	3	3	3	9	" Newton Boyd Road to Nymboida	185
129	1	1	1	126	" Lawrence to Tenterfield	6,300
130	...	...	2	10	" Yarrawford to Ranger's Valley	250
131	3	3	3	50	" Tenterfield towards Bonshaw and Clifton	750
132	4	4	4	40	" Tatum to Solferino Road	400
133	...	...	4	30	" Coutt's Crossing, <i>via</i> Kangaroo Creek, to Nymboida	300
134	3	3	3	55	" Grafton to Solferino	825
135	4	4	4	27	" Grafton to Cross Roads towards Casino	270
136	...	4	4	30	" South Grafton to Maclean	300
137	1	1	1	78	" Cross Roads to Ballina, <i>via</i> Casino and Lismore	3,900
138	5	5	5	50	" Casino to Mount Lindsay, on the Queensland Border	350
					Carried forward	£ 86,682
				3938		

No.	Class.			Length in Miles.		Proposed Expenditure.
	1878.	1879.	1880.			
				3,938		
Northern Roads—continued.						£
					Brought forward	86,682
139	1	1	1	60	Road from Lismore to Queensland Border	3,000
140	...	3	3	8	" Cudgen to Tweed River	120
141	...	3	3	30	" Byangum, <i>via</i> Tweed River Junction, to Queens- land Border	450
142	...	3	2	9	" Lismore to Goolmangar	225
143	...	3	2	9	" Lismore, <i>via</i> Gunderimba to Wyrallah	225
144	...	...	3	30	" Lismore to Brunswick	450
145	...	...	2	28	" Woodburn to Selman's	700
146	...	...	3	38	" Casino, <i>via</i> Wyrallah, to Casino and Ballina Road, at Chillcot's Wharf	570
147	1	1	1	12	" Wardell, <i>via</i> Tuckombil, to the Lismore and Ballina Road	600
148	...	2	2	9	" Ballina to Tintenbar	225
149	5	5	3	27	" Woodburn to Casino, <i>via</i> Coraki and Codrington	405
150	...	6	6	47	" Nowendoc to Walcha	235
151	2	2	2	120	" Walcha to Port Macquarie	3,000
152	2	2	2	35	" Port Macquarie to Kempsey	875
153	1	1	1	85	" Kempsey to Armidale and Grafton Road	4,250
154	3	3	3	60	" Kempsey to Bellinger River	900
155	1	1	1	5	" Kempsey to Frederickton	250
156	3	3	3	25	" Frederickton, <i>via</i> Pelican Island, Spencer's Creek Bridge, to Trial Bay	375
157	5	5	4	18	" Oakes Plains, <i>via</i> Klybucca, to M'Leay River Heads	180
158	3	3	3	18	" East Kempsey Ferry, <i>via</i> Gladstone, to Boggy Creek	270
159	4	4	4	18	" East Kempsey, <i>via</i> Dungay Bridge, to Sherwood	180
160	4	4	4	5	" Green Hills to Yarrowell Falls	50
161	3	3	3	6	" Warneton to the New England Road	90
162	3	3	3	4	" Belgrave to Kempsey and New England Road	60
163	5	5	5	20	" Rollands Plains to Yarrowell Falls, Macleay River	140
164	...	3	3	12	" Rollands Plains to junction with Port Macquarie and Kempsey Road	180
165	3	2	2	50	" Fernmount, <i>via</i> Never Never, to Grafton and Armidale Road	1,250
166	5	5	5	18	" Missibotti, <i>via</i> Bowra, to Nambuccera Heads	126
167	...	3	3	12	" Bowraville to Lumly, Argent's Selection	180
168	4	4	4	16	" Wilson River, <i>via</i> Saltwater Creek, Bar Scrub, to Port Macquarie and Walcha Road	160
169	2	2	2	50	" Cundle through Jones's Island to Port Macquarie	1,250
170	3	3	3	16	" Cundle, <i>via</i> Lansdowne, to Junction with Jones's Island Road, near Pipeclay Creek	240
171	2	2	2	8	" Tinonee to Cundle	200
172	5	5	5	17	" Tinonee and Gloucester Road to Clarkin's Crossing, Wollomba River	119
173	5	5	5	12	" Tinonee to Bohnock	84
174	3	3	3	6	" Tinonee to Wingham Ferry	90
175	3	3	3	2	" Tinonee and Bohnock Road to south channel of the Manning River (Redbank Road)	30
176	2	2	2	8	" Tinonee and Cundle Road to Wingham	200
177	4	4	4	14	" Wingham, <i>via</i> Wherrol Flat, Dingo Creek, to Kelvens Grove	140
178	4	4	4	7	" Burril Creek to Wingham and Black Flat Road	70
179	5	5	4	11	" Wingham and Wherrol Flat Road, up eastern branch of Dingo Creek, <i>via</i> Marleo Flat, to Bobin Flat	110
180	4	4	4	8	" through Oxley Island	80
181	...	5	5	5	" " Dumaresq Island	35
				4,936	Total miles. Total	£ 109,051
Western Roads.						£
182	1	1	1	2	Road from Main Western Road at Burwood to Main Southern Road	100
183	3	3	2	8	" Main Western Road, near St. Mary's, to Orphan School Road	200
184	6	6	6	5	" Sackville Reach to Post Office, mouth of Colo River	25
				15	Carried forward	£ 325

No.	Class.			Length in Miles.		Proposed Expenditure.
	1878.	1879.	1880.			
					Western Roads—continued.	
					Brought forward ...	£ 325
185	5	5	5	8	Road from Churchill's Wharf to mouth of Colo River ...	56
186	3	2	2	13	" Bell's Line to Colo River (Comleroy Road) ...	325
187	2	2	1	3	" Blacktown Road to Riverstone Railway Station ...	150
188	2	2	2	50	" Richmond Bridge, <i>via</i> Mount Tomah, to Mudgee Road, near Bowenfels (Bell's Line) ...	1,250
189	...	...	2	9	" Springwood to The-Hawkesbury ...	225
190	...	4	4	12	" Bowenfels to Wallerawang ...	120
191	4	4	4	10	" Main Western Road, at Little Hartley, to Gambenang Swamp ...	100
192	4	3	3	30	" Hartley to Oberon ...	450
193	...	..	4	25	" Oberon to Little River ...	250
194	...	...	4	18	" Oberon to Fish River Caves ...	180
195	...	...	3	14	" Lowther, <i>via</i> Badger Brush, to Rydai ...	210
196	...	3	3	6	" Mount Victoria to Mount Wilson Platform ...	90
197	5	5	5	11	" Mount Victoria to Govett's Leap and Mount King George ...	77
198	2	2	2	4	" Bowenfels to Blaxland's Swamp ...	100
199	2	2	2	4	" Main Western Road, Little Hartley, to Kerosene Mines ...	100
200	3	3	2	10	" Mudgee Road, near Middle River, to Main Western Road at Meadow Flat ...	250
201	5	5	5	9	" Mudgee Road to Wolgan Valley ...	63
202	...	2	2	10	" O'Connell and Oberon Road, through Sidmouth Valley, to Tarana and Oberon Road ...	250
203	5	3	3	17	" Ginkin, <i>via</i> Boggy Flat, to Oberon ...	255
204	3	3	1	5	" Hartley, <i>via</i> Brown's Gap, to Lithgow ...	250
205	..	...	1	2	" Bathurst and O'Connell's Plains Road, at Cox's Hill, to Cooper's Bridge... ..	100
206	1	1	1	11	" Bathurst to O'Connell's Plains ...	550
207	5	5	5	4	" Kelso to Kelloshiel ...	28
208	...	...	2	5	" Kelso to White Rock ...	125
209	3	3	3	22	" Kelloshiel, <i>via</i> White's Crossing, to Little Forest... ..	330
210	2	2	2	15	" Limekilns Road to Palmer's Oakey Road and Upper Turon ...	375
211	2	2	2	28	" Kelso, <i>via</i> the Limekilns, to Peel and Sofala Road ...	700
212	3	3	3	15	" Mitchell's Creek Quartz Reefs towards Palmer's Oakey ...	225
213	...	...	6	5	" Macquarie Plains to Bloom Hill ...	25
214	3	3	3	11	" Bathurst and O'Connell's Plains Road, <i>via</i> Dirty Swamp, to the Road from Mutton's Falls to O'Connell's Plains ...	165
215	2	2	2	30	" Magpie Hollow to O'Connell ...	750
216	3	1	1	17	" Tarana Railway Station to Oberon... ..	850
217	1	1	1	17	" O'Connell to Oberon ...	850
218	2	2	2	8	" O'Connell to Wiseman's Creek ...	200
219	3	3	3	20	" Oberon to Swatchfield ...	300
220	1	1	1	30	" Bathurst, <i>via</i> Kelloshiel, to near Monkey Hill ...	1,500
221	1	1	1	20	" Near Monkey Hill to Tambaroora and Hill End ...	1,000
222	1	1	1	42	" Hill End, <i>via</i> Bragg's, to Main Western Road ...	2,100
223	1	1	1	39	" Cudgegong to Hill End ...	1,950
224	...	3	3	22	" Cudgegong to Wollar ...	330
225	...	..	3	25	" Tallawang Bridge to Denison Town ...	375
226	3	3	3	25	" Denison Town to Coolah ...	375
227	3	3	3	34	" Bathurst to Ophir ...	500
228	2	2	2	18	" Ilford to Sofala ...	450
229	1	1	1	29	" Bathurst to Sofala, <i>via</i> Peel and Wyagdon ...	1,450
230	1	1	1	12	" Sofala, <i>via</i> Circus Point and Cockatoo Hill, to Tambaroora Road, at Monkey Hill ...	600
231	3	3	3	16	" Rockley to Caloola and Tuena Roads ...	240
232	...	...	2	5	" Mount Lawson to Judge's Creek ...	125
233	...	...	2	9	" Rockley, <i>via</i> Campbell's River, to the Dog Rocks and Swallow's Nest ...	225
234	1	1	1	16	" Bathurst and Caloola Road to Rockley ...	800
235	4	4	4	13	" Bathurst and Caloola Road to Tea-pot Swamp ...	130
236	4	2	2	14	" Carcoar, <i>via</i> Village of Shaw, to Tea-pot Swamp ...	350
237	4	4	4	30	" Bathurst, <i>via</i> Gorman's Hill and Lagoon, to Campbell's River ...	300
					Carried forward ...	£ 23,419
				892		

No.	Class.			Length in Miles.		Proposed Expenditure.
	1878.	1879.	1880.				892	£
Western Roads—continued.						
					Brought forward	23,449
238	2	2	2	5	Road from Bathurst, Gorman's Hill and Campbell's River Road <i>via</i> Sandy Creek, to Railway Platform, Perth...	125
239	2	2	2	13	" Bathurst and Caloola Road, <i>via</i> Limekilns and Cow Flat, to Rockley Road	325
240	1	1	1	38	" Bathurst to Caloola and Trunkey Gold Field	1,900
241	1	1	1	14	" Blayney, <i>via</i> Costolo's and Hoodley's Lanes to Shaw and No. 1 Swamp, near Post Office	700
242	2	2	2	15	" Arthur Town to Tuena	375
243	...	...	2	8	" Blayney, <i>via</i> Hood's, to Tea-pot Swamp	200
244	1	1	1	17	" Back Creek Ry. Station, <i>via</i> Hobby's Yards, to Arthur Town	850
245	4	4	4	13	" Tea-pot Swamp, <i>via</i> Mallow Grove and Regan's Falls, to Carcoar... ..	130
246	...	...	4	5	" Newbridge Station to Caloola	50
247	4	4	4	10	" Tea-pot Swamp Road, at junction with Trunkey Creek and Carcoar Road <i>via</i> Willow Glen to Mallow Grove	100
248	4	2	2	12	" Tea-pot Swamp, <i>via</i> Five Islands, to No. 1 Swamp	300
249	2	1	2	25	" Orange to Carcoar	625
250	1	1	2	30	" Mandurama to Canowindra... ..	750
251	2	2	2	22	" Canowindra to Eugowra	550
252	1	1	1	50	" Orange, <i>via</i> Cargo, to Nanima	2,500
253	...	...	3	10	" Orange to Mullion	150
254	4	4	3	12	" Orange to Conoblas	180
255	4	4	3	16	" Orange to Cadia	240
256	3	3	3	16	" Orange to Ophir	240
257	...	...	4	15	" Orange and Cadia Road, at Eslicks, to Four-mile Creek	150
258	...	...	3	12	" Orange to Forest Reefs	180
259	...	...	2	12	" Forest Reefs to Blayney	300
260	...	...	1	5	" Guyong to Spring Grove	250
261	...	...	2	5	" Long Swamp to Spring Terrace	125
262	1	1	1	50	" Boree to Parkes	2,500
263	2	2	2	9	" Peel to Duramana	225
264	1	1	1	14	" Icely to Spring Grove Railway Station	700
265	2	2	2	12	" Spring Grove Railway Station to Cadia	300
266	4	4	4	40	" Obley to Dubbo	400
267	2	3	2	104	" Dubbo to Coonamble	2,600
268	1	1	1	6	" Spring Hill Railway Station to Hennessy's Inn, on Orange and Cadia Road... ..	300
269	1	1	1	8	" Lucknow, <i>via</i> Spring Hill, to the Orange and Carcoar Road	400
270	...	1	1	2	" Warboy's, on Lucknow and Carcoar Road, to Marten's, on Orange and Carcoar Roads	100
271	3	3	2	18	" Lyndhurst, <i>via</i> Cobb's, to Millburn Creek Copper Mines	450
272	2	2	2	18	" Molong to Toohy's Inn, on Boree and Parkes Road	450
273	4	4	3	40	" Molong to Obley	600
274	6	6	4	22	" Molong to Stony Creek	220
275	3	3	3	24	" Forbes to Parkes	360
276	...	...	4	24	" Parkes to Bogan Gate	240
277	...	3	3	60	" Forbes to Condobolin	900
278	3	3	3	47	" Cowra to Young	705
279	3	3	3	80	" Cudgegong to Dubbo	1,200
280	3	3	3	10	" Midway Station to Cobborah	150
281	...	...	5	20	" Cowra to Canowindra	140
282	...	5	5	60	" Cowra to Forbes, south bank of Lachlan	420
283	...	...	6	20	" Grenfell to Bland, <i>via</i> Barrett's	100
284	...	...	5	8	" Carcoar to Flyer's Creek	56
285	2	2	2	16	" Cudgegong, <i>via</i> Menah, to Gulgong	400
286	3	3	2	18	" Ilford to Rylstone	450
287	2	2	2	40	" Cudgegong to Cassilis	1,000
288	3	3	3	35	" Faulkner's, <i>via</i> Cobborah, to Mundooran	825
289	3	3	3	44	" Guntawang to Wellington	660
290	5	5	3	16	" Stony Creek to Burrendong	240
291	...	...	2	25	" Wellington, <i>via</i> Curra Creek to Buckinbah	625
292	...	...	3	22	" Wellington to Burrendong	330
293	...	...	3	18	" Wellington to Arthurville	270
294	...	...	1	10	" Adam's Inn to Gulgong	500
295	...	...	2	5	" Gulgong to Tallawang Bridge	125
				2,217	Total miles.	£ 53,685

No.	Class.			Length in Miles.		Proposed Expenditure.
	1878.	1879.	1880.			
Southern Roads.						
296	2	1	1	6	Road from Cook's River Dam to Rocky Point (Rocky Point Road)	£ 300
297	2	1	1	10	" Rocky Point Road to George's River (Forest Road)	500
298	3	3	3	4	" Illawarra Road to Bond's Road (Broad-arrow and Stony Creek Road)	60
299	1	1	1	6	" Campbelltown to Narellan	300
300	2	2	2	5	" North boundary of North Illawarra, <i>via</i> Bulli and Westmacott's Pass, towards Appin, to the top of the Mountain	125
301	3	3	3	15	" Top of Mountain, near Westmacott's Pass, to Appin	225
302	5	3	3	6	" Bulli and Westmacott's Pass Road to the Coal Cliff	90
303	1	1	1	3	" Fitz Roy Iron Mines to Bowral	150
304	3	3	3	2	" The Old Southern Road, at Mittagong, near Burke's, to the Main Southern Road, near the Old Fitz Roy Inn	30
305	1	1	1	18	" Bowral, <i>via</i> Alcorn's Hill, to Village of Robertson	900
306	1	1	1	1	" Alcorn's Store to the Macquarie Pass Road	50
307	2	2	2	22	" The Old South Road, from Cross Roads, <i>via</i> Moss Vale, to Little Forest	550
308	2	1	1	4	" Berrima to Railway Station at Moss Vale	200
309	...	...	2	3	" Sutton Forest to Main South Road, near Cowley's	75
310	...	...	1	2	" Bowral to Lower Mittagong (Merrigang Road)	100
311	...	...	3	8	" Kangaroo River Bridge, along north side of river, to Wallanderry	120
312	3	3	3	5	" The Mittagong and Illawarra Road, near Wallaby Creek, <i>via</i> the Macquarie Pass, to the Central Illawarra Municipality	75
313	3	3	3	12	" The Kangaloon and Bowral Road, at Robertson Park, to the western boundary of Central Illawarra, near Mount Murray	180
314	1	1	1	30	" Moss Vale, <i>via</i> Robertson, to foot of Jamberoo Mountain Road	1,500
315	1	1	1	34	" Throsby Park, <i>via</i> Kangaroo Valley, to Bomadary Ferry	1,700
316	1	1	1	3	" Kangaroo Ground Road at Byrnes' 169 acres, through C. Throsby's 640 acres, to Old South Road at Moss Vale	150
317	...	4	2	7	" Sutton Forest to Jordan's Crossing	175
318	3	2	2	46	" Bomadary Ferry, <i>via</i> Tomerong, to north boundary of Ulladulla	1,150
319	2	2	2	12	" Kangaroo Valley to Broughton's Creek	300
320	2	2	2	9	" Kiama Road at Blenkinsop's, <i>via</i> Wild's Meadows, to Barragarra Road	225
321	2	2	2	6	" Picton to top of Long Gully	150
322	2	2	2	5	" Long Gully to Vanderville	125
323	3	3	3	12	" Vanderville to foot of Burragorang Mountain	180
324	...	...	2	12	" Marulan to Greenwich Park	300
325	3	3	3	25	" Marulan, <i>via</i> Bungonia and Jacqua, to Windellama	375
326	2	2	2	15	" Goulburn <i>via</i> Mummell to Pomeroy	375
327	3	3	2	23	" Goulburn to Upper Tarlo and Roslyn	575
328	3	3	2	22	" Goulburn to Windellama	550
329	2	2	2	15	" Collector towards Goulburn	375
330	...	...	2	12	" Collector to Bangalore Road, <i>via</i> Currawang Copper Mine	300
331	2	1	1	14	" Currawang towards Goulburn	700
332	1	1	1	42	" Goulburn, <i>via</i> Crookwell, to Binda	2,100
333	...	...	4	5	" Goulburn and Tuena Road, near Kingsdale, to the Limekilns	50
334	3	2	2	10	" Wheeo towards Crookwell	250
335	1	1	1	42	" Mount Wayo, <i>via</i> Laggan, to Peelwood	2,100
336	3	3	2	15	" Peelwood, <i>via</i> Tuena, to the Abercrombie River	375
337	...	5	5	15	" Bigga to the Abercrombie	105
338	...	4	4	15	" Towrang, <i>via</i> Carrick Railway Platform, and Lockyersleigh to Nesbitt's	150
339	...	...	3	12	" Goulburn and Tuena Road, <i>via</i> Fullerton to Sherwood (towards the Abercrombie)	180
340	1	1	1	28	" Goulburn to Taralga	1,400
341	3	3	2	10	" Taralga northwards, <i>via</i> Richlands	250
342	...	...	3	18	" Taralga to Laggan	270
				646	Carried forward	£ 20,465

No.	Class.			Length in Miles.		Proposed Expenditure.
	1878.	1879.	1880.			
Southern Roads—continued.						
					Brought forward	20,465
343	...	...	5	12	Road from Laggan <i>via</i> Golspie to Leighwood	84
344	1	1	1	39	„ Goulburn, <i>via</i> Gullen, to Whecco	1,950
345	3	3	3	36	„ Whecco to Burrowa	540
346	3	2	2	15	„ Gullen, <i>via</i> Crookwell, to Laggan	375
347	5	3	3	13	„ Laggan to Binda	195
348	2	2	2	17	„ Goulburn to Bungonia	425
349	2	2	3	17	„ Collector, <i>via</i> Collector Lane, to Gunning	255
350	3	3	3	50	„ Gunning to Burrowa... ..	750
351	...	...	3	12	„ Gunning and Burrowa Road, near Delancy's, to Yass Railway Station	180
352	3	3	3	30	„ Main Southern Road, at Sharpening Stone Creek, to Burrowa	450
353	3	3	2	2	„ Sharpening Stone Creek and Burrowa Road, near Walls, to Bowning	50
354	4	4	2	17	„ Bowning to Binalong	425
355	3	3	3	24	„ Main Southern Road near Yass, <i>via</i> Mundoonen, to Fairfield Bridge	360
356	2	2	2	53	„ Goulburn and Braidwood Road, near Doughboy Hill, <i>via</i> Bungendore and Gundaroo, to junction with Main South Road, 3 miles east of Yass	1,325
357	4	4	3	16	„ Yass to Woolgarlo	240
358	...	3	3	11	„ Yass and Woolgarlo Road near Black Bog Creek to Bloomfield	165
359	...	4	4	20	„ Fish River at Roche's to Junction with Pudman Road	200
360	...	...	4	8	„ Dalton to Jerrawa Platform	80
361	5	5	5	58	„ Young to Bland	406
362	2	2	2	35	„ Braidwood to Nelligen—Clyde Road	875
363	6	6	6	9	„ Nelligen to Bateman's Bay and Milton Road at M'Millan's	45
364	3	2	2	75	„ Milton, <i>via</i> Bateman's Bay and Moruya to Bodalla	1,875
365	2	2	2	16	„ Braidwood, <i>via</i> Dirty Butter Creek, to Araluen	400
366	5	5	4	27	„ Braidwood to Molonglo (Cole's Line)	270
367	...	...	4	20	„ Bungendore, <i>via</i> Molonglo to Queanbeyan and Bungendore Road	200
368	2	2	2	36	„ Araluen to Moruya	900
369	6	6	5	10	„ Braidwood to Elrington	70
370	4	4	4	7	„ Elrington to Ballalaba	70
371	5	5	4	12	„ Braidwood to Reidsdale	120
372	3	3	3	5	„ Reidsdale to Warumbucra (Tudor Valley Road)	75
373	3	3	3	8	„ Elrington to Araluen	120
374	3	2	2	12	„ Monga to Major's Creek, "Elrington"	300
375	1	1	1	42	„ Queanbeyan, <i>via</i> Gundaroo, to Gunning	2,100
376	5	3	3	34	„ Queanbeyan to Murrumbateman	510
377	5	5	4	20	„ Cooma and Jindabyne Road to Buckley's Crossing	200
378	5	5	4	45	„ Cooma and Jindabyne Road, to Kiandra	450
379	2	1	2	54	„ Cooma to Bombala	1,350
380	5	5	4	26	„ Cooma to Count-a-guinea, <i>via</i> the Big Badger	260
381	5	2	4	80	„ Cooma to Braidwood	800
382	...	...	4	21	„ Cooma to Robundarah	210
383	4	3	4	45	„ Cathcart, <i>via</i> Bobundarah, to Twin Hills	450
384	5	5	6	34	„ Bobundarah to Seymour	170
385	3	3	3	24	„ Brown Mountain, <i>via</i> Kameruka, to Finger Post... ..	360
386	2	2	2	2	„ Candelo to Kameruka	50
387	2	2	2	38	„ Cathcart Junction, <i>via</i> Wyndham, to Panbula	950
388	2	2	2	6	„ Panbula to Wolumla... ..	150
389	3	3	3	13	„ Wolumla Junction to Cross Roads... ..	195
390	4	4	4	10	„ Wolumla, <i>via</i> Lithgow Flat, to Candelo and Wyndham Road... ..	100
391	2	2	2	18	„ Holt's Flat to Railway Bridge	450
392	2	2	2	22	„ Bombala to Delegate	550
393	4	4	4	12	„ Merimbula to Jellatt Jellatt	120
394	4	4	4	6	„ Briandairy to Bega	60
395	1	1	1	12	„ Bega, <i>via</i> Jellatt Jellatt, to Tathra... ..	600
396	1	1	1	12	„ Bega to Wolumla	600
397	2	2	2	56	„ Bega to Bodalla	1,400
398	3	3	3	16	„ Bega to Numbugga	240
399	3	2	2	12	„ Bega to Nelson	300
400	4	4	3	27	„ Bodalla to Dignam's Creek, <i>via</i> Cowderoy's and Hawdon's... ..	405
401	...	...	4	18	„ Pitnan's Bridge, <i>via</i> Wagonga Heads to Bodalla... ..	180
402	5	5	5	16	„ Eden to Sturt	112
2,089					Carried forward	£ 47,562

No.	Class.				Length in Miles.		Proposed Expenditure.
	1878.	1879.	1880.	2,089			
Southern Roads—continued.							
						Brought forward ...	£ 47,562
403	4	4	5	90	Road from	Wagga Wagga to Young, <i>via</i> Cootamundra ...	630
404	3	3	3	23	"	Coolac to Cootamundra, <i>via</i> M'Leod's ...	345
405	3	3	3	12	"	Wallanbeen to Murrumburrah ...	180
406	2	2	2	30	"	Burrowa to Young ...	750
407	...	...	6	20	"	Young and Cowra Road to Jerrybang ...	100
408	...	...	6	14	"	Young <i>via</i> Irish Jack's Creek and Black Ranges to Moppity ...	70
409	2	2	2	22	"	Binalong to Burrowa ...	550
410	1	1	1	54	"	Murrumburrah, <i>via</i> Wombat and Young, to Grenfell ...	2,700
411	4	4	4	45	"	Grenfell to Forbes ...	450
412	1	1	1	20	"	Gundagai to Tumut ...	1,000
413	3	3	3	10	"	Gundagai to head of Jones's Creek ...	150
414	1	2	2	14	"	Gundagai to Brungle ...	350
415	3	3	3	11	"	Tumut to Brungle ...	165
416	1	1	1	14	"	Tumut to Adelong ...	700
417	...	3	3	10	"	Tumut to Lacmalac ...	150
418	2	2	2	48	"	Gundagai to Wagga Wagga, "north side of River" ...	1,200
419	3	3	3	7	"	Upper Tumberumba to Tumberumba ...	105
420	3	3	3	20	"	Adelong to Main South Road, at Hillas Creek ...	300
421	5	5	5	30	"	Middle Adelong to Tumberumba ...	210
422	2	1	2	40	"	Main Southern Road at Little Billabong to Tum- berumba ...	1,000
423	1	1	1	24	"	Main Southern Road to Middle Adelong ...	1,200
424	2	2	2	7	"	Downing's Inn, at Gilmore Creek, to Reily's Crossing, at Adelong Creek ...	175
425	3	3	3	8	"	Reily's Crossing to Reedy Flat ...	120
426	2	2	3	25	"	Main Southern Road at Tarcutta, to Wagga Wagga ...	375
427	...	2	2	22	"	Main Southern Road at Kiamba to Alfred Town, Tarcutta Road ...	550
428	...	...	2	10	"	Carabost to Kiamba ...	250
429	...	...	1	5	"	Morven on Albury and Wagga Road to Round Hill Railway Station ...	250
430	...	...	1	4	"	Main South Road near Bowna Bridge to Railway ...	200
431	2	2	3	60	"	Wagga Wagga to Narrandera ...	900
432	3	3	2	90	"	Deniliquin to Urana ...	2,250
433	1	1	2	103	"	Albury to Turner's Inn, south of Tocumwall ...	2,575
434	2	2	2	50	"	Albury and Corowa Road to Urana ...	1,250
435	...	3	3	20	"	Walbundry to Round Hill Railway Station ...	300
436	4	4	4	30	"	Tocumwall to Deniliquin ...	300
437	3	3	3	20	"	Gerogery, <i>via</i> Jindera, to Albury and Deniliquin Road at Bungowannah ...	300
438	1	1	2	85	"	Albury to Wagga Wagga ...	2,125
439	...	...	1	14	"	Bullenbong Creek to the Rock Railway Station ...	700
440	3	3	3	20	"	Walla Walla to Gerogery and Bungowannah Road, at Dead Horse Creek ...	300
441	3	3	3	100	"	Twelve-mile Creek to Welaregang ...	1,500
442	6	5	5	50	"	Deniliquin to Moama ...	350
443	2	2	3	120	"	Deniliquin to Balranald ...	1,800
444	4	4	4	70	"	Moama to Moulamein ...	700
445	...	2	2	10	"	Moama to Caloola ...	250
446	3	3	3	80	"	Albury to Urana ...	1,200
447	1	1	1	14	"	Main Southern Road at Germanton to Albury and Wagga Road at Cookendina ...	700
448	3	3	3	80	"	Hay to Deniliquin ...	1,200
449	6	6	6	50	"	Balranald to Hay ...	250
450	4	4	4	50	"	Hay to Booligal ...	500
451	...	...	5	120	"	Hay to Narrandera ...	840
452	...	...	4	50	"	Booligal to Hillston ...	500
453	...	...	4	210	"	Booligal to Wilcannia ...	2,100
454	4	4	4	15	"	Moama to Bama ...	150
455	4	4	4	5	"	Wagga Wagga to Lake Albert ...	50
456	3	3	3	90	"	Wagga Wagga to Urana ...	1,350
457	2	2	2	30	"	Welaregang to Tumberumba Road ...	750
				4,364	Total miles.	TOTAL ...	£ 86,977

NOTE.—The amount per mile proposed to be expended on each class of Roads is as follows:—1st class, £50; 2nd class, £25; 3rd class, £15; 4th class, £10; 5th class, £7; 6th class, £5.

		£
Northern Roads	4,936 miles	109,051
Western Roads	2,217 "	53,685
Southern Roads	4,364 "	86,977
	11,517 " TOTAL	£249,713

[9d.]

Sydney : Thomas Richards, Government Printer.—1880.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUBORDINATE ROADS UNDER TRUSTEES.

(SHOWING PROPOSED DISTRIBUTION OF VOTE ON ESTIMATES.)

Ordered by the Legislative Assembly to be printed, 27 May, 1880.

CLASSIFICATION AND PROPOSED DISTRIBUTION FOR 1880.

No.	Class.			Length in Miles.		Proposed Expenditure.
	1878.	1879.	1880.			
Northern Roads.						
						£
1	3	3	3	4	Road from Balgowlah to Pittwater Road	60
2	1	1	1	16	" Manly Cove to Pittwater	800
3	2	2	2	5	" Willoughby, at Pearce's Corner, to Pennant Hills	125
4	...	...	2	4	" Lane Cove, <i>via</i> Stony Creek, to Pittwater	100
5	5	5	5	16	" Newcastle to Lake Macquarie Heads	400
6	4	4	4	13	" Waratah to Maitland	130
7	3	3	3	57	" Wingham, on the left bank of the Manning River, <i>via</i> Black Flat, to Nowendoc	855
8	4	4	4	6	" Morton's Creek to Papenborough Creek, and J. Gurney's, on north bank of Hastings River	60
9	5	5	5	20	" Rolland's Plains to Glen Esk, Upper Plains	140
10	5	5	5	4	" Rolland's Plains to Ballingara Wharf	28
11	3	3	3	5	" Junction of Morpeth Road with Raymond Terrace and Maitland Road to East Maitland	75
12	3	3	3	4	" Raymond Terrace and Maitland Road to Morpeth Municipality	60
13	3	3	3	5	" Stockton and Raymond Terrace Road to Saltash	75
14	3	3	3	17	" Stockton to Raymond Terrace	255
15	2	2	2	2	" Raymond Terrace and Maitland Road to River Hunter	50
16	5	5	5	6	" Raymond Terrace and Stroud Road to Raymond Terrace and Clarencetown Road (Caswell's Road)	42
17	3	3	3	9	" Seaham, by east side of Williams River, to Clarencetown	135
18	2	2	2	8	" Raymond Terrace to Hinton	200
19	3	3	3	4	" Raymond Terrace and Hinton Road to Seaham	60
20	2	2	2	6	" Raymond Terrace to Hexham	150
21	4	4	4	5	" Alnwick to Hexham	50
22	3	3	3	8	" Hexham to Fullerton Cove	120
23	2	2	2	5	" East Maitland, <i>via</i> Largs, to Dunmore Bridge	125
24	2	2	2	22	" Dunmore Bridge to Paterson and Gresford	550
25	3	3	2	17	" Gresford to Eccleston	425
26	2	2	2	12	" Gresford to Lowstock	300
27	4	4	4	13	" Lostock to Carraboler	130
28	3	3	3	4	" Penshurst to Alleyn River	60
29	4	4	4	8	" Eccleston to Upper Alleyn River	80
30	...	4	4	9	" Underbank to Upper Chichester	90
31	2	2	2	8	" Largs, <i>via</i> Tocal, to Paterson	200
32	2	2	2	3	" Union Inn at Rutherford, to Ford at Melville	75
33	2	2	2	6	" West Maitland to Dunmore	150
34	4	4	4	3	" West Maitland, <i>via</i> Glenarvon, to Dunmore and Paterson Road	30
35	2	2	2	20	" Main Northern Road, near West Maitland, <i>via</i> Cessnock, to eastern foot of the Dividing Range	500
				354	Carried forward	£ 6,685

No.	Class.			Length in Miles.		Proposed Expenditure.
	1878.	1879.	1880.			
Northern Roads—continued.						£
				354	Brought forward	6,685
36	3	3	3	5	Road from the north boundary of West Maitland Municipality, up the right bank of Hunter's River	75
37	2	2	2	4	" Morpeth, <i>via</i> Hinton Punt, to Dunmore and Seaham Road	100
38	4	4	4	4	" Dunmore and Seaham Road, <i>via</i> Butterwick, to Dunn's Creek	40
39	2	1	1	3	" West Maitland, <i>via</i> Louth Park, to East Maitland and Brisbane Water Road	150
40	5	5	5	15	" West Maitland to Mulbring Creek	105
41	3	3	3	17	" Maitland and Paterson Road, within L. Harris's 1,114 acres, to Luskintyre	255
42	5	5	5	10	" Lochinvar, <i>via</i> Windermere, to Pritchett's 2,000 acres, and loop-line to same place, <i>via</i> Kaloudah	70
43	4	4	4	5	" Branxton, <i>via</i> Dalwood Ford, to Irishtown	50
44	...	...	3	2	" Branxton and Irishtown Road, to Greta	30
45	4	4	4	4	" Branxton to Elderslie	40
46	4	4	4	10	" Rutherford to Scotch Corner	100
47	2	2	2	5	" Morpeth to Four-mile Creek	125
48	3	3	3	3	" Morpeth to Largs	45
49	4	4	4	4	" Morpeth and Largs Road, through Phoenix Park and Abbotsford, to M'Clymont's Swamp	40
50	2	2	2	4	" Morpeth Punt, through Phoenix Park, to Largs	100
51	4	4	2	7	" Kincumber to Lloyd's Wharf	175
52	...	...	3	9	" Bumble Hill to Upper Wyong Creek	135
53	5	5	5	29	" Wollombi to Warkworth	203
54	4	4	4	15	" St. Alban's, up the M'Donald River, to Melon Creek, and up that Creek	150
55	4	4	4	3	" Wiseman's Ferry Road into Parish of North Colah	30
56	2	2	2	1	" Tomago Crossing-place to Railway Station at Hexham	25
57	3	3	3	12	" Branxton, <i>via</i> Elderslie Bridge and Glendon Brook, to junction with Paterson and Gresford Road... ..	180
58	4	4	4	4	" Anvil Creek and Glendon Brook Road to Stanhope	40
59	4	4	3	14	" Main Northern Road, near Black Creek, to Cessnock, on Wollombi Road	210
60	3	3	3	8	" Pokolbin Hills to Cessnock Road	120
61	4	4	4	6	" Cessnock to south-west corner of M'Donald's 1,050 acres at Pokolbin (Marrowbone Road)	60
62	4	4	4	11	" Main Northern Road, near Black Creek, <i>via</i> Glendon, to Main Northern Road, near Singleton... ..	110
63	3	3	3	16	" Main Northern Road, near Munnimba Brook, <i>via</i> Warkworth, to Jerry's Plains Road	240
64	4	4	4	25	" Singleton <i>via</i> New Bridge to Cooper's Flat	250
65	4	4	4	37	" Singleton, <i>via</i> Boyce's, at Glendon Brook, to Gresford	370
66	...	...	4	5	" Vacy Bridge to Summer Hill	50
67	4	4	4	9	" Cooper's Flat Road to Karakoora Creek and up that creek... ..	90
68	4	4	4	10	" Camberwell to Goorangoola Road... ..	100
69	4	4	4	15	" Goorangoola Road to Carrow Brook	150
70	4	4	4	17	" Combo, near Singleton, through Town Common, to north boundary of Parish of Dyrning	170
71	4	4	4	12	" Singleton, <i>via</i> Abbey Green, to Bulga	120
72	4	4	4	15	" Singleton, <i>via</i> Wittingham Reserve, to Broke, Wollombi Brook	150
73	4	4	4	10	" Broke, <i>via</i> Nine-mile Creek to the Munnimba and Warkworth Road	100
74	3	3	3	20	" Singleton to Jerry's Plains	300
75	4	4	4	5	" Singleton and Jerry's Plains Road to Warkworth... ..	50
76	...	4	4	5	" Warkworth Road to the Jerry's Plains Road	50
77	6	6	6	16	" Scone, <i>via</i> Dartbrook and Kayugah, to Muswellbrook	80
78	5	5	5	25	" Merriwa to top of Main Range	175
79	4	4	4	15	" Blandford, <i>via</i> Box-tree, to Timor	150
80	4	4	4	24	" Grafton, <i>via</i> Copmanhurst, to Apple-tree Flat	240
81	5	5	5	16	" Grafton to Southgate and Lawrence, <i>via</i> Alummy Creek Bridge	112
82	...	...	4	10	" Brush Grove to Rocky Mouth	100
				875	Total miles. Total	£ 12,495

No.	Class.			Length in Miles.		Proposed Expenditure.
	1878.	1879.	1880.			
Western Roads.						£
83	2	2	2	3	Road from Main Western Road to Canterbury	75
84	2	2	2	2	" Main Western Road to Rookwood Railway Station	50
85	3	3	3	6	" Main Western Road, near Parramatta, to Main Southern Road (Woodville Road)	90
86	2	2	2	3	" Irish Town to Rookwood Railway Station	75
87	4	4	4	5	" Main Southern Road, near Burwood, over Cook's River, into Parish of St. George	50
88	3	3	3	2	" Main Western Road to Government Wharf at Longbottom	30
89	3	3	3	2	" Longbottom to Breakfast Point	30
90	4	4	2	2	" Kenyon's Bridge, towards Cabramatta, to boundary of Liverpool Municipality	50
91	...	4	4	2	" Cabaritta Point Road to Major's Bay Road	20
92	2	2	2	3	" Parramatta to Ryde	75
93	2	2	2	1	" Pennant Hills, at Duggan's Corner, to Parramatta and Ryde Road	25
94	2	2	2	1	" Parramatta and Ryde Road to Pennant Hills Wharf	25
95	3	3	3	7	" the Western Boundary of Ryde Municipality, at Duggan's Corner, <i>via</i> Pennant Hills, to Castle Hill, to the Road from Baulkham Hills to G. Acre's 1,500 acres at Dural	105
96	2	2	2	1	" Castle Hill to the Old Parramatta Road	25
97	4	4	4	5	" Parramatta and Windsor Road to Pearse's, at Seven Hills	50
98	...	4	4	3	" Colo to Dural (North Colo Road)	30
99	4	4	4	2	" Main North Road at Castle Hill to Government Reserve (Old Castle Hill Road)	20
100	...	...	5	2	" Old Castle Hill Road to Government Reserve	14
101	3	3	3	3	" Main Western Road towards Parramatta River (Concord Road)	45
102	2	2	2	4	" Parramatta to Pennant Hills	100
103	...	2	2	4	" Rooty Hill Railway Station to Blacktown Road	100
104	...	...	4	3	" Main Western Road, <i>via</i> Bungarribee to Blacktown Railway Station (Flushcombe Road)	30
105	...	...	6	4	" Main Western Road near Fox-under-the-Hill to the Seven Hills Road (Toongabbie Road)	20
106	3	3	3	8	" Main Western Road, near St. Mary's, to Blacktown Road	120
107	3	3	3	13	" Main Western Road, near Penrith, to Richmond	195
108	3	3	3	18	" Main Western Road, near Penrith, to Bringelly Cross Roads	270
109	4	4	4	6	" Bringelly Cross Roads to the Road from the Main Southern Road, to Cobbitty	60
110	4	4	4	11	" Parramatta and Windsor Road, at Baulkham Hills, to south boundary of G. Acre's 1,500 acres at Dural	110
111	6	6	6	15	" South boundary of G. Acre's 1,500 acres at Dural, to its junction with Pitt Town and Wiseman's Ferry Road (Great North Road)	75
112	4	4	4	18	" Parramatta Municipality to Windsor	180
113	2	2	2	5	" Windsor Road to Pitt Town Punt	125
114	2	2	2	1	" Windsor Road to Mulgrave Railway Station	25
115	3	3	3	4	" Nelson to Riverstone Railway Station	60
116	2	2	2	4	" Parramatta and Windsor Road, through Pitt Town Bottoms	100
117	4	4	2	4	" Broken-back Bridge to Pennant Hills	100
118	4	4	4	20	" Pitt Town to Wiseman's Ferry	200
119	4	4	4	7	" Pitt Town Punt to Churchill's Wharf	70
120	2	2	2	6	" Windsor, <i>via</i> Wilberforce, to Pitt Town Punt and Churchill's Wharf Road	150
121	3	3	3	5	" Enfield to Freeman's Reach	75
122	3	2	2	6	" Freeman's Reach to Windsor Bridge	150
123	5	5	5	6	" Wilberforce and Churchill's Wharf Road, <i>via</i> Page's Punt, to Pitt Town and Wiseman's Ferry Road	42
124	5	5	5	2	" Churchill's Wharf and Page's Punt Road to Sackville Reach	14
125	5	5	5	2	" Churchill's Wharf to Sackville Reach Postal Road	14
126	6	6	6	14	" Bulga Road to Spicer's Wharf, Colo River (Wheelbarrow Road)	70
				245	Carried forward	£ 3,339

No.	Class.			Length in Miles.		Proposed Expenditure
	1878.	1879.	1880.			
Western Roads—continued.						
				245	Brought forward	£ 3,339
127	5	5	5	5	Road from Windsor to Richmond	35
128	2	2	1	3	Windsor to Cornwallis	150
129	2	2	2	3	Richmond to Richmond Bottoms	75
130	3	3	3	2	Windsor to Blacktown Road	30
131	5	5	5	4	Blacktown Road, <i>via</i> Dight's Hill, towards Richmond Bridge	28
132	2	2	2	2	Richmond to New Bridge	50
133	4	4	4	9	Main Western Road, near Parramatta, through Domain, and by Old Windsor Road, to Windsor Road	90
134	3	3	3	19	Main Western Road, near Prospect, to Richmond (Blacktown Road)	285
135	4	4	2	6	Blacktown Road to Windsor Road	150
136	3	3	3	10	Penrith Municipality, <i>via</i> Castlereagh, to Richmond	150
137	5	5	5	9	Enfield and Wood's Falls Road, opposite Belmont, <i>via</i> Box Hill, to Bell's Line, North Kurrajong	63
138	4	4	4	4	Yarra Mundi Road, <i>via</i> Aston's Falls, to Road from Richmond Bridge to Kurrajong	40
139	4	4	4	25	Mudgee Road to Glen Alice	250
140	4	4	4	16	Warrangunyah, <i>via</i> Crudine, to Monkey Hill	160
141	6	6	6	12	Rylstone to Narengo	60
142	...	...	6	30	Rylstone, <i>via</i> Bogie, to Capertee	150
143	5	5	3	26	Cudgegong Municipality to Rylstone	390
144	...	...	4	16	Cudgegong Municipality to Merrendee	160
145	5	5	5	30	Grattai, <i>via</i> Windeyer and Pyramul, to Sally's Flat	210
146	4	4	4	4	Peel to Junction of Kelso and Sofala Road	40
147	3	3	3	9	Kelso and Sofala Road, at Cheshire Creek, to Upper Turon	135
148	5	5	5	12	Sally's Flat to Dougherty's	84
149	3	3	3	4	Bathurst Road, at Kirkconnell, to Mitchell's Creek Quartz Reefs	60
150	5	5	5	12	Bathurst and Ophir Road, near Stewart's, at Moulder's 333 acres, <i>via</i> Emu Swamp, to Orange and Ophir Road	84
151	4	4	4	3	Bathurst and Rockley Road, to Camping Reserve on the Vale Creek Road	30
152	4	4	4	20	Rockley to the Isabella River	200
153	2	2	2	4	Great Western Road, at Dr. Favelle's, to Junction with Guyong and Icely Road, at Byng	100
154	5	5	5	12	Orange to Icely, <i>via</i> Byng	84
155	...	...	3	7	Mylmes' Hill to the Cornish Settlement (Byng)	105
156	5	5	5	6	Guyong, <i>via</i> Byng, to Tom's, on the Orange and Icely Road	42
157	5	5	5	9	Lucknow to Junction with Vittoria and Carcoar Road at Cochrane's	63
158	5	5	5	16	Cowra to Hovell's Creek	112
159	5	5	5	18	Cargo Road, <i>via</i> Paling Yard Creek, to Cudal	126
				612	Total miles.	£ 7,130
Southern Roads.						
160	2	2	2	7	Part of Road from Sydney to South Head (Upper South Head Road)	175
161	2	2	2	5	Lower South Head Road	125
162	2	2	2	1	Road from Upper to Lower South Head Road (Point Piper Road)	25
163	2	2	2	1	Upper to Lower South Head Road (Glenmore Road)	25
164	2	2	2	1	Lower South Head Road to Darling Point	25
165	4	4	4	4	Sydney to Coogee (Randwick Road)	40
166	4	4	4	3	Randwick Road to Upper South Head Road at Waverley	30
167	2	2	2	4	Sydney to Botany Bay (Mudbank Road)	100
168	2	2	2	3	Mudbank Road to Banks' Meadow (Bunnerong Road)	75
169	4	4	4	2	Mudbank Road to Botany Bay (Gardner's Road)	20
170	4	4	4	2	Mudbank Road, at Williamson's, <i>via</i> Franksville, to Cook's River Road	20
171	1	1	1	2	Banks' Meadow, <i>via</i> Lord's and Handcock's, to the Bunnerong Road, near the Tannery	100
				35	Carried forward	£ 760

No.	Class.			Length in Miles.		Proposed Expenditure.
	1878.	1879.	1880.			
Southern Roads—continued.						£
				35	Brought forward	760
172	...	...	2	4	Road from Banks Meadow to the Mudbank and Bunnerong Road (Whiskers Road)	100
173	2	2	2	3	" Undercliff Bridge to George's River Road	75
174	3	3	3	2	" Newtown Road, near the Church, to the Botany Road	30
175	2	2	2	2	" Norwood to the Old Canterbury Road (New Canterbury Road)	50
176	3	3	3	3	" Main Southern Road near Irishtown to George's River (Old Road)	45
177	...	...	3	5	" Auburn and Bankstown Road, <i>via</i> Auburn Park, to Main South Road	75
178	3	3	3	1	" Woodville Road to Guildford Railway Platform	15
179	2	2	2	2	" Woodville Road to Fairfield Railway Station	50
180	2	2	2	4	" Fairfield Railway Station, <i>via</i> Smithfield, to Prospect Creek Municipality	100
181	2	2	2	2	" Main Southern Road to Punchbowl Creek	50
182	3	3	3	4	" Punchbowl Creek to Saltpan Creek	60
183	2	2	2	10	" Canterbury, <i>via</i> Saltpan Creek, to George's River	250
184	4	4	4	10	" Liverpool Municipality to Penrith and Bringelly Road (Part of Orphan School Road)	100
185	4	4	4	8	" Liverpool, <i>via</i> Holdsworthy, to Illawarra Road	80
186	4	4	4	5	" Liverpool Municipality to Old Cowpasture Road (Bernera Road)	50
187	5	5	5	2	" Liverpool Municipality to Fairfield Railway Station	14
188	...	...	3	6	" Carne's Hill to Junction of Bringelly Road	90
189	4	4	4	10	" Main Southern Road to Campbelltown	100
190	3	3	3	2	" Campbelltown Railway Station to Raby	30
191	4	4	4	6	" Campbelltown to Menangle	60
192	2	2	2	4	" Menangle to Main South Road, at foot of Razorback	100
193	5	5	5	12	" Menangle to Picton	84
194	4	4	4	4	" Main Southern Road at Camden to Road from Menangle to Main Southern Road	40
195	4	4	4	10	" Main Southern Road, at Carne's Hill, towards Bringelly	100
196	5	5	5	3	" Main Southern Road to Campbelltown Road, near Denham Court	21
197	3	3	3	10	" Main Southern Road to Cobbitty	150
198	3	3	3	2	" Main Southern Road at Narellan, through Oriellon, to Liverpool and Cobbitty Road	60
199	4	4	3	4	" Great Southern Road, near Raby, to the Campbelltown Road	60
200	5	5	5	8	" Cobbitty to Matavai, Westwood, and Vermont	56
201	3	3	2	7	" Main South Road near Camden, to Mulgoa Forest and Vanderville	175
202	5	5	5	3	" Main South Road, at Cawdors to Westbrook Bridge	21
203	3	3	3	10	" the Camden and Vanderville Road at Lefever's Corner, <i>via</i> the new Bridge across Mount Hunter Creek, to Mulgoa Forest	150
204	...	...	4	8	" Oaks, <i>via</i> Mulgoa Forest, towards Penrith	80
205	4	4	4	2	" Camden and Mulgoa Road to Glendarual and Brownlow Hill	20
206	3	3	3	10	" Campbelltown to Appin	150
207	4	4	4	7	" Wollongong and Kiama Road, to Mount Keira, towards Appin	70
208	4	4	4	8	" Broughton's Pass, <i>via</i> Wilton, to Stonequarry Creek	80
209	2	2	2	9	" Appin and Mount Keira Road, <i>via</i> Douglass Park Railway Station, to Soapy Flat Creek	225
210	3	3	3	4	" Appin to Broughton's Pass	60
211	5	5	5	4	" Appin to Brooke's Point	28
212	6	6	6	10	" West Bargo, <i>via</i> the Pot-holes, to Main Southern Road	50
213	6	6	6	7	" Bulli Pass to Cataract River	35
214	4	4	4	18	" Top of the Mountain, near Westmacott's Pass, to Bottle Forest	180
215	2	2	2	15	" Bottle Forest, <i>via</i> George's River Punt and Koggerah, to the Rocky Point Road	375
216	5	5	5	7	" Main South Coast Road to Jervis Bay	49
				312	Carried forward	£ 4,603

No.	Class.			Length in Miles.		Proposed Expenditure.
	1878.	1879.	1880.			
Southern Roads—continued.						
				312		£
					Brought forward	4,603
217	5	5	4	13	Road from Milton and Bateman's Bay Road, <i>via</i> Woodburn, to Brooman's Ford	130
218	5	5	5	75	" Nowra, <i>via</i> Sassafras Range, Narriga, and Marlow, to Braidwood	525
219	5	5	5	9	" Nowra Municipality to Burriar	63
220	3	3	3	2	" Eastern boundary of Nowra Municipality through Terrara to Greenwell Point Road	30
221	5	5	5	8	" Illaroo, <i>via</i> Brown's Mountain, to Bomaderry Ferry	56
222	...	...	2	4	" Old South Road near P. H. Throsby's, <i>via</i> Pigott's, to Bowral	100
223	5	5	5	10	" From the Cross Roads towards Taralga	70
224	5	5	5	7	" From Well's Creek to Paddy's River	49
225	3	3	3	5	" Main Southern Road near Berrima to Bowral	75
226	5	5	5	10	" Berrima, <i>via</i> Soapy Flat, to Wanganderi	70
227	3	3	3	3	" Throsby Park and Kiama Road, at M'Cullum's, to the Mittagong and Illawarra Road, at Simpson's 200 acres	45
228	2	2	2	5	" Kiama Road at Bunter's to Cedar Mountain Road	125
229	5	5	4	5	" Throsby Park and Robertson Road, at Cotton Company's Reserve, to Lake's and Wakeford's farms	50
230	4	4	4	30	" Kippielaw, <i>via</i> Gurrunda and Bialla, to Dalton on the Fish River	300
231	5	3	3	10	" Kippielaw Ford, <i>via</i> Parkesburne, to Bredalbane Railway Station	150
232	4	4	3	14	" Greenwich Park to Towrang	210
233	5	4	4	24	" Bindra to Bigga	240
234	5	5	5	12	" Taralga, <i>via</i> Bannaby, towards Swallowtail	84
235	4	4	4	9	" Collector to Mutbilly	90
236	5	5	5	15	" Ginindera to Gundaroo	105
237	3	3	3	14	" West side of Big Hill to Gundaroo, <i>via</i> marked tree line	210
238	4	4	4	10	" Foxlow to Molonglo	100
239	5	5	5	16	" Queanbeyan to Lanyon Ford	112
240	5	5	3	40	" Cooma to Jindabyne	600
241	5	5	5	12	" Cooma and Jindabyne Road near Coolringdon to Middlingbank	84
242	...	...	5	60	" Tumut to Kiandra	420
243	5	5	5	6	" Towamba to Perico	42
244	4	4	4	16	" Cobargo to Bermagoe	160
245	4	4	4	8	" Cobargo to Wandella	80
246	2	2	2	12	" Eden to Panbula	300
247	2	2	2	4	" Panbula to Merimbula	100
248	5	5	5	10	" Araluen and Moruya Road, <i>via</i> Kiora, to Moruya	70
249	5	5	5	10	" Araluen, <i>via</i> Bettowind, to Back Creek	70
250	3	3	3	6	" Moruya to the Heads	90
251	5	5	5	8	" Wogonga to Eurobodalla	56
252	5	5	5	8	" Eurobodalla to Nerrigundah	56
253	...	...	3	15	" Trunkatabella Ferry to Reedy Creek	225
254	5	5	5	5	" Tuross Heads to the Bega and Bodalla Road	35
255	3	3	3	9	" Braidwood to Sergeant's Point (Little River)	135
256	6	6	6	15	" Braidwood and Tarago Road, <i>via</i> Larbert, to Lower Boro	75
257	6	6	6	8	" Sergeant's Point (Little River), to Clyde Road	40
				874	Total miles. TOTAL	£ 10,230

SUMMARY OF PROPOSED DISTRIBUTION:—				£
Northern Roads	...	875	miles	12,495
Western Roads	...	612	"	7,130
Southern Roads	...	874	"	10,230
TOTAL	...	2,361	TOTAL	£29,855

NOTE.—The amount per mile proposed to be expended on each class of Roads is as under:—

1st Class	£50 per mile	4th Class	£10 per mile
2nd Class	25 "	5th Class	7 "
3rd Class	15 "	6th Class	5 "

1879.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

ROAD FROM BARRABA TO GUNNEDAH.

(CORRESPONDENCE, &c.)

Ordered by the Legislative Assembly to be printed, 4 November, 1879.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 6 May, 1879, That there be laid upon the Table of this House,—

“ Copies of all correspondence (with tracings, if any) that has taken place
 “ between the Government, the District, or any other Surveyors, or any
 “ other person, including Surveyor M’Master’s Report, respecting the
 “ opening up of the road from Barraba to Gunnedah, including both the
 “ one *viâ* Weetalibah to Rangira and Borah, and the one *viâ* Carroll and
 “ the Peel and Namoi Crossings.”

(Mr. Dangar.)

NO.	SCHEDULE.	PAGE.
1.	T. G. Dangar, Esq., M.P., to the Minister for Mines, <i>re</i> the advisability of opening up a road from Barraba to Gunnedah direct. 30 June, 1877	2
2.	Mr. Surveyor C. J. M’Master’s report thereon (10 January, 1878), with minutes and copy of plan	2
3.	Mr. Road-Superintendent Stilwell’s memo. with reference to roads Gunnedah to Barraba, and Coonabarabran, with minutes. 6 May, 1878	3
4.	Mr. A. W. Stilwell’s report for July, with minutes. 3 August, 1878	3
5.	Mr. Road-Superintendent Stilwell’s report for August (3 September, 1878), with minutes	3
6.	T. G. Dangar, Esq., M.P., to Commissioner and Engineer for Roads, urging survey of road (2 Dec., 1878), with minutes	3
7.	Under Secretary, Public Works, to T. G. Dangar, Esq., M.P., informing him of the intention of the Government to erect a bridge across the Namoi, at Gunnedah. 13 January, 1879	4
8.	Mr. Licensed-Surveyor Loder, reporting on road, parish of Rangari, with tracing. 31 March, 1879	4
9.	Mr. Licensed-Surveyor Loder, reporting on road, parish of Weetalibah, with tracing. 31 March, 1879	4
10.	Mr. Licensed-Surveyor Loder, reporting on road, parish of Tulcumbah, with tracing. 31 March, 1879	4
11.	Mr. Licensed-Surveyor Loder, reporting on road, parish of Rangira, with tracing. 31 March, 1879	4
12.	Mr. Licensed-Surveyor Loder, reporting on road, parish of Yarriri, with tracing. 31 March, 1879	5
13.	Book of reference, road Barraba to Gunnedah	5
14.	Mr. A. G. Martin to the Secretary for Mines, objecting to proposed road (8 April, 1879), with minutes	5
15.	Mr. Surveyor Dewhurst to the Surveyor General, reporting thereon. 29 April, 1879	6
16.	Petition from farmers and others against the road	7
17.	Mr. John E. Higgins to T. G. Dangar, Esq., M.P., against road <i>viâ</i> Weetalibah, Rangari, and Borah, and recommending a route <i>viâ</i> Burburgate, Ween, and Milli Creek. 30 May, 1879	7
18.	Question asked by Mr. Dangar, M.P., in the Legislative Assembly, respecting this road, with reply, and minute thereon	8

ROAD FROM BARRABA TO GUNNEDAH.

No. 1.

T. G. Dangar, Esq., M.P., to The Secretary for Lands.

Sir,

Butlerawa, Namoi River, Wee Waa, 30 June, 1877.

I have the honor to submit for your decision the advisability of opening up a road from Barraba to Gunnedah direct. The increasing importance of the Gwydir District, and the want of speedy communication with Gunnedah and its neighbourhood, I consider warrant this road being thrown open for public use. The road between Barraba and Gunnedah is for a considerable distance fenced in, only 1 chain wide, to the great detriment of travelling stock and teamsters generally. Therefore, if the above road were opened, it would very materially benefit the inhabitants of the Lower Barwon and Namoi Rivers.

I have, &c.,

T. G. DANGAR.

Forwarded to Mr. District-Surveyor Dewhurst for report.—R. D. FITZGERALD (for the Surveyor General), 17 August, 1877.

No. 2.

Mr. Surveyor M'Master to The Surveyor General.

Sir,

Narrabri, 10 January, 1878.

I have the honor to inform you that I have examined the country lying between Barraba and Gunnedah, and I have arrived at the conclusion that a direct road is very necessary between these two towns.

According to paragraph No. 75 of the surveyor's instructions I have the honor to report—

1. The road would not interfere very much with existing measurements, as roads have been reserved through most of them in suitable positions.
2. No other surveyed roads could be utilized, but the reserved roads through portions would most likely be adhered to.
3. The only other available routes from Gunnedah to Barraba are by Tulcumbah, about 10 miles round, and by Carrol and Keepit, about 14 miles longer than the proposed direct road.
4. There are not many people on the Gunnedah end of the proposed road, owing to nearly the whole of the land being purchased by two or three capitalists; but on the Barraba end of the road, and about Borah Creek, there are a considerable number of free-selectors and farmers who require means of access both to Barraba and Gunnedah. Access would be provided to nearly 100,000 acres of alienated land.
5. No serious injury would be sustained by the proprietors of adjacent lands, or to the lessees of the runs through which the proposed road would pass.
6. The natural obstructions to traffic are very trifling, and could be removed at a very small cost. The artificial obstructions consist of fences, in which are left narrow gates that can only be used by horsemen and foot passengers.
7. There are no enclosures along the proposed road.
8. The principal traffic would be "through traffic" from the Gwydir and Upper Barwon to the proposed railway line at Gunnedah. I believe this traffic would be very considerable, as it would be considerably nearer to go to the railway at Gunnedah than it would be to go to the railway at Tamworth.
9. Tracks have been in existence from Bangari and Borah to Gunnedah for at least thirty years. There is no track from Barraba towards Gunnedah, except by Carrol.
10. The best part of the land has already been alienated, and the land now vacant consists of mountainous and ridgy country, well adapted for sheep farming, and is being rapidly secured.

There is always a scarcity of water on this route in the summer time.

I do not think any cuttings will be required to make the road available for traffic, nor are there any bridges wanted.

The estimated distance of the proposed new road is about 47 miles.

I have, &c.,

COLIN J. M'MASTER.

To the Surveyor General.—The great drawback to this route is the scarcity or rather total want of water. I think the course of the railway might be determined on prior to action being taken.—A. DEWHURST, 15 January, 1878.

This report should be sent to the Railway Department, and they be asked to furnish a tracing, illustrative of the course the railway will take relatively with Barraba and Gunnedah.—R. D. FITZGERALD (for Surveyor General), 4 May, 1878.

Under Secretary, Public Works.—L.G.T. (for U.S.), B.C., 6 May, 1878.

Commissioner of Railways.—J.R., 13 May, 1878. There is no intention, so far as I know, of connecting Gunnedah and Barraba by railway. A railway is being constructed from Werris Creek to Gunnedah.—J.W. (*pro* W.H.Q.), 10 June, 1878. Inform Under Secretary for Lands, B.C., 11 June, 1878. Submitted to the Deputy Surveyor General.—O.R., 19 June, 1878.

No. 3.

3.

No. 3.

Mr. Road-Superintendent Stilwell's Memo. to the Commissioner for Roads.

MEMO.—I have sums to expend on both of these roads, but as they are not defined, and in both cases there are, I understand, several tracks in use at present, I am at a loss how to proceed. Shall I select the best route in each case and improve that?
Narrabri, 6/5/78.
A. W. STILWELL.

Examine and report on both routes after conference with surveyor, and when other duties admit. This road will not be urgent until rail is opened to Gunnedah.—W.C.B., 8/5/78. Mr. Stilwell, B.C.
Note.—A.W.S., 13/5/78.

No. 4.

Extract from Mr. Road-Superintendent Stilwell's Report.

Road—Barraba to Gunnedah.

"I HAVE gone over this road, but cannot decide as to best line for new road until I hear from Mr. Surveyor Dow, who, I understand, is to survey this line; I have written to him for information."

A. W. STILWELL,
3/8/78.

Are there not altogether too many roads being surveyed here?—W.C.B., 9/8/78. Barraba is 60 miles from Tamworth, but I am told it will be possible to make Gunnedah by the road proposed in 45 miles. Both Tamworth and Gunnedah are the same distance from Newcastle, so that when railway is opened to Gunnedah this should be an important road. £1,125 is at present available for it.—A.W.S., 12/8/78.

No. 5.

Extract from Mr. Road-Superintendent Stilwell's Report.

Road—Barraba to Gunnedah.

"I FIND that I have been misinformed as to the distance between these two places. The road is not yet surveyed, but I have gone through twice by different routes—the last time taking a man to point out the most direct line, and my opinion as to the importance of this road is quite altered. I had been given to understand by the P.M. and others at Gunnedah, that a good road not more than 45 miles in length could be obtained, but the distance is nearly 60 miles, over high country for 6 or 7 miles, and a very badly watered line. The distance from Barraba to Tamworth is 60 miles by a fair road, already improved, so that for through traffic the line to Gunnedah would be superfluous, and the expense of constructing it a waste of public money. The road will be useful for the first 25 miles out of Gunnedah, where it crosses good level country on which there is a good deal of settlement, and I propose to expend this year's vote in improving the approach to the town across the river flat, doing as much metalling there as funds will admit of; but I think that instead of being advanced to first-class, as I recommended on amended schedule sent in, it should next year be reduced to third-class. I will submit estimate and specification for the work I propose, with your approval, as soon as possible."

I have, &c.,
A. W. STILWELL.

Be more careful in recommending again.—W.C.B., 4/9/78. Noted.—A.W.S., 7/9/78.

No. 6.

T. G. Dangar, Esq., M.P., to The Commissioner and Engineer for Roads.

Sir,

I do myself the honor to bring under your notice

Sydney, 2 December, 1878.

* * * * *

4. Road—Barraba to Gunnedah.

This road wants surveying without delay; it is 20 miles shorter than from Barraba to Tamworth; when surveyed it should be proclaimed 20 chains wide and withdrawn from lease.

Mr. Goodwin, licensed surveyor, is in the locality, knows the country well, and might undertake the survey.

A great quantity of stock, and the chief part of the traffic, will travel by this road much better than Tamworth, and it passes through unalienated land.

* * * * *

I have, &c.,
THOS. G. DANGAR.

Mr. Stilwell to report on this in connection with the road asked for from Bingera to Narrabri.—W.C.B., 13/12/78. Mr. Stilwell, B.C.

I have inspected the country on the line of the proposed road, and have reported, 78-5,394 unfavourably upon it. I found the distance much greater than given in Mr. Dangar's letter herewith. There is high broken country to be crossed, and the line is very badly watered throughout, and therefore not well suited for travelling stock, for which a route will be opened to the Namoi, by the road which is to be opened from Bingera to Narrabri. Taking the nature of the country into consideration, I do not think it will be possible to make a road from Gunnedah to Barraba in less than 55 miles, or nearly 5 miles shorter than the present improved road from Barraba to Tamworth, and I think it very unadvisable to endeavour to make this the route for through traffic. For some 25 miles from Gunnedah the country is good and level, and this portion of the road should be improved, and the Namoi bridged at Gunnedah, as I have already recommended in report above referred to.—A. W. STILWELL, 20/12/78.

Mr.

Mr. Stilwell reports that he cannot recommend this road—Gunnedah to Barraba—as it is nearly as long as, and much more badly watered than the present route—Barraba to Tamworth—on which considerable expenditure has been made. He, however, recommends that a bridge be put across the Namoi at Gunnedah, and 25 miles of the road next Gunnedah be improved and classed as third class. I concur.—W.C.B., 31/12/78.

Appd.—J.L., 10/1/79. Roads, B.C., 13/1/79.—J.R. Mr. Lackey to note for schedule. Noted.—J.G.L., 14/1/79. Mr. Eames, note bridge for estimates.—W.C.B., 13/1/79. Bridge already noted.—G.C.E.

No. 7.

The Under Secretary for Public Works to T. G. Dangar, Esq., M.P.

Sir, Department of Public Works, Sydney, 13 January, 1879.
Referring to your letter of the 2nd ultimo, respecting the road Gunnedah to Barraba, I am directed to inform you that it has been decided to erect a bridge across the Namoi at Gunnedah, and a length of 25 miles of the road in question will be improved and classed as a third class road.

I have, &c.,
JOHN RAE.

No. 8.

Mr. Licensed-Surveyor Loder to The Surveyor General.

Sir, Tamworth, 31 March, 1879.
I have the honor to transmit plan of road through portion No. 2, parish of Rangira, county of Nandewar, to be opened as a parish road under Act of Council, 4 William IV No. 11, and surveyed by me in accordance with instruction No. 78,426, of 26th July, transferred to me by Mr. District-Surveyor Dewhurst.

The road proposed to be opened is over level country, and there are no improvements in the way.
The road proposed runs through land, the property of Irving Winter.
The road at present is very little used, and I do not think there will ever be much traffic on it.
The instrument used was a theodolite, and date of survey, February, 1879.

I am, &c.,
GEORGE LODER, L.S.

No. 9.

Mr. Licensed-Surveyor Loder to The Surveyor General.

Sir, Tamworth, 31 March, 1879.
I have the honor to transmit plan of road through portion No. 3, parish of Weetalibah, county of Nandewar, proposed to be opened as a parish road under the Act of Council, 4 William IV No. 11.

The road proposed runs through level forest country, and there are no obstacles or improvements in the way.

The road proposed runs through land now the property of T. P. Willsallen.
The road is seldom or ever used by the public.
The instrument used was a theodolite, and date of survey, February, 1879.

I am, &c.,
GEORGE LODER, L.S.

No. 10.

Mr. Licensed-Surveyor Loder to The Surveyor General.

Sir, Tamworth, 31 March, 1879.
I have the honor to transmit plan of road through portion No. 4, parish of Tulcumbah, county of Mandewar, proposed to be opened as a parish road under the Act of Council, 4 William IV No. 11.

The road proposed runs through level forest country, and there are no obstacles or improvements in the way.

The road proposed runs through land the property of Irving Winter.
The road is seldom or ever used by the public.
The instrument used was a theodolite, and date of survey, February, 1879.

I am, &c.,
GEORGE LODER, L.S.

No. 11.

Mr. Licensed-Surveyor Loder to The Surveyor General.

Sir, Tamworth, 31 March, 1879.
I have the honor to transmit plan of road through portions No. 29, 30, 31, 82, and 86, in parish Rangira, county of Nandewar, to be opened as a parish road under Act of Council, 4 William IV, No. 11.

The road proposed runs through level forest country, and there are no obstacles or improvements in the way.

The land proposed for a road is the property of Irving Winter.
The road is seldom or never used by the public.
The instrument used was a theodolite, and date of survey, February, 1879.

I am, &c.,
GEORGE LODER, L.S.

No. 12.

No. 12.

Mr. Licensed-Surveyor Loder to The Surveyor General.

Sir,

Tamworth, 31 March, 1879.

I have the honor to transmit a plan of road through portion No. 119, parish of Yarrari, Appendix F. county of Nandewar, proposed to be opened as a parish road under the Act of Council, 4 William IV, No. 11.

The road proposed runs through level forest country, and there are no obstacles or improvements in the way.

The road proposed runs through land the property of Irving Winter.

The road is seldom or ever used by the public.

The instrument used was a theodolite, and date of survey, February, 1879.

I am, &c.,

GEORGE LODER, L.S.

No. 13.

Book of Reference of Road from Gunnedah to Barraba.

No.	Portion of Road.	Reputed Owner.	Occupier.	Character of Land.	Bearings.	Length in chains.	Breadth of Road.	Area.
1	From S.E. corner No. 31 to S.E. corner No. 124, parish Weetalbah.	T. P. Willsallen	T. P. Willsallen	Black soil	N. Easterly..	46.06	1 chain..	ac. r. per. 4 2 16
2	From N. boundary No. 30, parish Tulcumbah to Reserve.	Irving Winter	Irving Winter	Sandy	North	6.67	do	0 2 26
*3	From N. boundaries Nos. 110 and 117 to Reserve	do	do	Black soil	do	40.06	do	4 0 0
4	boundary W. R. No. 270, to S. boundary, No. 29.	do	do	do	N. Easterly..	16.61	do	1 2 25
5	From S. boundary No. 29 to W. boundaries Nos. 30 and 83.	do	do	do	do	21.18	do	2 0 30
6	From the last-mentioned boundaries to W. boundaries Nos. 31 and 85.	do	do	do	do	29.22	do	2 3 27
7	From the last-mentioned boundaries to W. boundary No. 86.	do	do	do	do	22.06	do	2 8 33
8	From the last-mentioned boundaries to E. boundary No. 86.	do	do	do	do	21.63	do	2 0 26
9	From the north boundary No. 11 to S. boundary W. R. No. 270.	do	do	do	do	31.98	do	3 0 32

* This road is very seldom used by the public.

GEORGE LODER, L.S.

No. 14.

Mr. A. G. Martin to The Secretary for Mines.

Sir,

287, George-street, 8 April, 1879.

I have the honor to inform you, that an application has been made for the opening of a road from Barraba to Gunnedah, in the counties of Darling and Nandewar, and instructions have been issued to survey the said road.

In ordinary cases it is usual to await the notification in Gazette inviting objections to the opening of a road, but the extraordinary character of the application is such that I deemed it expedient in the public interest, and in the interest of my clients, to place the objections to the opening of this road before you at the earliest possible period.

The following facts and information is submitted for your consideration, with a view to prevent what would be a most serious injury to the owners of the lands through which the proposed road would pass, and also to prevent the substitution of a road for the road now in use, and which has for many years afforded all the necessary facilities for transit, and is more suitable in every respect than the proposed road.

The grounds upon which the road is asked for are understood to be:—

First.—That the public require it.

Second.—That it is shorter and more direct than the existing road.

Replying to the first ground—The public do not require and have not asked for it; two or three persons only, viz., land speculators, have put the matter in motion.

Replying to the second—The proposed road would from Barraba to Borah Station, on Borah Creek, take the present existing road, but from this point to Gunnedah, about 35 miles, would go nearly the whole distance through alienated lands, owned by two persons; and, although 4 miles shorter than the present road, yet along its whole distance there is no water, nor are there any inhabitants, except an out-station or two.

A considerable distance would be unsuited for road-making, for from Gunnedah for the first 7 miles it would pass through flooded country, or subject to being frequently flooded, 3 or 4 miles being across the current, the next 12 miles over rotten and black soils, would have to go over Borah range by steep, difficult, and long gradients. The natural obstructions to traffic would therefore be great and useless, at a cost not likely to be gone to, could not well be overcome, and certainly not by ordinary road expenditure. In addition, a bridge would have to be erected across the Namoi, at Gunnedah, for in times of fresh or flood the river is for long periods not crossable.

The injury to the owners of land through which the proposed road would pass would be of the most serious nature; it would go through several costly enclosed paddocks.

It may be said that the proposed and present roads would, to a large extent, run somewhat parallel to each other.

The proposed road will for the most part pass through the alienated land of two persons only. The vacant Crown land along the route and adjacent thereto is comparatively of limited area, and consists of ridgy country and mountains, none of which is available for agricultural settlement, and therefore will not probably be occupied by any considerable population.

Settlers

Settlers and selectors at the Barraba end of the road and in the neighbourhood of Borah Creek (at which latter place, however, are scarcely any, the land being nearly all the property of one person) have the same means of access to Barraba as would exist should the proposed road be made, inasmuch that it would be the present line to that extent, and they have also a much easier access to Gunnedah if they require it by the existing road; their traffic, however, is to Tamworth.

There is scarcely any direct traffic between Barraba and Gunnedah, nor is it likely that ever the railway reaching Gunnedah would cause any such, inasmuch that Tamworth is the direct and natural outlet for all the traffic from Barraba, or which passes through that town from the great country and places beyond, viz., Cobbedah, Bingera, Warialda, Yetman, the Gwydir, Upper Barwon, and the Macintyre Rivers; for, although the distance from Barraba to Gunnedah by the proposed route is some 4 or 5 miles shorter than from the former to Tamworth, yet the great superiority of the Barraba-Tamworth road to that of the proposed road, no matter how well made it might be, will always cause it to be used for the traffic in preference to any other line that could be made.

It is a most important mail-coach line, upon which a large expenditure has been regularly made, is of a comparatively level nature, and along its whole distance is settlement.

The existing road between Barraba and Gunnedah is the route which was chosen by the public, both for stock and travellers, when the country was open to them to take any road they thought proper. It utilizes 25 miles of existing made roads—viz., 8 miles of that between Barraba and Tamworth, and 17 miles of that from Gunnedah to Tamworth, leaving only about 26 miles to be made; is well watered throughout its whole length; crosses the Namoi and the Peel Rivers at excellent fords; passes through the town of Carrol—previously making a junction with the Tamworth and Gunnedah road; and thence by the Gunnedah side of the Namoi to that town.

It is the old travelling stock route (being part of the main stock route to the Maitland and Sydney, by Breeza, &c.) in use, perhaps, more than forty years; is, for a large distance, surveyed and laid out as such and along it; has numerous and well-known reserves for travellers' use; it is well adapted for good road making, passes through the heart of a trace of country on which is a numerous and densely settled farming population—mostly selectors—and very much used by them for local traffic; whereas, between these settlers and the proposed road is a long line of hills or range, over which it would be most difficult to take vehicles or drays. There is also a considerable settlement farther on towards Gunnedah.

* If the principal object be to connect Barraba with the railway at Gunnedah, I submit that it is untenable, because it will be seen, on reference to the projected extension of the railway from Tamworth, the proposed route is to Warialda, *via* Manilla and Barraba; this line when carried out will render the proposed road unnecessary, so far as the proposal is involved to connect Barraba with the railway at Gunnedah.

It is now trusted that it has been shown that the proposed road is unnecessary and uncalled for, and would if granted be unsuitable even for the existing insignificant direct or through traffic—that a much more suitable and better road exists already, which, although 4 miles longer, is more than compensated for by its great advantages—and that for a "stock route" (as is also proposed) it would be impracticable, seeing it is utterly waterless for so great a distance, and, perhaps an equally cogent reason, that it would pass through alienated lands where travelling stock would be likely to trespass, consequently the owners thereof would subject themselves to liability, to litigation, and legal proceedings.

I therefore, on behalf of my clients, Mr. T. W. Allen and others, trust that after considering the facts and circumstances herein set forth, that you will see a sufficient reason to stay further action in the matter, and that you will refuse to open the road in question.

I am, &c.,
ALEX. G. MARTIN.

Urgent.—The Surveyor General, B.C., 9/4/79.—H.W. Mr. District-Surveyor Dewhurst for report. From Mr. Licensed-Surveyor Rotton's progress journals it appears that the road has been laid out only through alienated land, in the county of Nandewar.—ROBT. D. FITZGERALD (for Surveyor General), 24 April, '79.

No. 15.

Mr. Surveyor Dewhurst to The Surveyor General.

Sir,

Tamworth, 29 April, 1879.

In reporting on the protest made by Mr. A. G. Martin, in behalf of his clients, I may simply observe that it is desirable that all the towns in the district should be connected in the most direct possible manner by roads, and, therefore, it has been considered expedient to open short lengths along this line through a few alienated portions of land where no right-of-way existed previously.

I entirely coincide with the writer in all that he has stated, with the exception of one paragraph which I have noted.

I may state that, notwithstanding the very laudable desire of a few residents and property owners of Gunnedah to force traffic to their town, by what is really an impossible route, the residents of Barraba and the county of Darling generally will take their stock and loading along the splendid and well-watered reserve that leads to the Tamworth terminus, from which the railway freight will be considerably less than at Gunnedah.

I sincerely hope that no large sum of public money may be expended on this Barraba-Gunnedah Road, which can only be available at any time to horsemen and light vehicles.

I consider that no proclamation of the road is necessary, but, at the same time, that gates should be erected wherever the reserved roads are intersected by fences, to prevent anything like obstruction.

I have, &c.,
A. DEWHURST.

No. 16.

* The writer is quite wrong here—this road would connect Barraba with Gunnedah and the railway station there; but as neither teams nor stock could travel along it, the connection would be almost useless.—A. DEWHURST.

No. 16.

Messrs. J. O'Neill, J. Crotty, and others, to The Secretary for Mines.

Sir,

We, the undersigned, farmers and others, resident in the vicinity of the road now in use from Barraba to Gunnedah, respectfully beg to submit to you the following statements, to show that the opening of the proposed new road from Gunnedah to Barraba will not be of general public utility and is not required:—

1. That between the River Namoi and Borah Creek, a distance of 33 miles, there is no water to be had on the proposed line of road.
2. That the proposed road would be only about three miles (3) shorter than the present one, and that about five miles (5) of the former would, in its natural state, be impassable in winter, and could not be made passable unless at a very great expense.
3. That there are a number of reserves and a plentiful supply of water on the present line of road—neither of which are procurable on the proposed road—therefore showing the superiority of the present road over that of the proposed road, both for ordinary traffic and travelling stock.
4. That there is very little settlement along the line of the proposed road, and the fact of the land being in the hands of a few persons there probably will be no settlement of population for many years to come.
5. That there is a large area of Crown land available for selections adjacent to the road now in use, whereas the land through which the proposed road would pass—and the greater part of the adjacent land is, we believe, in the hands of not more than two owners thereof, and the Crown land on the proposed road and vicinity is not adapted or suitable for selections or settlement, because of its sterility.
6. That there is scarcely any direct traffic between Gunnedah and Barraba, nor is it likely when the railway is opened to Gunnedah that the direct traffic will increase, because Tamworth is so situated that it is at present the natural outlet of all traffic from Barraba, and, in view of future railway extensions, the inhabitants, present and future, located on the intermediate country lying between Barraba and Gunnedah, will be more favourably circumstanced for the transit of products, either by road or rail, than they can possibly be by connecting Gunnedah with Barraba by the proposed road.

Trusting that you will take the above facts and circumstances into your favourable consideration,

We have, &c.,

JAMES O'NEILL,
JOHN CROTTY,
JAS. HODDLE,
W. TATTAM,
MICHL. TATTAM,
AARON CHAPMAN,
And 172 others.

The Surveyor General.—H.W., B.C., 3/5/79.

No. 17.

Mr. J. Higgins to T. G. Dangar, Esq., M.P.

Dear Sir,

Gunnedah, 30 May, 1879.

Referring to the Barraba Road, I have found out more particulars of the different routes lately, and, on comparison, find that a great mistake is being made in bringing the road the route that is intended. In the first instance the road, as now being surveyed, is for the greater part of the way through alienated lands, consequently cannot be available as a stock route, which is a great mistake. In the second, the distance by proposed route is 55 miles, and the first and only water on the route after leaving Gunnedah is 35½ miles, and this is a tank on purchased land of Irving Winters', which he intends closing, consequently you may say there is no available water on the whole line. The distances are as follows:—

Gunnedah to Weetalibah	3 miles.
Weetalibah to Rangari	22 "
Rangari to Borah	10½ "
Borah to Barraba	20 "
Total	55½ "

And the first water is at Borah. The route has another drawback—that in a heavy flood time it is out of the question to get from Weetalibah to the proposed bridge here. The route that should have been adopted is as follows:—From Gunnedah to Burburgate, from there to Wean, thence to Milli Creek, from there to Connor's Gap, then to Barraba, in all 45 miles; and all the way after you leave Burburgate (8 miles from here) it is Crown lands, and well watered, and in any flood time the bridge here will be approachable. You will therefore see it is not only shorter, but in every sense a preferable route, and the nature of the country is much better for a road, being decidedly smoother country.

The road now being surveyed will be almost useless, except for a horseman.

I do not know if it is too late to mend the matter; if not you would do the residents of both places a service if you would kindly inquire into the matter.

I am afraid the constant rain we are having will interfere very much with the opening of the line here in September; however I hope not. At the present time the engine runs within 9 miles of here.

J. E. HIGGINS.

This letter is submitted by Mr. Dangar, M.P., for the consideration of the Minister for Mines, who will perhaps forward same to the surveyor, who has charge of the work, for his report. It is from the proprietor of the *Namoi Independent*, Gunnedah, and seems so important, that a special report should be obtained as to the best route, and save going through alienated land, and thus giving a stock route before the survey of road is further proceeded with.—4/6/79.

For action see No. .—A.J.S., 27 June, 1879.

No. 18.
Legislative Assembly.
Questions and Answers.

QUESTION.—Road from Barraba to Gunnedah:—Mr. Cameron, (for Mr. Dangar), asked the Secretary for Mines,—

1. Has any progress been made in the survey of the road from Barraba to Gunnedah; if so, what, and the name of the surveyor who has charge of the work?

2. By which route is this road at present being surveyed?

3. Is it a fact that it goes mostly through alienated land, and therefore cannot be availed as a stock route, the distance by the proposed route being 55 miles, and the first and only water after leaving Gunnedah being at Borah, 35 miles, and this tank belonging to the lessee of the run, which he intends to close, and no other available water on this line, the distance being as follows:—Gunnedah to Weetalibah, 3 miles; Weetalibah to Rangari, 22 miles; Rangari to Borah, 10 miles; Borah to Barraba, 20 miles; total, 55 miles; and that in heavy floods it will be impossible to approach the Gunnedah Bridge?

4. Is the Minister aware that the better route would be from Gunnedah to Burburgate, thence to Wean, Mili Creek, Connor's Gap to Barraba, the distance being only 45 miles, and all the way after leaving Burburgate, 8 miles from Gunnedah, through Crown lands well watered, and in flood time approachable to the bridge—shorter, preferable, and smoother country, the road being surveyed useless except to horsemen?

5. Will the Minister, before the survey of this road is proceeded with any further, cause a special report to be obtained as to which is the better route, and act accordingly?

Mr. Baker answered,—

1 and 2. Survey of parts of a road from Gunnedah to Barraba has recently been made by Mr. Licensed-Surveyor Loder through a few measured portions where a road had not previously been provided.

3 and 4. The District Surveyor reports that residents of Barraba and county of Darling generally, will take their stock and loading along the well-watered reserve that leads to the Tamworth terminus, from which the railway freight will be considered less than at Gunnedah.

4. A copy of Mr. Dangar's questions will be sent to the District Surveyor for a further report on the road in question.

Date of Question, 20th June, 1879.

Date of Answer, " "

Mr. District-Surveyor Dewhurst.—In accordance with the reply (No. 5) given by Minister for Mines to questions asked by Mr. Dangar, M.P., Mr. Dewhurst's attention is also drawn to the accompanying petition—Roads, 79/1,481.

ROBT. D. FITZGERALD,
(For Surveyor General),
28 June, 1879. No. 208.

[6 plans.]

Forwarded with my letter No 78/1
dated January 10th 1878

(signed) Colin Jas M^r Master

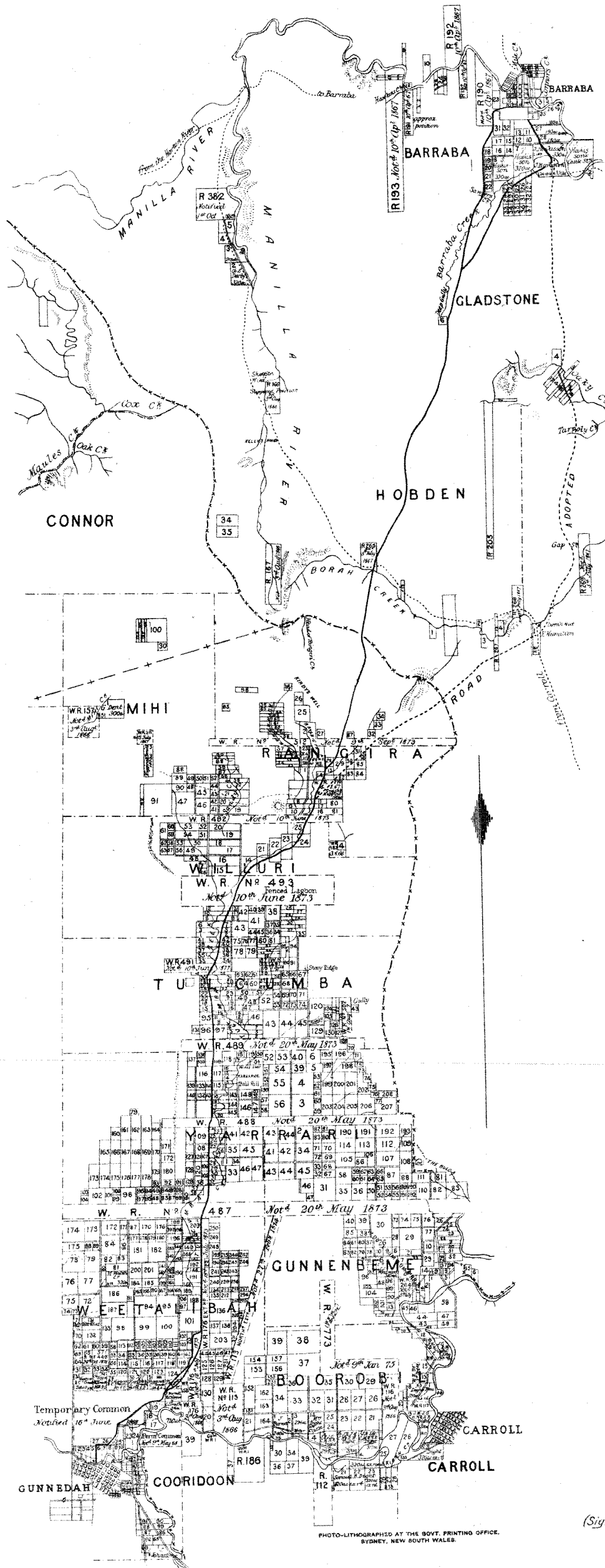


PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
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(Sig. 79.)

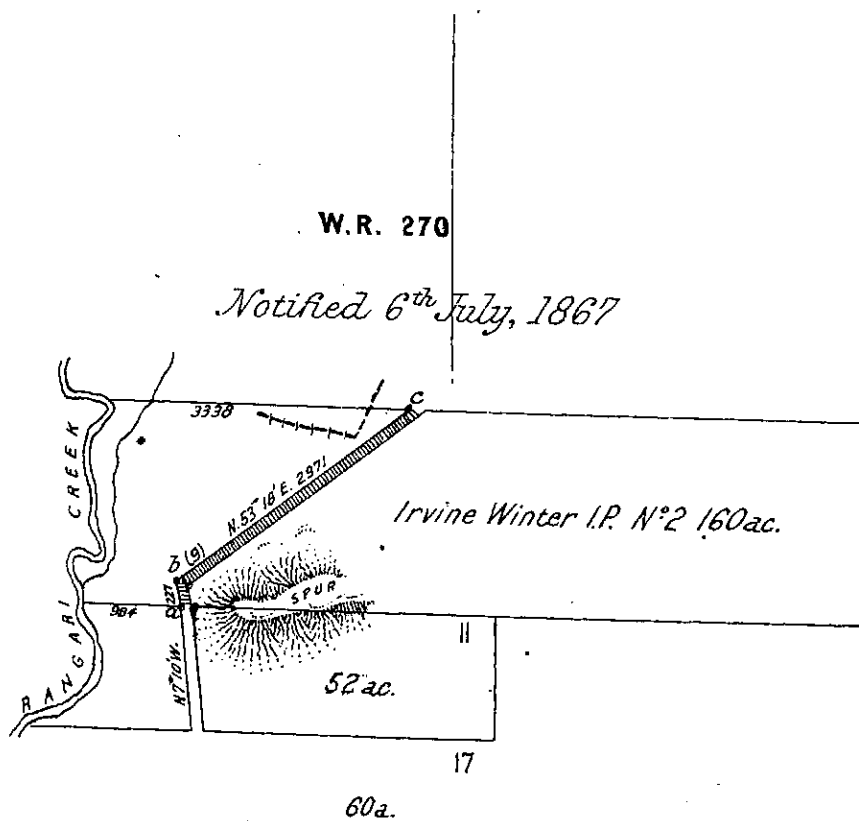
PLAN

showing Road proposed to be opened through Por. N^o 2.

PARISH OF RANGIRA, COUNTY OF NANDEWAR.

Under Act of Council 4 William IV Number II.

Road to be opened 100 wide shown thus 



Instrument used, Theodolite
Date of Survey, Feb^y, 1879.
Scale, 20 Chains to an Inch.

Corners

Cor.	Bearing	From	Dist.	N ^o on Tree
d	N. 26° 0' W.	BOX	27	↑
b	NUMBERED STAKE			↑
c	S. 72° 30' W.	BOX	24	↑

(Sig. 79)

Letter 29/77 of 31st M^{ch}

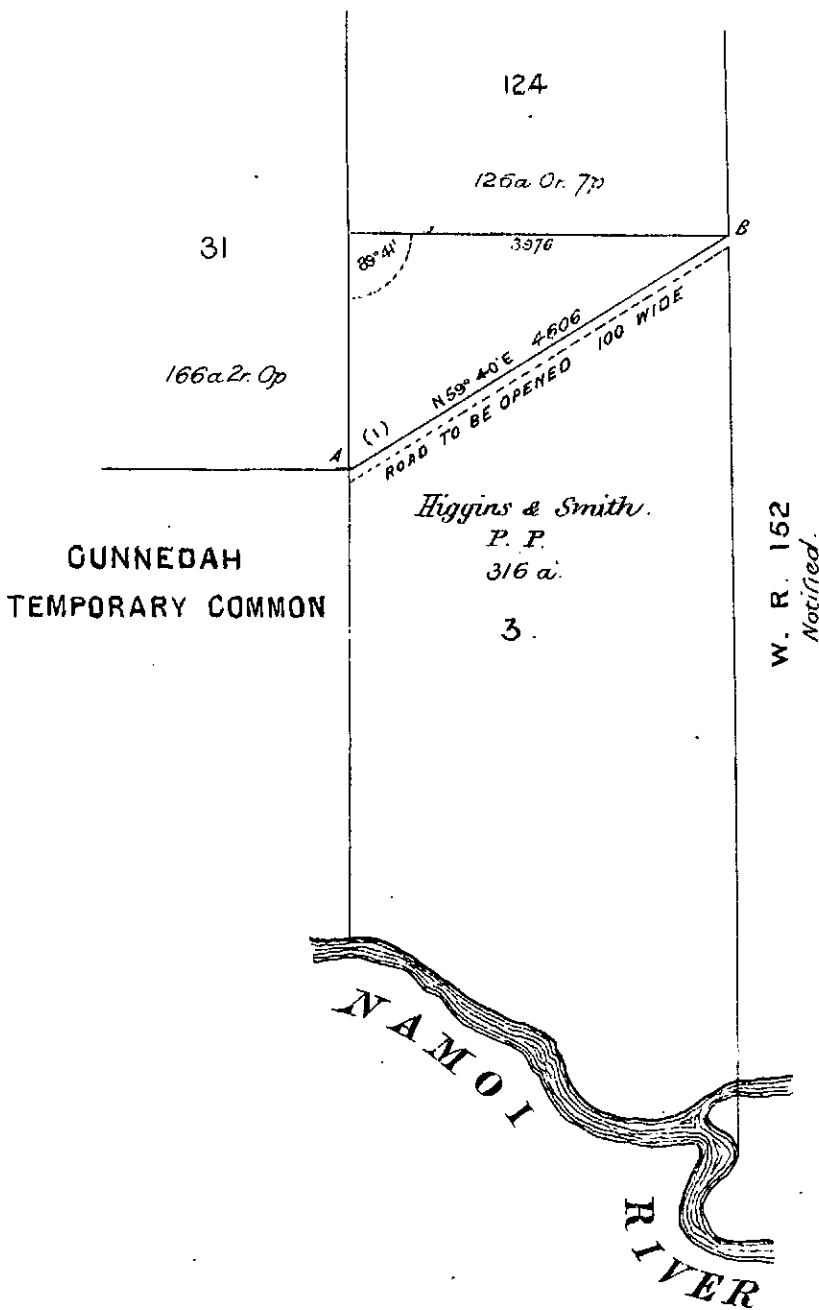
George Loder, Lic. Surveyor,

PLAN showing ROAD proposed to be opened through POR N^o 3.

PARISH of WEEDALIBAH COUNTY of NANDEWAR

Under Act of Council 4 William IV Number 11.

Scale 20 chs = 1 Inch.



CORNERS.

COR	BEARING	FROM	DIS	N ^o on TREE
A	S 84° E	Box	56	R 31
B	S 130° W	do	27	R 124

Instrument Used Theodolite.
Date of Survey Feb^y 1879
Letter N^o 79/21 of 31st March

(Sig 79)


(Sig) George Loder
I. S.

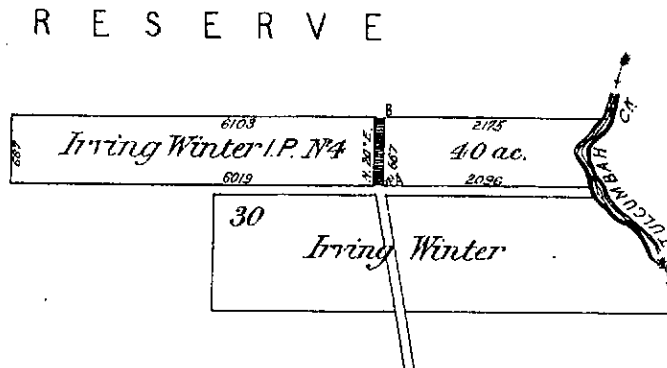
PLAN

Showing Road proposed to be opened through Por. N^o 4,

PARISH OF TULCUMBAH, COUNTY OF NANDEWAR,

Under Act of Council 4 William IV, Number II.

Road to be opened 100 wide, shown thus 



Corners

Cor.	Bearing	From	Dis.	N ^o on Tree
A	S. 55° 40' E.	IRON BT	39 1/2	↑ R
B	S. 66° 0' W.	DO.	52	↑ R

Instrument used, Theodolite.
Date of Survey, Feb^y, 1879.
Scale, 20 Chains to an Inch

Letter N^o 79/20 of 31st Mch.

(Sg^{ty}) George Loder
I. S.

(Sig. 79-)

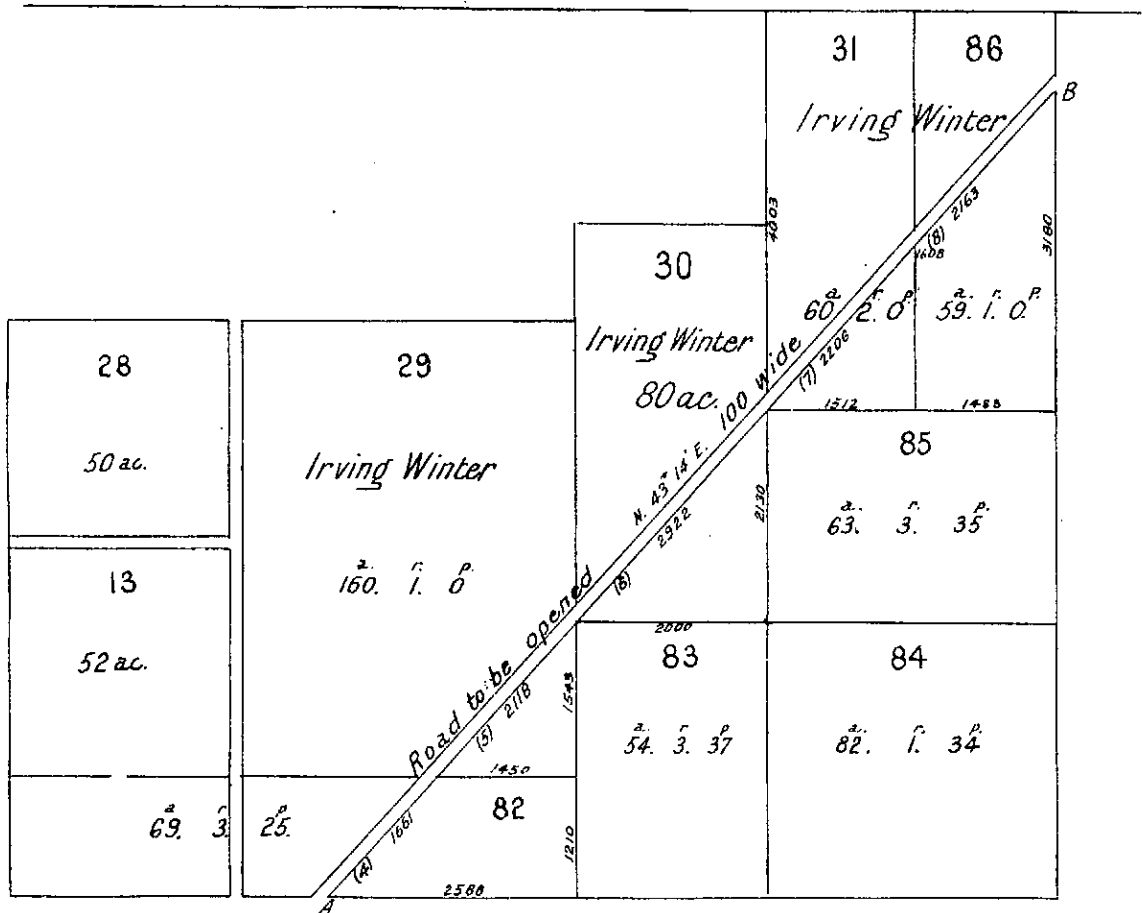
PLAN

showing Road proposed to be opened through Portions numbered 29, 30, 31, 82, and 86.

PARISH OF RANGIRA, COUNTY OF NANDEWAR

Under Act of Council 4 William IV Number II.

R E S E R V E



W. R. 270

Notified 6th July. 1867

Instrument used, Theodolite

Date of Survey, 1st Feb^y, 1879.

Scale, 20 Chains to an Inch.

Corners

Cor.	Bearing	From	Dis	N ^o on Tree
A	S. 31° 20' E.	BOX	22	↑ R
B	N. 54° 0' E.	DO.	15	↑ R

Letter N^o 79/18 of 31st M^{ch}

George Loder
L.S.

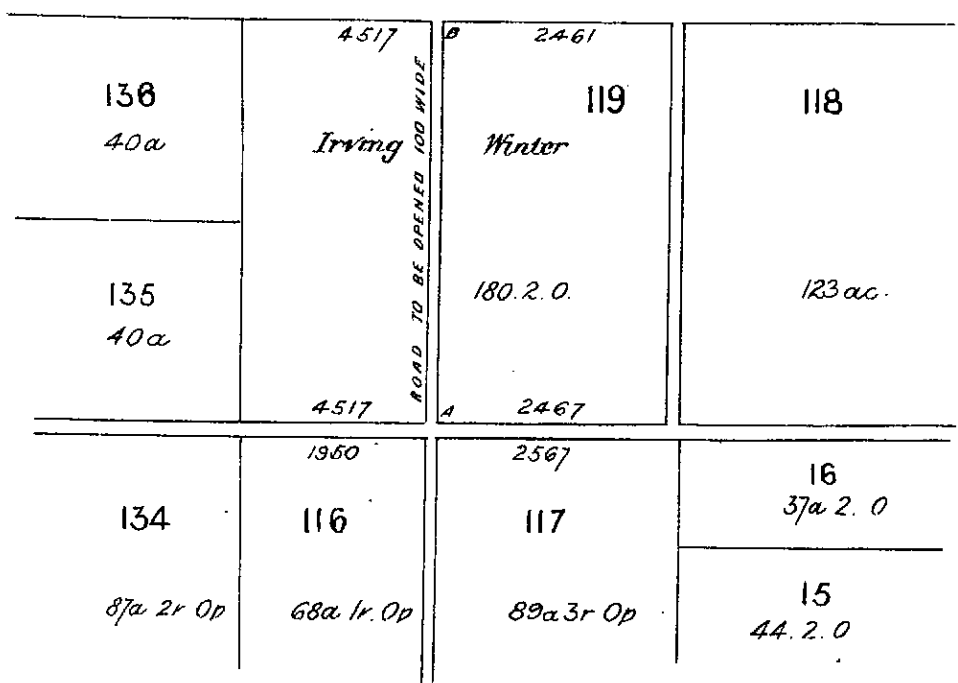
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PLAN shewing ROAD proposed to be opened through Por. 119.

PARISH OF YARRARI COUNTY OF NANDEWAR
Under Act of Council 4 William IV Number 11.

Scale 20 chs = 1 inch

R E S E R V E



CORNERS

COR	BEARING	FROM	DIS	N ^o OF TREE
A	S 28° 30' W	Box	44	A
B	S 81° W	Do	58	R

Instrument Used Theodolite
Date of Survey Feb'y 1879
Letter N^o 79/19 of 31st March

(Sig) George Loder
I. S.

(Sig 79)

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

ROAD FROM BARRABA TO GUNNEDAH.
(FURTHER CORRESPONDENCE, &c.)

Ordered by the Legislative Assembly to be printed, 2 June, 1880.

FURTHER RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 6 May, 1879, That there be laid upon the Table of this House,—

“ Copies of all Correspondence (with tracings, if any) that has taken place between the Government, the District or any other Surveyors, or any other person, including Surveyor M'Master's Report, respecting the opening up of the road from Barraba to Gunnedah, including both the one *via* Wectalibah to Rangira and Borah and the one *via* Carroll and the Peel and Namoi Crossings.”

(*Mr. Dangar.*)

SCHEDULE.

NO.	PAGE.
1. Questions asked in the Legislative Assembly by Mr. Cameron, for Mr. Dangar, with respect to the road Barraba to Gunnedah. Replies thereto; minutes, &c., thereon. 23 April, 1879	2
2. Question asked in the Legislative Assembly by Mr. Bennett—"When will tenders be invited for bridge over River Namoi, and new line of road Gunnedah to Barraba, be notified in Government Gazette, &c.?" Reply thereto. 6 November, 1879	2
3. Mr. Irving Winter to the Honorable the Minister for Mines (presented by T. G. G. Dangar, Esq., M.P.), advocating old road <i>via</i> Carroll, and objecting to proposed new road which passes through his run and freehold land, Tulcumbah Station, and enclosing tracing; minute thereon. 21 November, 1879	2
4. Mr. District-Surveyor Dewhurst to the Surveyor General, reporting in compliance with memo. of 20th instant, with tracing; minute thereon. 29 November, 1879	3
5. T. G. G. Dangar, Esq., M.P., to the Honorable the Minister for Mines, with respect to above road, and <i>précis</i> of action taken. 9 December, 1879	3
6. The Under Secretary for Mines to T. G. G. Dangar, Esq., M.P., acknowledging receipt of Mr. Irving Winter's letter (see No. 3), and informing him that action on proposed new line of road will be stayed until a report upon the "pencil line" (see plan) shall have been obtained. 9 December, 1879	4
7. Same to same, returning tracing. (See No. 3.) 22 December, 1879	4
8. T. G. G. Dangar, Esq., M.P., to the Honorable the Minister for Mines, asking name of surveyor who had been charged to report on the roads. 22 December, 1879	4
9. The Under Secretary for Mines to T. G. G. Dangar, Esq., M.P., in reply to above, informing him Mr. District-Surveyor Dewhurst has been so instructed. 23 December, 1879	4
10. Memorial from residents of Barraba, Bingera, and Gwydir Districts, requesting that a survey of the road may be ordered, and that Mr. Goodwin, a local surveyor, may be instructed to make such survey, presented by T. G. G. Dangar, Esq., M.P. 5 January, 1880	5
11. Extract from letter, Mr. Irving Winter to T. G. G. Dangar, Esq., M.P., objecting to road marked in pencil (see plan), as it is, in his opinion, quite impracticable. 18 January, 1880	5
12. Memo. of the Under Secretary for Mines. 4 February, 1880	5
13. The Under Secretary for Mines to T. G. G. Dangar, Esq., M.P., acknowledging receipt of memorial presented by him on 5th January, 1880 (see No. 10), also extract from letter of Mr. Irving Winter's (see No. 11), and informing him matter shall receive immediate attention. 6 February, 1880	5
14. Mr. A. G. Martin to the Honorable the Minister for Mines, objecting, on behalf of Mr. E. Vickery, to the proposed road, as if carried out it must pass through his alienated land and fenced paddocks; minute thereon. 23 February, 1880	5
15. Question asked in the Legislative Assembly by Mr. Dangar, with respect to above road, and replies thereto. 27 February, 1880	6
16. Questions asked in the Legislative Assembly by Mr. Coonan, for Mr. Dangar, to the same effect, and also if there is not more correspondence connected with this matter not included in previous Return, such as petition from Barraba residents, asking for opening of road &c. (see No. 10); and if so, will the same be produced and printed? Replies thereto. 16 March, 1880	6
17. Questions asked in the Legislative Assembly by Mr. Barbour, for Mr. Dangar, with respect to above road, and replies thereto. 31 March, 1880	6
18. Questions asked in the Legislative Assembly by Mr. Dangar with respect to the above road, and replies thereto; minutes thereon. 31 March, 1880	7

ROAD FROM BARRABA TO GUNNEDAH.

No. 1.

Legislative Assembly.—Questions and Answers.

Question.

ROAD from Barraba to Gunnedah:—*Mr. Cameron*, for *Mr. Dangar*, asked the Secretary for Mines,—

1. In view of the speedy opening of the Railway to Gunnedah, which is 20 miles nearer Barraba than Tamworth, and money having been voted to expend on this road—Have any instructions been issued; and if so, when, and to what surveyor, and the date of such, for marking and surveying a road from Barraba to Gunnedah?

2. Has the work been commenced; if so, what progress has been made; if not, when will it be?

Mr. Baker answered:—

1. Yes; to *Mr. Licensed-Surveyor Loder*, in October, 1878.

2. Yes; the road has been laid out through measured portions in the county of Nandewar.

Date of question, 23/4/79; date of answer, 23/4/79.

Mr. Landers,—Obtain papers by telegram.—*R.D.F.*, 25/9/79.

Telegram from the Surveyor General to *Mr. Licensed-Surveyor G. Loder*, Tamworth.

Return paper, Roads 78/159, transferred by *Mr. Dist.-Sur. Dewhurst* to you at once.—*J. F. LANDERS*, Secretary and Cashier, for Surveyor General, 25/9/79.

Reply:—Papers 78/159 were transferred by me to district-surveyor in April last; they will be transmitted to you to-morrow.—*GEORGE LODER*.

No. 2.

Legislative Assembly.—Question and Answer.

Question 3.

Mr. Bennett to ask the Secretary for Public Works,—When will tenders be invited for the erection of a bridge over the River Namoi, at Gunnedah; and the new line of road from Gunnedah to Barraba be notified in the Government Gazette, and opened for general traffic?

Mr. Lackey answered:—

Tenders for the bridge over the Namoi, at Gunnedah, will be invited in about a month from this date.

Date of question, 6th November, 1879; date of answer, 6th November, 1879.

No. 3.

Mr. I. Winter to The Secretary for Mines.

Sir,

Sydney, 21 November, 1879.

I have the honor to place before you the following case, which I respectfully ask be dealt with as I suggest, if, upon reference to the proper officer, the matter be found to be as I herein state.

The facts are as follows:—

A main road has been in existence for many years from Gunnedah to Barraba, by way of Carroll; it is also a stock road, and is freely used.

Recently a road has been surveyed from Gunnedah to Barraba, and which passes through my run and freehold land, "Tulcumbah" Station.

The late survey, if carried out, will be only about two miles shorter, but it passes through no settlement or population, and will do me an injury without benefiting the public, whereas the road by way of Carroll is fairly peopled by small farmers, who have there a ready market for their produce to carriers and others on the road. I therefore ask that only the old road be allowed. Of course I am writing in my own interest, and do not wish my unsupported statement to be believed without due inquiry.

I therefore respectfully urge that no further steps be taken until after report on the subject be received.

I may add that the new proposed road will be more expensive to keep in order, and in time of floods is impassable for many miles: this also can be proved.

I have, &c.,

IRVING WINTER.

The Minister wishes a copy of the enclosed tracing to be made, showing the position of the line of road marked thereon in pencil, in order that the enclosed tracing may be returned to *Mr. Dangar*, M.P. The Minister also wishes action in respect to the line of road marked on the tracing as "Proposed new line of road" to be stayed till a report upon the pencil line shall have been obtained, and that such report be obtained with the least possible delay.—*The Surveyor General*, B.C., 8/12/79.—*H.W.*

The Surveyor General, B.C., 10/12/79.—*G.E.H.*, p. U.S.

Tracing now to be sent to *Mr. Dangar*, M.P., as directed by the Minister for Mines, copy having been made and placed with papers.—*A. J. Storrs*, 19/12/79.

Please return for further action.

It

It is recommended that Mr. Winter be informed that there is no intention of closing the road *via* Carroll; also that the road shown on the tracing accompanying his letter, and described thereon as "proposed new line of road," is in fact a road in existence provided in the subdivision of Crown Estate, and forming boundaries of alienated lands in some cases, and reserved through them in others, the continuity of which it has been considered necessary to complete recently by survey of a road through a few portions of land where it did not previously exist.—ROBERT D. FITZGERALD, for Surveyor General, 22 January, 1880.

No. 4.

Mr. District-Surveyor Dewhurst to The Surveyor General.

Sir,

Tamworth, 29 November, 1879.

In compliance with your memorandum dated 20th November, 1879, I have carefully considered the questions asked in the Assembly, that appear on Paper, Roads 79/1,481, the Ministerial replies to which are strictly in accordance with fact.

Referring however to question 4, which appears to require special notice, I have to report that a road from Gunnedah *via* Burburgate to Barraba could be obtained suitable for traffic of all kinds, but that it would equally with that from Gunnedah direct to Rangari be far inferior to the road *via* Carroll, as the line is so very badly watered.

2. The statement that this line would be shorter than the one previously applied for by the residents of Gunnedah is obviously incorrect, as you will readily perceive by inspection of the tracing I now enclose, for with Gunnedah as a starting point the road would be taken to Burburgate or the reserve near it 7 miles (a "board" in which about 1 mile of direct distance would be made), thence to portion No. 20, parish of Vickery; thence to portions 92, 91, parish of Mihi; and thence along the track leading to Rangari, where it meets the road previously petitioned for with such apparent force, but now condemned by the petitioners with equal reason.

3. I may observe, however, that care will be taken in all future surveys not to close the track from Burburgate to Rangari, so that it may always be available for future traffic, if any should arise.

You have been pleased to draw my attention to the petition on Roads 79/1,481. The statements there advanced are substantially correct. There is positively no public expression to be found in the numerous letters that have been written on this subject. There is at present no traffic between Barraba and Gunnedah of any consequence, nor is it all likely that it will increase to any great extent. The natural outlet for Barraba produce is by the main road to Tamworth, which as I have before observed is suitable and convenient from every point of view, while a branch road exists leading from the main road at Oakey Creek *via* Keepit and Carroll to Gunnedah that promises advantages as to extensive reservations, soil, and water, no other route can offer.

4. In conclusion, it is my duty to submit that, in my opinion, a survey from Burburgate towards Barraba would be an utter waste of time and public money, so far as present public convenience is concerned and in view of action proposed in paragraph 3 of this letter. I have, &c.,

A. DEWHURST.

Under this report I cannot recommend the survey of a road from Gunnedah towards Barraba *via* Burburgate. A travelling stock route *via* Carroll has been established, and there is another road in existence, viz., that which has been left in the subdivision of the Crown Estate (now alienated) in the parishes of Weetalibah, Yarrari, Tulcumbah, Willuri, Rangari, &c., the continuity of which has recently been completed by survey in some five (5) places of a road through portions where it had not previously been reserved.—ROBT. D. FITZGERALD (for Surveyor General), 22 January, 1880.

No. 5.

T. G. G. Dangar, Esq., M.P., to The Secretary for Mines.

Re making and proclaiming of road from Gunnedah to Barraba.

Sir,

Sydney, 9 December, 1879.

Respecting our interview a few evenings ago at Assembly with reference to above subject, and my handing you various papers connected therewith, I will feel obliged if you will kindly have made in the office a copy of Mr. Winter's map which I handed you, and cause his to be returned to me, as I wish to return the same to Mr. Winter, as it bears a record of his purchased land.

I feel sure this subject will receive your earliest attention, as the opening up and marking of this road is much desired by Gunnedah and Barraba people, and will prove much nearer than Tamworth.

I may state that the people wish for and have every confidence in Mr. Surveyor Goodwin to do this work, and would wish you to instruct him to perform it, first examining all the proposed routes and determining the best and most practicable way, the nearest and well-watered, and route for stock. Mr. Goodwin is acquainted with the country, and can make a road less than 30 miles; a stock route should also be proclaimed on this road when decided, passing through Crown and unalienated land, otherwise it will only be a fenced lane.

Parliament has voted money for a bridge over Namoi River at Gunnedah, but site cannot be determined until Barraba and Gunnedah road marked.

I shall be glad to hear from you Mr. L.-S. Goodwin has been specially instructed in the matter.

Yours faithfully,

THOS. G. G. DANGAR.

Road Barraba to Gunnedah.

30/6/77.—T. G. Dangar applied to have above opened to the public.

Reply received Lands, No. 77/1,316. Sept. 27th, 1877, referred to District-Surveyor Dewhurst for report.

See Votes and Proceedings of Assembly, 1878. Report received. Instructions issued to lay out road through alienated land. F.

F. Bacon, Gunnedah, May 2nd, 1879.—The present proposed Barraba road is no good, as it is only 7 miles shorter than going round by Carroll, and goes through 30 miles of alienated land. A good road could be made by going down 3 or 4 miles, and striking out by Mick's dam, Bell's selection, and Connor's Gap to Barraba, through Crown Lands, and water at several places, and about 46 miles, would not injure Mr. Wills Allen who is objecting to the present road.

Wants proclaiming half-a-mile on each side, and withdrawn from lease for travelling stock road Gunnedah to Barraba, and then scheduled as a 3rd class road and cleared. Road has been marked through measured portions; it is through Crown Lands it is wanted. A mistake is made bringing road as intended. The road is at present being surveyed mostly through alienated land, and therefore cannot be availed as a stock route. Distance by proposed route is 55 miles, and the first and only water on it after leaving Gunnedah is 35½ miles, and this a tank on purchased land of Irving Winters, which he intends closing. No available water on the whole line.

The distances are as follows:—

Gunnedah to Weetalibah	...	...	...	...	...	...	3 miles.
Weetalibah to Rangari	...	...	...	...	...	...	22 "
Rangari to Borah	...	...	...	...	...	...	10½ "
Borah to Barraba	...	...	...	...	...	...	20 "
Total	...	...	...	...	...	...	55½ "

First water at Borah.

Route suggested by "Prudence" is objected to; would necessitate two bridges, one over Namoi, one over Peel, and not reduce distance. The main object is to make the distance from Barraba to Gunnedah less than to Tamworth.

It is proposed to adopt the route Gunnedah to Burburgate; then to Ween; then to Mihi Creek; then to Connor's Gap; then to Barraba, 45 miles; and all the way after leaving Burburgate, 8 miles from Gunnedah is Crown Lands, well watered, and in flood-time the bridge at Gunnedah will be approachable; the other route, it is said, it will not be so. This way is shorter and preferable, and nature of country better for road and smoother. The road at present being surveyed is almost useless, except for a horseman. Survey of parts of this road were made by Surveyor Loder, but only through alienated land.

No. 6.

The Under Secretary for Mines to T. G. G. Dangar, Esq., M.P.

Sir,

9 December, 1879.

See No. 3.

With reference to the letter of Mr. I. Winter, presented by you, in which he objects to the road recently surveyed from Gunnedah to Barraba, which passes through his Tulcumbah Station, I am directed to inform you that the Minister for Mines has requested that a copy of the tracing be made showing the position of the line of road marked thereon in pencil, so that your tracing may be returned, and also that the action on the line of road marked as "Proposed New Line of Road" be stayed until a report upon the pencil line shall have been obtained. Such report has been requested to be furnished with the least possible delay.

I have, &c.,

HARRIE WOOD,
Under Secretary.

No. 7.

The Under Secretary for Mines to T. G. G. Dangar, Esq., M.P.

Sir,

22 December, 1879.

See No. 3.

Referring to my letter of the 9th instant, respecting Mr. I. Winter's objection to the road recently surveyed from Gunnedah to Barraba, which passes through his Tulcumbah Station, I have the honor to return you the tracing as stated therein.

I have, &c.,

HARRIE WOOD,
Under Secretary.

No. 8.

T. G. G. Dangar, Esq., M.P., to The Secretary for Mines.

Sir,

22 December, 1879.

You will recollect making a note in the House, and kindly promising to inform me the name of surveyor who had been charged to report upon roads Barraba to Gunnedah, and if it was Mr. L.-S. Goodwin. I shall be thankful for the information.

Yours faithfully,

THOS. G. G. DANGAR.

Urgent. Let Mr. Dangar, M.P., be informed to-day.—H.W., 23/12/79.

No. 9.

The Under Secretary for Mines to T. G. G. Dangar, Esq., M.P.

Sir,

23 December, 1879.

With reference to your letter of the 22nd instant, requesting to be apprised if Mr. Licensed-surveyor Goodwin has been charged to report on the road Barraba to Gunnedah, I have the honor to inform you that Mr. District-surveyor Dewhurst has been instructed to report on the road in question.

I have, &c.,

HARRIE WOOD,
Under Secretary.

No. 10.

No. 10.

Messrs. A. Brown and others to The Secretary for Mines.

The Memorial of the undersigned residents of Barraba, Bingera, and Gwydir Districts,—
Respectfully sheweth:—

1. That your memorialists are persons residing in the Liverpool Plains and Gwydir Districts.
2. That they have several times expressed their anxiety to have a road opened from Gunnedah to Barraba. As yet but little notice has been taken of their requests.
3. That they believe that a good road could be surveyed without interfering much with alienated lands.
4. That the advantages derivable from this road being opened would be greatly felt by your memorialists and residents of the above-named districts, inasmuch as it would bring the railway traffic some 20 miles nearer, and over a country not much settled. It would tend to open up the country, and teamsters and travelling stock would avail themselves of the advantages of this road, as the present road to Tamworth is nearly all fenced in. This alone would be a great consideration to travellers, and again the mails would have a quicker transit.
5. Your memorialists would respectfully request that a survey may be ordered, and that Mr. Goodwin, a local surveyor, who has a thorough knowledge of the country, may be instructed to make a survey of said road without delay.

And your memorialists will ever pray, &c.

A. BROWN,
WM. ETHERIDGE,
JOSEPH ARCHIBALD,
And 121 others.

Presented by T. G. G. Dangar, Esq., M.P., 5/1/80.

No. 11.

Extract from letter, Mr. I. Winter to T. G. G. Dangar, Esq., M.P.

Dear Sir, Tuleumbah, 18 January, 1880.

I am in receipt of your favour of 24th ultimo, referring to the Gunnedah-Barraba Road, and have to thank you for the interest you have taken in the matter in placing the same in a proper light before the Minister for Mines.

I note the proposed road marked in pencil on the plan, and must inform you that in my opinion that route is quite impracticable, as it runs the greater part of the distance along and over a range of mountains with cliffs averaging 100 to 150 feet in height, and so steep that they are almost impassable on horseback, and there being no water except in the low-lying country, and there only in flood-times when the road would be impassable.

I have not the least doubt but that the surveyor's report, when sent in, will confirm my statement in every particular.

No. 12.

Memo. of Under Secretary for Mines.

RETURN papers to the Deputy Surveyor General.

Sir John Robertson, M.P., will see the Deputy Surveyor General on the subject.

H.W., 4/2/80.

No. 13.

The Under Secretary for Mines to T. G. G. Dangar, Esq., M.P.

Sir, 6 February, 1880.

I have the honor to acknowledge the receipt of the memorial from certain residents of Barraba, Bingera, and Gwydir Districts, for the opening of a road from Gunnedah to Barraba, and also a letter from Irving Winter, Esq., respecting the same road, and to inform you the matter shall receive immediate attention. See No. 10.
See No. 11.

I have, &c.,
HARRIE WOOD,
Under Secretary.

No. 14.

Mr. A. G. Martin to The Secretary for Mines.

Sir, 23 February, 1880.

Mr. E. Vickery has informed me that instructions have been issued for the survey of a road from Gunnedah to Barraba, which road would, if carried out, pass through his alienated land and his fenced paddocks. I beg first to call your attention to the fact that some few months since a road was marked from Gunnedah to Barraba about eight (8) miles easterly of the route now proposed and nearly parallel to it. It appears to be the desire and intention, not of the department, but of some persons pecuniarily interested in the opening of a road to Barraba, to separate the existing road from Barraba to Tamworth,—a road which is in every respect superior to either of the proposed roads, and the character and position of which is naturally more suitable for the connecting of Barraba with Tamworth railway terminus. In the northern extension of the railway from Tamworth, it is certainly very probable that Barraba will be tapped by this extension to our northern border. If this should occur, as it probably will within a few years, neither one or the other of the roads so proposed to connect Gunnedah with Barraba would be required, and should they ever by any mischance obtain an existence they would be rendered useless and unnecessary by the aforesaid extension.

The route of the proposed road herein specially referred to is some 8 miles westerly of the previously marked road, and for some considerable distance parallel to it, and would pass through Mr. Vickery's

Vickery's Burburgate Run, at the back of which there is a range between Gunnedah and Barraba almost impassable. It may safely be asserted that this proposed road would be impracticable, and in every respect inferior to the previously marked road. If the road formerly marked has been found to be unsuitable and impracticable unless by the expenditure of unreasonable amounts of money, and if its position was such that it would not attract a large traffic, how much less justifiable would be the making of a road under less favourable circumstances, and in a position less likely to attract traffic because further removed from a settled population, and because there is but a small number of persons settled between the townships of Gunnedah and Barraba on the proposed line of road.

I therefore have the honor to request, on behalf of Mr. E. Vickery, that you will not only not open the road referred to, but that you will stay all preliminary proceedings in the matter.

I have, &c.,

The Surveyor General, B.C., 24/2/80—G.E.H., p. U.S.

A. G. MARTIN.

It is recommended that applicant be informed that at present there is no intention of opening a road from Gunnedah to Barraba, *via* Burburgate. The district surveyor has reported most favourably of the existing road *via* Carroll, and shortly a road will be available through the parishes of Boorobil, Gunnebene, Yarrari, Tulcumbah, Willuri, and Rangari, between and through alienated lands, when a few short pieces which have recently been surveyed through alienated land (where no road previously existed) have been proclaimed.—ROBT. D. FITZGERALD (for Surveyor General), 10 March, 1880.

Submitted.—H.W., 12/3/80.

No. 15.

Legislative Assembly.—Questions and Answers.

Department of Mines, Parish Roads Branch, 27 February, 1880.

Question No. 4.

ROAD from Barraba to Gunnedah:—Mr. Dangar asked the Secretary for Mines,—

1. Has the district or any other surveyor's report been received upon the several suggested lines of road from Barraba to Gunnedah; if so, the nature thereof; and if not, when is it likely to be, and will the report be expedited?

2. Has (or will) the district surveyor, or other surveyor deputed by him, personally inspected and travelled over these routes?

Mr. Baker answered:—

1. Yes; Mr. District-Surveyor Dewhurst has reported favourably of the line *via* Carroll.

2. Yes. Answer, 27/2/80.

No. 16.

Legislative Assembly.—Questions and Answers.

Question No. 2.

ROAD from Barraba to Gunnedah:—*Mr. Coonan*, for Mr. Dangar, asked the Secretary for Mines,—

1. With reference to Papers, "Road Barraba to Gunnedah," ordered by this House to be printed 4th November, 1879,—Will there be any objection to place upon the Table of this House, and have printed, a copy of the whole of the original document marked No. 5, therein alluded to?

2. Are not the words "100,000 alienated" in the fourth paragraph of Mr. Surveyor M'Master's report meant for "100,000 unalienated," and printed wrongly?

3. Is there not more correspondence connected with this road matter not included in this Return in Mines or Works Departments, such as Petition from Barraba residents, asking for the opening of this road, &c.: if so, will the same be produced and printed?

See No. 11.

Mr. Baker answered:—

1. The original document (No. 5) is the general report of the Road Superintendent for the month of August, 1878, and includes the whole of the roads and bridges in his charge. The extract given respecting the Barraba and Gunnedah road is complete, and the report contains no other reference to it.

2. The words in Mr. Surveyor M'Master's report have been correctly printed—they are "one hundred thousand alienated."

3. There are papers of a later date than the printed Return, and with them is a Petition of the residents of Barraba, Bingera, and the Gwydir Districts, asking for a road between Barraba and Gunnedah, the precise route of which they do not indicate. They will be laid upon the Table of the House.

Date of question, 16/3/80; date of answer, 16/3/80.

No. 17.

Legislative Assembly.—Questions and Answers.

Question.

ROAD from Barraba to Gunnedah:—Mr. Barbour, for Mr. Dangar, asked the Secretary for Mines,—

1. The dates of the several instructions given by the Mines, Works, or Survey Departments (see Votes and Proceedings No. 59, of 27th ultimo, question No. 4, and reply thereto), calling for reports on the different suggested roads from Barraba to Gunnedah, and to what Surveyor issued, particularly the date of the latest instructions so issued?

2. Was District-Surveyor Dewhurst's favourable report upon the road *via* Carroll made previous or subsequent to the date of last instructions for a special report upon the several lines suggested for road Barraba to Bingera?

3. Has the district or any other surveyor reported upon the three suggested roads since they were last instructed; if so, name of surveyor, and date of inspection?

4. Have not three routes been suggested—one "*via* Carroll," one by Burburgate, and an intermediate one—does the reply infer these three routes have been travelled over and reported upon by the district

district or other surveyors appointed by him, with a view to deciding the best road; and, if so, has the whole length of lines been gone over, or merely parts; and if so what portions. If not, will instructions issue to make a thorough inspection of all these lines before deciding the one to be surveyed and opened to the public, having in view a travelling stock road and water for public use.

Mr. Baker answered:—

1. Instructions were sent from the Surveyor General's Office as follows:—District-Surveyor Dewhurst, 22nd August, 1877, transferred to Surveyor M'Master, 28th August, 1877; District-Surveyor Dewhurst, 29th July, 1878, transferred to Licensed-Surveyor Loder; District-Surveyor Dewhurst, 24th April, 1879; District-Surveyor Dewhurst, 28th June, 1879; and the last instructions to District-Surveyor Dewhurst on 20th November, 1879. On the 8th December, 1879, instructions were issued by me to the Surveyor General, but were not sent to the district-surveyor, because he had already reported under date 29th November, 1879.

2. The report referred to was made subsequent to the latest instruction on the subject sent to Mr. District-Surveyor Dewhurst (namely that of 20th November, 1879), which was in connection with a previous instruction to him, issued 28th June, 1879, in compliance with a reply given in Parliament to question asked by Mr. Dangar on 20th June, 1879, relative to road Barraba to Gunnedah, to which questions and the replies thereto Mr. Dewhurst's attention was especially directed, but was prior to my instruction to the Surveyor General of the 8th December last.

3. No report has been received from the district-surveyor since 29th November last.

4. The three routes named have been suggested. I am not in a position to state that all the lines have been inspected throughout, but will cause an inquiry to be made, and if not already completely inspected, I will cause a complete inspection to be made.

Date of question, 16 March, 1880; date of answer, 31 March, 1880.

No. 18.

Legislative Assembly—Questions and Answers.

Question 1.

Mr. Dangar to ask the Secretary for Mines,—

1. The dates of the several instructions given by the Mines, Works, or Survey Departments (see Votes and Proceedings, No. 59, of 27th ultimo, Question No. 4, and reply thereto), calling for reports on the different suggested roads from Barraba to Gunnedah, and to what surveyor issued, particularly the date of the latest instructions so issued?

2. Was District-Surveyor Dewhurst's favourable report upon the road *via* Carroll made previous or subsequent to the date of last instructions for a special report upon the several lines suggested for road Barraba to Bingera?

3. Has the district or any other surveyor reported upon the three suggested roads since they were last instructed; if so, name of surveyor, and date of inspection?

4. Have not three routes been suggested,—one *via* Carroll, one by Burburgate, and an intermediate one; does the reply infer these three routes have been travelled over and reported upon by the district or other surveyors appointed by him, with a view to deciding the best road; and if so, has the whole length of lines been gone over, or merely parts; and if so, what portions; if not, will instructions issue to make a thorough inspection of all these lines before deciding the one to be surveyed and opened to the public, having in view a travelling stock road and water for public use?

Referring to Mr. Dangar's question No. 1 to be asked on the 31st instant, will the Surveyor General be good enough to obtain from Mr. District-Surveyor Dewhurst, if necessary, the information requisite to answer that part of paragraph 4 as to whether the whole or what portions of the three routes referred to have been travelled over and inspected by the district or other surveyor.

The Surveyor General, B.C. 25/3/80, H.W. Received 3 o'clock, Thursday, 25 March.

Such information as the office materials afford was supplied to Mines a week since, copies of which can be made if necessary. Should anything further be desired, a telegram might be sent to Mr. District-Surveyor Dewhurst.—A. J. STORRS, for Surveyor General (in absence of Surveyor General and Deputy Surveyor General).

Please supply copy and send telegram.—H.W., 25/3/80. Copy of replies sent to Mines, and telegram sent 3:55 p.m.—A.J.S., 25 Mar.

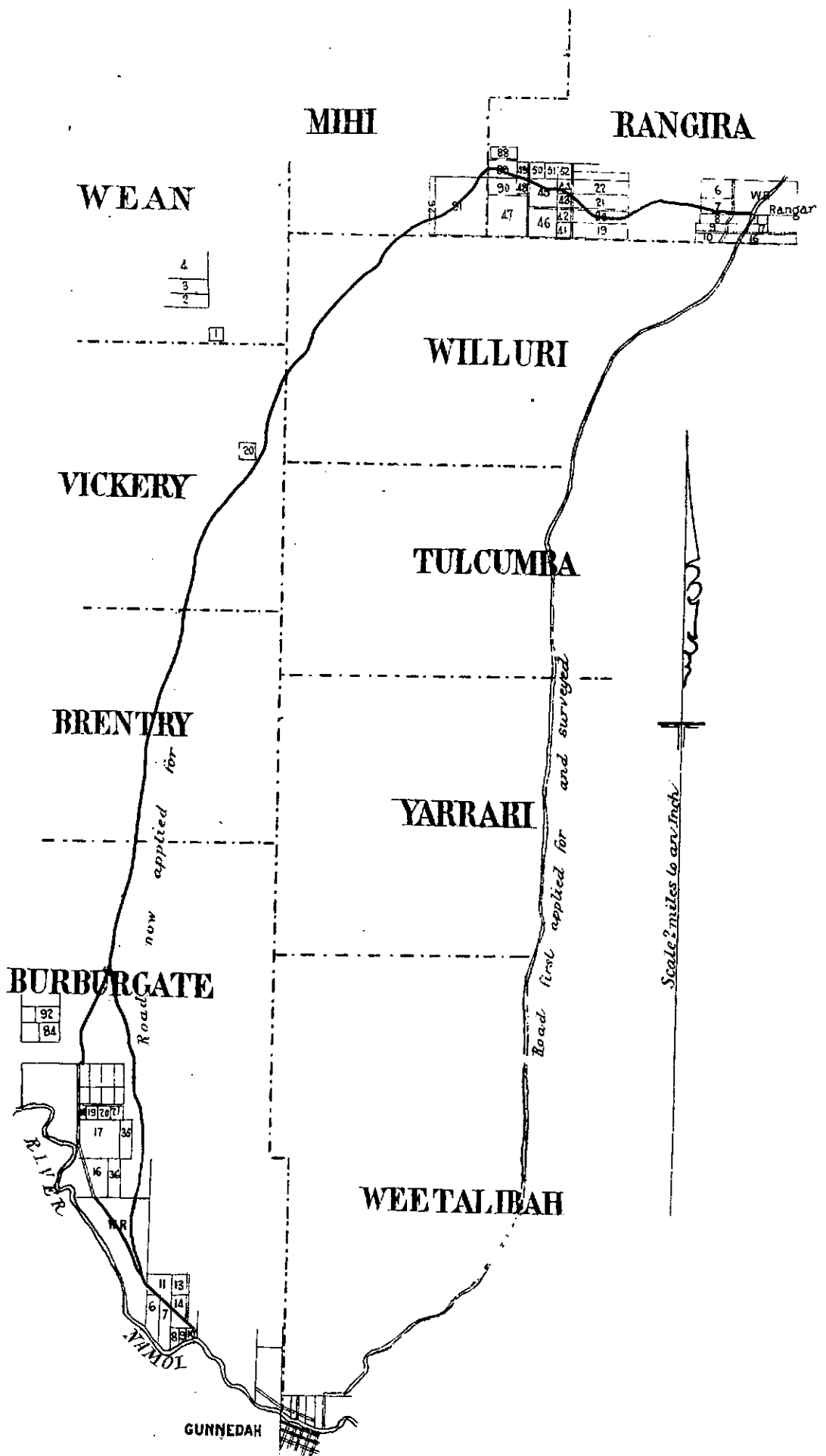
Replies to questions have been previously supplied; the following reply to question No. 4 should, however, be substituted for that given some days since:—4. Three routes have been discussed, viz.: the present travelling stock route *via* Carroll, a proposed route *via* Burburgate, and an intermediate route through and between alienated lands. This last road was visited and reported on by Mr. Surveyor McMaster, and portions of it that remained unsurveyed have lately been laid out by Mr. Licensed-Surveyor Loder. Mr. District-Surveyor Dewhurst reports that he has inspected throughout the road Barraba to Gunnedah, *via* Borah and Tulcumbah; also the road *via* Borah, Keepit, and Carroll; only partly the road *via* Connor's Gap, but sufficient to justify his report. He is about to inspect the short length through Connor's Gap, over which he has not yet ridden; but the sudden rise of altitude indicated by Mr. Licensed-Surveyor Loder's survey of the Nandewar range shows its impracticability. Licensed-Surveyors Loder and Dowe know the country well and agree with Mr. District-Surveyor Dewhurst.—ROBT. D. FITZGERALD, for Surveyor General, 31st March, 1880.

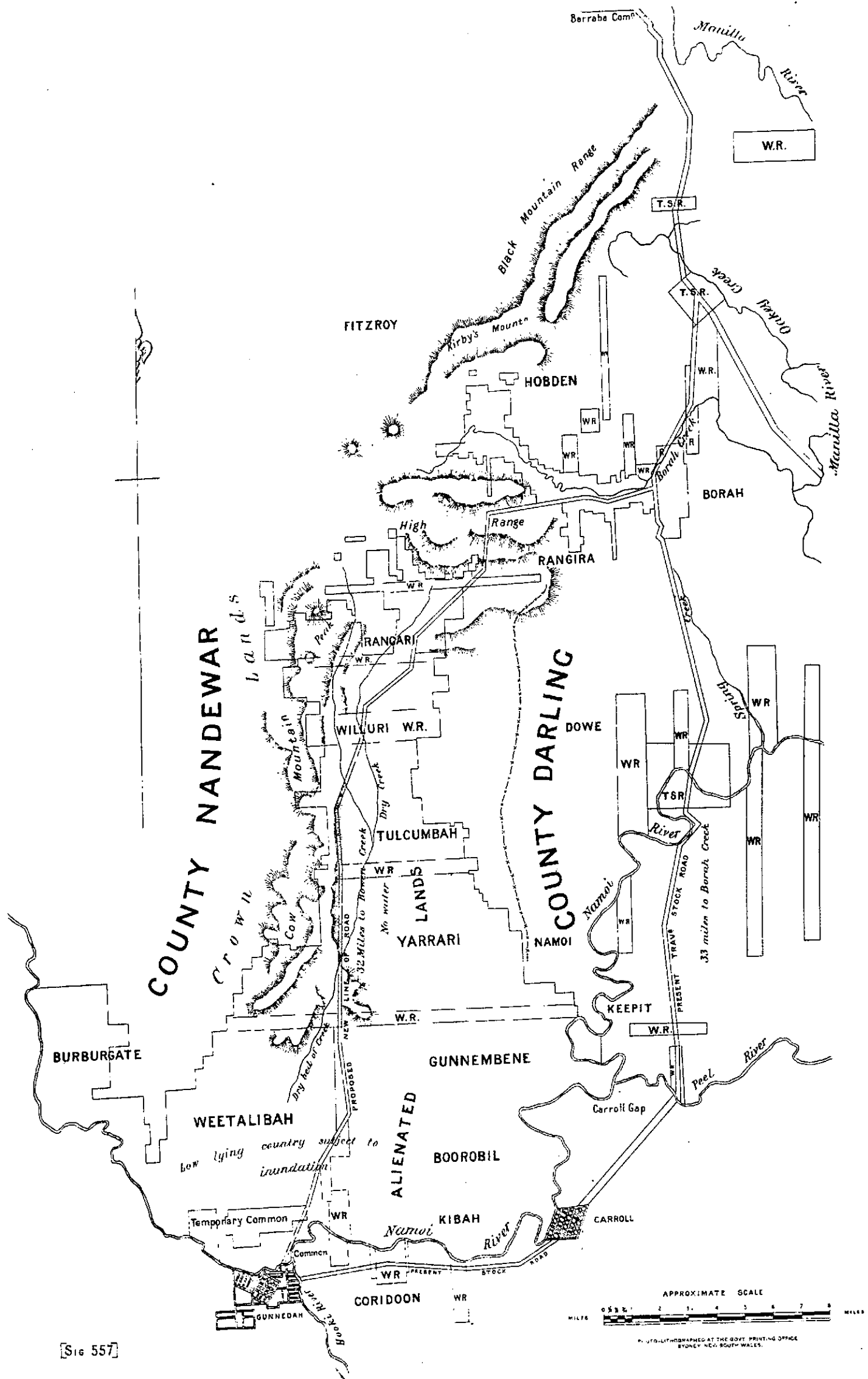
The Surveyor General may be asked to cause a complete inspection of the routes to be made, and the results to be reported fully.—E.A.B., 31/3/80. The Surveyor General, B.C., 31/3/80.—G.E.H., p. U.S.

It will be observed on reference to the amended reply to question 4 (see above) that two of the routes have been thoroughly inspected, the third only partly, a short length of it *via* Connor's Gap, being about to be inspected by the District Surveyor, who has this day been instructed to carry out the proposed inspection.—ROBT. D. FITZGERALD, for Surveyor General, 2nd April, 1880.

Scen.—H.W., 3/4/80.

[Two plans.]





1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

ROADS.

(IN THE QUEANBEYAN ELECTORATE.)

Ordered by the Legislative Assembly to be printed, 29 January, 1880.

RETURN in reply to a question asked by Mr. James B. Thompson, dated 20th January, 1880,—

With reference to applications for roads in the Electorate of Queanbeyan, during the period from the 1st November, 1877, to the above date, will the Minister for Mines particularize the several roads applied for, and in each case supply the following information:—

- 1st. Date and mode of application.
 - 2nd. Action taken.
 - 3rd. Those not finally dealt with.
-

ROADS.

RETURN in reply to a question asked by J. B. Thompson, Esq., M.P., as to applications for Roads in the Electorate of Queanbeyan, during the period from the 1st November, 1877, to the 20th January, 1880.

Name of Roads applied for.	Date and mode of application.	Action taken.	Those not finally dealt with.
For opening of road closed by —, Campbell Majura towards Queanbeyan.	24 October, 1878—Petition from inhabitants of Majura, per J. B. Thompson, Esq., M.P.	Surveyor Smith reports, with plan and book of reference; recommended for preliminary notification.	Not finally dealt with.
For opening of road north of J. Hosking's portion 43, and through portion 48, parish of Majura.	Received 6 November, 1878—J. & M. Nash and T. Rutledge.	Sent to District Surveyor Twynam for report.	do.
For alteration of road along the Woodbury line, being part of main road from Gunning to Gundaroo, parish of Goorooyarroo, county Murray.	25 March, 1878—R. C. Rowley.	On Surveyor Smith's report, Mr. Rowley was informed that there was no objection to the alteration of the road, and stating method of doing it.	.....
For road from Queanbeyan, <i>vid</i> Burra Creek, towards Micaligo.	8 January, 1879—Surveyor Smith, re-opening.	Sent to Surveyor Smith and returned; now with District Surveyor Betts.	Not finally dealt with.
For road Cooma to Micaligo	6 May, 1878—Inhabitants of Burra.	Surveyor Smith reported, which was sent to District Surveyor Betts, with an application for extension.	do.
For road for access to water from certain conditional purchases to Gininderra Creek and Murrumbidgee River.	31 January, 1878—Inhabitants, parish Weetangera, and J. B. Thompson, Esq., M.P.	Surveyor Smith's report sent to District Surveyor Twynam; also, petition of inhabitants of Gininderra Creek, sent to District Surveyor Twynam.	do.
For road to G. F. Dixon's 264½ acres, on Canberra Plains.	7 April, 1879—G. F. Dixon.	Reported on by District Surveyor Twynam; no further action yet taken.	do.
For road through Krawarric Estate, county of Murray.	25 July, 1879—Frank Mason.	Sent to District Surveyor Twynam for report.	do.
For road to James Donoghoe's conditional purchase, Green Meadows to Fox's line to Bungendore.	14 June, 1879—James Donoghoe.	Reported on by Surveyor Smith, per District Surveyor Betts, now with Executive Council for preliminary notification.	do.
For road through T. A. Murray's (now Beit's 640 acres), Lake George, parish of Collector, from Gundaroo Road to Lake George Road.	17 March, 1879—Sampson Ranger.	Reported on by Surveyor Schleicher, and Mr. Ranger informed road cannot be granted.	.....
For road to connect Upper and Lower Boro with Goulburn and Braidwood and Marulan and Braidwood.	10 June, 1878—W. Davies	Report of Surveyor Schleicher to District Surveyor Twynam.	Not finally dealt with.
For road from Braidwood, <i>vid</i> Ballalaba, towards Cooma.	29 July, 1879—District Surveyor Twynam, recommending road.	Sent to District Surveyor Twynam	do.
For road Round Hill to intersection of Yarralumla Road.	Received 14 November, 1879—Inhabitants of Round Hill, per J. B. Thompson, Esq., M.P.	Sent to District Surveyor Twynam for report.	do.
For road from Richard Elliott's conditional purchase to main road, Gunning to Gundaroo.	21 October, 1878—Richard Elliott, per M. Fitzpatrick, Esq., M.P.	On Surveyor Schleicher's report, Mr. Elliott was informed that road could not be granted.	do.
For road to Canberra and Dunganon Waterholes.	29 October, 1878—Inhabitants of Canberra.	Surveyor Smith reported; now under consideration as to survey of roads.	do.
For road from A. Carter's land on Yass River, in the parish of Morumbateman.	12 November, 1877—H. Carter.	On Surveyor Nash's report, Mr. Carter informed—"Traffic of insufficient importance to warrant road being laid out."	do.
For resurvey of road from Micaligo to Queanbeyan.	3 August, 1878—Surveyor Smith, recommending resurvey.	Sent to District Surveyor Betts for report.	do.
For road from Queanbeyan to Uriarra, through the Yarralumla Estate.	Received 15 April, 1878—Petition from Inhabitants of Queanbeyan, Uriarra and Yarralumla, per J. B. Thompson, Esq., M.P.	Surveyor Smith's report sent to District Surveyor Twynam.	do.
For road from Joseph Armstrong's land, through Davis' 650 acres, to the Main Road, Yass to Gundaroo.	21 October, 1878—Joseph Armstrong.	Reported on by Licensed Surveyor Nash, and notice of preliminary notification appeared in Gazette of 23rd January, 1880.	do.
For road through Canberra Plains	7 April, 1879—Richard Hill.	See above application of Inhabitants of Canberra.	do.
For road, <i>vid</i> Canberra Church, by a Ford on south side of Molonglo River, to Queanbeyan.	20 November, 1879—J. B. Thompson, Esq., M.P.	District Surveyor Twynam has reported, which is now under consideration.	do.
For survey of northern approach to Bridge over Yass River to Goulburn.	4 April, 1879—Works ...	Road preliminarily notified, and Clerk of Executive Council reports no objections received.	do.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

COBBORAH ROAD.

(SCHEDULE OF TENDERS FOR CLEARING.)

Ordered by the Legislative Assembly to be printed, 13 February, 1880.

ROAD FROM MUDGEES TO COBBORAH.

SCHEDULE of Tenders opened 1st December, at the Court-house, Mudgee, by E. N. Nardin,
Assistant Engineer, in the presence of W. D. Meares, P.M.

Name, number, and description of Contract.	Name of Tenderer.	Amount of Tender.		Amount of Estimate.		Bulk sum.	
		£	s. d.	£	s. d.	£	s. d.
Contract H	Estimate	0	9 0	36	0 0	418	1 0
Clearing from Goodiman Creek to Falconer's Road, "Cudgong to Dubbo."	1. John Turner.....	0	9 0	36	0 0	.....	.....
	2. John Peckman.....	0	8 10	.....	.....	.....	.....
	3. Michael Riordan	0	9 6	.....	.....	.....	.....
	4. Wm. Spouncer.....	0	9 3	.....	.....	.....	.....
	5. Jas. Hewitt	0	9 3	37	0 0	.....	.....
	6. Job Levers	0	10 0	40	0 0	.....	.....
	7. Mulbolland and Hill	0	9 3	.....	.....	428	15 3
	8. Robt. Elliott	0	12 0	48	0 0	.....	.....
	9. Jas. Daley.....	0	9 0	.....	.....	418	1 0
	10. Charles Harper	0	7 3	.....	.....	336	15 3
	11. John Snelson	0	8 2	.....	.....	379	6 10
	12. Geo. Farthing	0	10 0	.....	.....	464	10 0
	13. M. O'Connor	0	9 6	.....	.....	418	0 0
	14. W. J. Weston .....	.....	.....	38	17 6	.....	.....
	15. P. Haley	0	8 6	.....	.....	.....	.....
	16. Robt. Jones	0	9 0	.....	.....	418	10 0
	17. Denis Cooney	0	9 3	.....	.....	429	13 3
	18. John Williams.....	0	8 9	.....	.....	406	8 6
	19. Wm. Parrish	0	8 0	.....	.....	313	0 0
	20. M. Horner	0	11 0	.....	.....	510	19 0
	21. C. Robinson	0	10 0	.....	.....	.....	.....
	22. G. B. Southwick	0	8 5	.....	.....	390	19 1

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

PUBLIC GATE ON ROAD FROM COLLECTOR TO BREADALBANE
RAILWAY STATION.

(LETTERS, MINUTES, &c.)

Ordered by the *Legislative Assembly* to be printed, 27 May, 1880.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 12th May, 1880, That there be laid upon the Table of this House,—

“Copies of all Letters, Minutes, Petitions, and other Documents, having reference to the erection of a Public Gate on the Road from Collector to Breadalbane Railway Station.”

(*Mr. Badgery.*)

NO.	SCHEDULE.	PAGE
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6.	E. Butler, Esq., M.P., to the Honorable the Minister for Lands, enclosing a letter from Mr. J. Hannan and a petition from inhabitants of Breadalbane and surrounding districts, objecting to the erection of the gate. 2 May, 1876	3
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9.	The Under Secretary for Lands to E. Butler, Esq., M.P., in reply to his letter of 2nd ultimo. (See No. 6.) 16 June, 1876	4
10.	The Under Secretary for Lands to John Macaulay, Esq., in reply to his letter of 29th ultimo (see No. 7), and referring him to a letter from this department to J. J. Waddell, Esq. (See No. 8.) 26 June, 1876	4
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12.	The Under Secretary for Lands to Messrs. J. J. Waddell, Francis Poidevin, John Sheridan, and others, in reply to petition. (See No. 11.) 24 January, 1878	5
13.	Mr. John J. Waddell to the Honorable the Minister for Lands, further urging that permission be granted to erect a gate; minutes thereon. 8 April, 1878	5
14.	William Davies, Esq., M.P., to the Honorable the Minister for Lands, advocating erection of gate. 16 April, 1878	5
15.	Mr. Acting District-Surveyor Schleicher to the Surveyor General, reporting according to instructions (see No. 13), with tracing showing position of gate applied for; minute thereon. 23 September, 1878	5
16.	Preliminary notice of intention to grant permission to erect gate, inserted in Government Gazette, in lieu of notice gazetted 28th March, 1876; minutes, &c. 22 November, 1878	6
17.	Petition from inhabitants of Collector and surrounding districts to the Honorable the Minister for Lands, protesting against the erection of the gate. 14 December, 1878	6
18.	The Surveyor General to the Under Secretary for Lands, recommending that (notwithstanding the objections raised) notice of intention to grant permission to erect gate be inserted in Government Gazette; minutes, &c. 3 Jan., 1879	7
19.	Notice in Government Gazette. 4 February, 1879	7
20.	The Under Secretary for Mines to Messrs. J. V. Cooper, Edward Graham, J.P., W. O. Cooper, and others, in reply to petition (see No. 17), stating that the erection of the gate has been authorized. 5 February, 1879	7
21.	Mr. John F. Kenny, J.P., to the Honorable the Minister for Lands, protesting against erection of the gate; minute. 17 February, 1879	7
22.	Same to the Hon. Minister for Mines, further protesting against the gate; minutes thereon. 17 March, 1879	8
23.	William Davies, Esq., M.P., to the Honorable the Minister for Mines, asking that Trustees be officially informed of permission to erect gate having been granted. 23 April, 1879	8
24.	Mr. District-Surveyor Twynam to the Surveyor General, further report (see No. 22); minute thereon. 7 July, 1879	8
25.	The Under Secretary for Mines to Mr. J. J. Waddell, informing him of Mr. John F. Kenny's protest (see No. 21), and that the papers in the matter have been sent to the District Surveyor for report. 27 September, 1879	9
26.	The Under Secretary for Mines to John F. Kenny, Esq., J.P., in reply to letter of 17th March last. (See No. 17.) 17 November, 1879	9
27.	The Under Secretary for Mines to John J. Waddell, Esq., Chairman of the Board of Trustees of the Collector Common, informing him that, notwithstanding objection (see No. 22), the Minister for Mines has decided not to withdraw permission to erect gate. 17 November, 1879	9
28.	Henry S. Badgery, Esq., M.P., to the Honorable the Minister for Mines, urging that the gate be not erected until further inquiry is made. 2 March, 1880	9
29.	Petition from inhabitants of Collector and surrounding districts to the Honorable the Minister for Mines, stating that the gate is not required; minute thereon	10

PUBLIC GATE ON ROAD FROM COLLECTOR TO BREADALBANE RAILWAY STATION.

No. 1.

The Chairman of the Trustees of the Collector Common to The Secretary for Lands.

Sir,

Collector, 2 October, 1875.

On behalf of the Trustees of the Collector Common, I have the honor to request your permission to erect a public gate, where the road from Collector to Pomeroy intersects the northern boundary of the above common, passing through Patrick Byrne's 104 acres. I may state that for several years past there has been a slip-panel at the point referred to, but as parties passing through were not bound to put up the rails, they were frequently left down, thereby causing much vexatious annoyance, both to the commoners and the owners of land along the above line of road, through the trespassing of stock, &c. We propose to erect a gate 10 feet 6 inches wide.

I have, &c.,

JOHN J. WADDELL,
Chairman of the above Board of Trustees.

[Enclosure to No. 1.]

Department of Lands, Sydney, 24 August, 1875.

PUBLIC GATES.

Every applicant for permission to erect a gate or gates, under the Act of Council 39 Victoria, No. 10, must forward to the Minister for Lands, together with his application, the sum of three pounds three shillings (£3 3s.) for one gate, and one pound one shilling (£1 1s.) for every other gate on the same property or run, to cover cost of the surveyor's report.

If the road is considered of sufficient public importance to warrant the payment for erection of gate or gates by the Government, the money will be refunded.

THOMAS GARRETT.

(Min. 73-1,528.)

Minutes on No. 1.

It is submitted that this is scarcely a case in which the fee of £3 3s. should be demanded, but see notice of 24th August, copy herewith.—O.R., 6/10/75.

Deputy Surveyor General, B.C., 8/10/75.—A.O.M. This ought not to be demanded.—R.D.F., 23/11/75. Mr. District-Surveyor Twynam is requested to report, in accordance with paragraph No. 85 of surveyor's instructions.—ROBT. D. FITZGERALD (for Surveyor General), 25/11/75. Report accordingly herewith, 16 Feb., 1876, No. 30.—E.T., D.-S.

No. 2.

Mr. District-Surveyor Twynam to The Surveyor General.

Tracing,
Appendix A.

THE road mentioned is that leading from Collector to the platform on the Southern Railway, near Mutt-billy, on the Third Breadalbane Plain, and thence to Pomeroy; it has been dedicated as a parish road, is maintained as a road of the V class out of the annual Parliamentary Vote for Subordinate Roads, and it is travelled by a mail thrice a week. The traffic from Collector to the railway platform is, and must continue to be, insignificant for several years, and in my opinion public gates would not at present be found to be a hindrance or obstruction to traffic; nevertheless, it must be borne in mind that the road is now a public thoroughfare, also that a common opinion prevails that the fact of maintenance at public cost is evidence of traffic sufficient to prohibit the use of gates, which undoubtedly do cause some inconvenience, and incur some risk under certain conditions of travelling; moreover, the proposed gate is to be erected on the boundary of the town reserve, at Collector, a place of course where there will be more traffic than elsewhere on the road.

Under all the circumstances of the case, I cannot recommend the application to be entertained; but as my reluctance to recommend it is based solely on general grounds, and not on special objections, perhaps as the public gate is sought to be obtained as a convenience to the commoners at Collector, it might be considered expedient to publish the usual preliminary notification, with a view of eliciting objections from those concerned.

Submitted. E. TWYNAM, D.-S.

Goulburn, 6 February, 1876. No. 30.

No. 3.

The Surveyor General to The Secretary for Lands.

Gates—Preliminary Notice.

It is recommended that a notice be inserted in the Government Gazette and in some local newspaper (if any) to the effect that a gate in the position hereunder described has been applied for under the Act 39th Victoria No. 10, by the Trustees of Collector Common; and all persons interested are invited to state within thirty days from the date of such notice their objections (if any) to such application, the propriety of granting it being under consideration.

17 March, 1876.

P. F. ADAMS,
Surveyor General.

Situation of Gate.

Gate No. 34.

Gate (not less than 11 feet wide) on the road from Collector to the third Breadalbane Plain, at the north boundary of the Collector Common, being the south boundary of P. Byrnes's 104 acres, parish of Collector, county of Argyle.

For notice, 18/3/76; notified, 28/3/76; for advertising, 30/3/76; advertised, 10/4/76.

No. 4.

No. 4.

Preliminary Notice in Government Gazette.

Department of Lands, Sydney, 28 March, 1876.

Public Gates.

NOTICE is hereby given that a public gate, as hereunder described, has been applied for under the provisions of the Act 39 Victoria No. 10, and all persons interested are invited to state within thirty days from this date their objections (if any) to the granting of such application.

THOMAS GARRETT.

Gate No.	R. S. B. No.	Applicant.	Description.
76-34...	76-442 ...	The Trustees of Collector Common...	Gate (not less than 11 feet wide), on the road from Collector to the Third Breadalbane Plain, at the north boundary of the Collector Common, being the south boundary of P. Byrnes's 104 acres, parish of Collector, county of Argyle.

No. 5.

Memo. from Commissioner to Mr. Road Superintendent Chauncy.

Sydney, 13 April, 1876.

You are requested to report whether there is any objection to the erection of the gates referred to in the accompanying notice.

If you are unacquainted with the locality, you need not visit but make the best inquiries possible.
B.C. (For Commissioner and Engineer),

G.C.E.

Minutes on No. 5.

I think under the circumstances—this being for the convenience of the public generally—the request might be granted. I therefore see no objection at the present time.—W. S. CHAUNCEY, 14/4/76. Forward to Surveyor General.—W.C.B., 15/4/76. To be placed with papers 76-442 R.S.B.—E.G., 21/4/76. To be submitted to the Surveyor General with objections (if any) after expiration of the thirty days' notice.—R.D.F., 29/4/76.

No. 6.

E. Butler, Esq., M.P., to The Secretary for Lands.

Dear Garrett,

2 May, 1876.

Will you kindly consider the *pros* and *cons* of the enclosed matter, and send me an answer?

Faithfully yours,

E. BUTLER.

I do not think the gate should be granted.—T.G., 22/5/76.

[Enclosure to No. 6.]

Mr. John Hannan to E. Butler, Esq.

Dear Sir,

Breadalbane, 24 April, 1876.

You will please present this petition I now send you concerning the public gate between Collector and Breadalbane as early as possible, as I am afraid of its being late.

I am, &c.,

JOHN HANNAN.

Breadalbane, 22 April, 1876.

Petition of the Inhabitants of Breadalbane and surrounding District to the Honorable the Minister for Lands.

The humble petition of the inhabitants of Breadalbane and surrounding District,—

RESPECTFULLY SHOWETH:—

That having observed that the Trustees of the Collector Town Common have applied for a public gate at the north boundary of Collector Common, your humble petitioners request that such gate shall not be granted, on the following grounds, viz.:—

1. That the erection of such gate on the main road leading to Collector would inconvenience your petitioners attending places of worship on Sunday.
 2. The erection of this gate on the road to the nearest police station and Police Court.
- That your humble petitioners consider the erection of this gate would be a public nuisance on a road leading to a public pound.
4. That the erection of such gate could only benefit one landowner, whose land is unfenced, where all other holdings are fenced on both sides of road.

That your humble petitioners have showed sufficient cause not to have this gate erected; and as in duty bound, will ever pray.

JOHN HANNAN,
JOHN PURCELL,
JOHN WOODS,
And 17 others.

No. 7.

Mr. J. Macauley to The Secretary for Lands.

Hon. Sir,

Some time since, J. J. Waddell, Esq., as Chairman of the Trustees of the Collector Commonage, applied for a public gate on the north side of the said common, on the road from Collector to Breadalbane. Now the inhabitants of Collector find that a man named James Purcell—a man that has no fixed place of abode, but has got the contract to carry the mail from Collector to Breadalbane for nine months—has got up a petition against the said gate. Most of those that have cattle on the common have been with me since,

since, as one of the trustees of this road, requesting me to write to you, stating that none that have cattle (with the exception of one or two of his friends) have ever signed the said petition, and if their names are at it they are forgeries, as Purcell went about the public-houses for eight or ten days forcing every one that he met to sign; and from what I am told, the most of those that signed were children or persons that had nothing to do with the road.

Mr. Waddell informs me that he would never have applied for the gate if he did not know that it was absolutely necessary to save so much impounding of cattle and horses, as of the nine miles of this road there is only three of it fenced, and the common being overstocked, the cattle, and especially horses, stray for many miles along this road, and are constantly taken to the pound, which causes a deal of ill-feeling among neighbours, and this still will be the case till such time as a gate is put on at this place. There is a slip-panel where the gate is applied for, but not one in ten put it up, so that the inhabitants would most respectfully ask of you, Hon. Sir, that you would reject the petition and grant the gate where it is so much needed.

29 May, 1876.

I have, &c.,

JOHN MACAULEY.

Minutes on No. 7.

The Honorable the Minister for Lands has recently decided that permission to erect the gate in question should not be granted.—ROBT. D. FITZGERALD (for Surveyor-General), 7 June, 1876. Refer to the intimation thereof.—A.O.M., 9/6/76.

No. 8.

The Under Secretary for Lands to The Chairman to the Board of Trustees of Collector Common.

Sir,

Department of Lands, Sydney, 16 June, 1876.

With reference to your application of the 2nd October last, on behalf of the Trustees of the Collector Common, for permission to erect a public gate on the road from Collector to the Third Breadalbane Plain, I am directed to inform you that, for the reasons given in a petition received from certain inhabitants of Breadalbane and the surrounding district (of which an extract is herewith enclosed), objecting to the erection of such gate, the Minister for Lands cannot approve of the permission to erect the same being granted.

See petition,
No. 6.

I have, &c.,

A. O. MORIARTY,

Pro Under Secretary.

No. 9.

The Under Secretary for Lands to E. Butler, Esq., M.P.

Sir,

Department of Lands, Sydney, 16 June, 1876.

In reference to your letter of 2nd ultimo, enclosing a petition from certain inhabitants of Breadalbane and the surrounding districts, objecting to the erection of a public gate on the road from Collector to the Third Breadalbane Plain, as applied for by the Trustees of Collector Common, I am directed to inform you that, under the circumstances disclosed in the said petition, the Minister for Lands considers that permission to erect the gate in question should not be granted, to which effect the Trustees have been apprised.

I have, &c.,

A. O. MORIARTY,

Pro Under Secretary.

No. 10.

The Under Secretary for Lands to J. Macauley, Esq.

Sir,

26 June, 1876.

With reference to your letter of the 29th ultimo, in regard to an application for permission to erect a public gate on the north side of the Collector Common, on the road from Collector to Breadalbane, I am directed to refer you to a letter from this department, dated the 16th instant, addressed to J. J. Waddell, Esq., Chairman of the Board of Trustees of Collector Common, stating "that for the reasons given in a petition received from certain inhabitants of Breadalbane and the surrounding districts, objecting to the erection of such gate, the Minister for Lands cannot approve of the permission to erect the same being granted."

See No. 7.

See No. 8.

I have, &c.,

A. O. MORIARTY,

Pro Under Secretary.

No. 11.

J. Macauley, Esq., to The Secretary for Lands.

Sir,

Milbang, 10 October, 1877.

I have the honor herewith to enclose petition for leave to erect a public gate, * * *

Trusting they shall receive your favourable consideration,

I have, &c.,

JOHN MACAULEY.

[*Enclosure to No. 11.*]

Petition of the Inhabitants of Collector and surrounding districts to the Honorable the Secretary for Lands.

Sir,

Collector, 8 September, 1877.

The Petition of the inhabitants of Collector, Milbank, and Bohara, humbly sheweth.—That in consequence of there being a very large quantity of unenclosed land on each side of the road from Collector to Gunning, *via* Bohara, and from Collector to Mutbilly respectively, your petitioners suffer constant annoyance and loss, from their horses, cattle, and other stock being impounded, &c., &c. That a public gate on the verge of the town common, where both roads unite in one, would prevent much of the annoyance and loss your petitioners now suffer from. Your petitioners therefore pray that they may be allowed to erect a public gate, 11 feet wide at the point named, *viz.*, at the junction of the two roads with the north boundary of the Collector town common. And your petitioners, as in duty bound, will ever pray.

JOHN J. WADDELL,
FRANCIS POIDEVIN,
JOHN SHERIDAN,

And 25 others.

The

The Secretary for Lands (Mr. Garrett) having personally decided upon a letter from, and a petition presented by Mr. Butler, M.P. (76-723, R.S.B.), that this gate should not be granted, it is submitted whether it is desirable to take any action upon this renewal of the application.—ROBT. D. FITZGERALD (for Surveyor General), 24 November, 1877. Sec No. 6.

Approved.—J.S.F., 3/1/78.

The approval in this case was intended to apply to the decision already given, viz., that the gate ought not to be granted. The applicants have been so apprised.—W.W.S., 3/4/78.

No. 12.

The Under Secretary for Lands to Petitioners.

Gentlemen,

Department of Lands, Sydney, 24 January, 1878.

With reference to your petition dated 8th September last, praying that you may be allowed permission to erect a public gate at the junction of the road from Gunning to Collector, *via* Bohara, and the road from Collector to Mutbilly, with the north boundary of the Collector Town Common, I am directed to inform you that the late Minister for Lands (Mr. Garrett) having personally decided upon a letter from and a petition presented by the Honorable Edward Butler, M.L.C., that this gate should not be granted, Mr. Secretary Farnell does not consider it desirable to take any further action upon this renewal of the application for the gate in question. Sec No. 11.

I have, &c.,

W. W. STEPHEN,
Under Secretary.

No. 13.

Mr. J. J. Waddell to The Secretary for Lands.

Sir,

Collector, 8 April, 1878.

Referring to an application recently made to you by the inhabitants of Collector and surrounding district for leave to erect a public gate onto the north boundary of the Collector Town Common, I have the honor to state the following particulars for your information:— Sec No. 11.

Early in October, 1875, an application was made by letter to the then Secretary for Lands, by the trustees of the above common, for permission to erect a public gate where the roads from Gunning (*via* Bohara), from Mutbilly, and from the railway platform at Breadalbane united in one come out on the Collector Common. This application was recommended by Mr. District Surveyor Twynam, and gazetted in the usual way; but one James Purcel having got up a petition against the application of the trustees, Mr. Garrett declined to allow the erection of the gate. Sec No. 1.

As already stated, the roads from Gunning, from Mutbilly, &c., from the Breadalbane railway platform united in one come out on the Collector Town Common; and as these roads each pass through a large area of unenclosed land, the consequence is that horses and cattle from off the common frequently trespass on the unenclosed lands, and stock from these lands is frequently trespass on the common, causing constant annoyance and loss to their respective owners. It is to put an end to this vexatious state of things that the application for leave to erect a gate has been made.

I have already stated that one James Purcel got up a petition against the erection of the above gate, and I think it right to further state that, having seen a copy of that petition, I am prepared to prove that almost all the statements it contained were untrue; that most of the signatures to it were obtained by false representations or forgeries, and that his reason for getting up a petition at all was because the trustees for the common prevented him from running a small flock of sheep he has (he has not 1 acre of land of his own) on the Common.

I have, &c.,

JOHN J. WADDELL.

These papers are now forwarded to Mr. Acting District Surveyor Schleicher, for report upon the point raised by Mr. D.-S. Twynam on his memo. attached, and generally as to the advisableness of granting the gate in question.—ROBT. D. FITZGERALD (for Surveyor General), 15 May, 1878. Acted on by letter 78/111 of 23 Sept., 1878.—A. SCHLEICHER, A.D.-S.

No. 14.

W. Davies, Esq., M.P., to The Secretary for Lands.

Dear Sir,

16 April, 1878.

I have reason to believe that the gate asked for would be a great advantage to the people of Collector, and shall be glad if you can sanction it.

I am, &c.,

WILLIAM DAVIES.

No. 15.

Mr. Acting District-Surveyor Schleicher to The Surveyor General.

Sir,

Referring to the above instructions, I do myself the honor to state that I have visited Collector, and made every inquiry in regard to the gate desired, and have to report as follows:—

The accompanying *tracing shows the position of the gate applied for, and by brown tint the two roads mentioned by Mr. Waddell. These roads from Gunning, *via* Bohara and Breadalbane platform respectively, it will be observed, meet a little more than a mile from the gate applied for, and then the one road runs to Collector on which the gate is sought. The two roads were mentioned by applicant, as cattle straying from Collector Common along the road were just as apt to take the Gunning Road as the one to Breadalbane. *Appendix B.

It

It will be observed that, properly speaking, the gate applied for is not on the Collector Common, but as the whole of the suburban allotments shown on tracing are only lately measured, and are unsold, the Commons Trustees doubtless look upon the unsold suburban land as temporary commonage, and treat it accordingly.

With regard to the expediency of granting a gate at this place, I have to state that if the fact of the gate applied for not being situated in the Common is no bar, otherwise I do not see any objection to the granting of the request of the trustees, and in fact a public gate appears already to exist on this road to Breadalbane Platform, not far from the Wet Lagoon.

The mail thrice a week from the Platform to Collector, mentioned by Mr. District-Surveyor Twynam, is a mail on horseback only, to which a gate would prove no obstacle; and as it would doubtless prove an advantage to the Collector commoners, who would by this means be able to prevent their cattle straying along the road mentioned, I can see no objection to its being granted, other than that it may not be situated within the jurisdiction of the Commons Trustees.

The required information, according to the heads under paragraph 85 of surveyor's instructions, is briefly as follows:—

1. The present traffic is almost wholly to the Breadalbane Platform; I suppose there may be on the average about two vehicles a day and half-a-dozen horsemen. Very little travelling stock.
2. I think future traffic will be about the same as at present.
3. A horse mail only travels this way three times a week.
4. Under Road Trustees.
5. This road has been improved, and is likely always to be the one in use.
6. Good firm land, and quite level at the gate.
7. Single gate, 12 feet wide, if allowed.
8. I do not think any other gates will be applied for on this road.
9. The fencing on this road is generally split fencing of good character, but there is also brush fencing in places.
10. The road from Breadalbane to Collector is to a great extent fenced; but, as before stated, the object of the petitioners is to prevent stock on the common straying on this road.
11. The position applied for is the only one where a gate would be of use, and can in my opinion, injure no one.
12. I believe this road has been in general use about three years—since opening of Railway to Gunning.

In conclusion, if the Commons Trustees are held to be justified in asking for the gate, in regard that the unsold suburban lands are a sort of temporary commonage, I do not think there is any objection to grant their request provisionally, pending alienation of the suburban land, and the fencing of the common proper by the Trustees.

Goulburn, 23 September, 1878.

Submitted.

A. T. SCHLEICHER,

Acting District-Surveyor.

On this report from Mr. Acting District-Surveyor Schleicher, it is recommended that gate No. 34, described on R. S. B. 76-442 enclosed, be again preliminarily notified, &c.—ROBT. D. FITZGERALD (for Surveyor General), 7 November, 1878. Submitted.—H.W., 12/11/78. Approved.—W.S., 12/11/78.

No. 16. Gazette Notice.

Department of Lands, Sydney, 22 November, 1878.

Public Gates.

NOTICE is hereby given that a public gate, as hereunder described, has been applied for under the provisions of the Act 39 Victoria No. 10, and all persons interested are invited to state within thirty days from this date their objections (if any) to the granting of such application.

JAMES S. FARNELL.

Gate No.	R. S. B. No.	Applicant	Description.
34	78-2,397	The Trustees of Collector Common	Gate (not less than 11 feet wide), on the road from Collector to the Third Breadalbane Plain, at the north boundary of the Collector Common, being the south boundary of P. Byrne's 104 acres, parish of Collector, county of Argyle.

N.B.—This is in lieu of the notice which appeared in the Government Gazette of the 28th March, 1876.

Minutes on No. 16.

Advertised and slip forwarded to the Commissioner and Engineer for Roads for any objections.—GERARD E. HERRING (for the Under Secretary), Mines, 25/11/78. Mr. Wood.—W.C.B., 26/11/78. I doubt if this should be allowed. This application was referred to the Acting District-Surveyor, for report by his department; and after visiting the ground and examining into the question thoroughly he reported in favour of it. From the evidence he furnishes I can see no objection to the application being granted.—A. P. WOOD, 29/11/78. Commissioner for Roads—B.C. Surveyor General,—W.C.B., B.C., 30/11/78.

No. 17.

Petition from Inhabitants of Collector and surrounding districts.

To the Honorable the Minister for Lands,—

The humble petition of the inhabitants of Collector and surrounding districts against the erection of a public gate on the road from Collector and Breadalbane, applied for by the Trustees of Collector Common.

Your petitioners respectfully show that the erection of a public gate on the above-named road will inconvenience the public, viz. :—

1. It being the main road from Collector to Breadalbane Railway Station.

2.

- 2. The mails are conveyed between Collector and Breadalbane six times a week, between the hours of 8 o'clock p.m. and 4 o'clock a.m.
 - 3. All land for 3 miles from Collector on this road is enclosed on both sides of road, with the exception of one small holding.
 - 4. That this gate was applied for 1876, and refused by the then Minister for Lands.
- Trusting that the foregoing facts will be taken into your honorable consideration; and your petitioners, as in duty bound, will ever pray.
Dated at Collector, this 14th day of December, 1878.

J. V. COOPER,
EDWD. GRAHAM, J.P.,
W. O. COOPER,
J. F. KENNY, J.P.,
and 56 others.

The Surveyor General.—H.W., B.C., 19/12/78.

No. 18.

The Surveyor General to The Under Secretary for Lands.

Gates.—Notice of intention to grant notwithstanding the objections raised. Gate No. 34.
It is recommended that, in accordance with the third clause of the Act 39 Victoria, No. 10, notice of intention to grant permission to erect the gate preliminarily notified and described in the Government Gazette See No. 16. of 22nd November, 1878, folio 4,675, applied for by the Trustees of Collector Common, be now published in the Government Gazette and in some local newspaper (if any).

ROBT. D. FITZGERALD,
(For Surveyor General),
3rd January, 1879.

Submitted.—H.W., 9/1/79. Approved.—E.A.B., 9/1/79. Advertised.—6/2/79.

As objection has been taken to the granting of the gate, in spite of the petition, will the Surveyor General be good enough to cause further inquiry to be made into the matter, with a view to see whether the objections are well grounded and general? B.C., 19/2/79.—H.W.

No objection has been received since the last notification in the Government Gazette, and the objections to the former recommendations have been fully reported upon and considered.—R.D.F., 24/2/79.

Kindly point out the report upon the petition, vide R.S.B., 78-3,350.—H.W., 27/2/79.

The objections in the petition referred to are in effect the same as those contained in the former petition, which have been reported upon and considered, and were again considered by me before making this last recommendation, and were alluded to in the words "notwithstanding the objections raised."—R.D.F., 3/3/79.

No. 19.

Gazette Notice.

Department of Lands, Sydney, 4 February, 1879.

Public Gates.

NOTICE is hereby given, in accordance with the 3rd clause of the Act 39th Victoria, No. 10, that it is intended to grant permission to erect the public gate applied for, and as hereunder described.

JAMES HOSKINS.

Schedule referred to.

Gate No.	Roads No.	Applicant.	Description.	Date of preliminary notice.
34	79-18...	The Trustees of Collector Common.	Gate (not less than 11 feet wide), on the road from Collector to the Third Breadalbane Plain, at the north boundary of the Collector Common, being the south boundary of P. Byrne's 104 acres, parish of Collector, county of Argyle.	22 Nov., 1878. Folio, 4675.

No. 20.

The Under Secretary for Mines to Mr. J. V. Cooper and others.

Gentlemen, 5 February, 1879.

With reference to your petition against the erection of a public gate on the road from Collector and Breadalbane, as applied for by the Trustees of Collector Common, I am directed to inform you that, notwithstanding the objections raised, the Minister for Mines has authorized the erection of the gate in question. See No. 17.

I have, &c.,
HARRIE WOOD,
Under Secretary.

No. 21.

Mr. J. F. Kenny, J.P., to The Secretary for Lands.

Honorable Sir, Kenny's Point, Currawang, 17 February, 1879.

Observing by an advertisement in the *Goulburn Herald* of the 15th instant that it is intended to authorize the erection of a public gate across the road leading to the Breadalbane Railway Station from Collector, I have the honor, as I deem it my duty on behalf of the public who have petitioned against such authorization, to point out to you that such gate will, if erected, prove a serious obstruction and inconvenience to travellers to and from the above-named station.

Such

Such travellers consist in a great part of females driving carts laden with the produce of their dairies and fowl-yards to the railway, and often returning after night, having come to Breadalbane by the 5 p.m. train; and to these in particular it is a serious matter to be forced to alight from their carts to open and shut a gate, besides the risk of accident, if the horse, which under the circumstances is likely, should become restive.

The public, as I said, will be seriously inconvenienced by the erection of this gate, and in effect only one person, who to a great extent monopolizes the grass of the Collector Common, will be materially benefited. There is no private land trespassed upon where this gate is asked for.

It would appear that the few people of the small village of Collector (not enough in fact to entitle it to the smallest population boundary) are extremely well favoured in having a common of such vast extent without depriving the public of reasonable facility of access to the railway. The granting of this gate will inevitably lead to the erection of at least two more on the same road through the property of Messrs. Chisholm, and thus that facility of access to the rail, which I respectfully submit should be the first principle to be considered and established on these minor roads, is wholly lost sight of and ignored.

Not for a moment doubting that your consent to this public injustice has been obtained by specious representations, I have the honor on behalf of the public to request you to withhold your final confirmation until you can make further inquiry, when I have little doubt that, in your interest for the public welfare, you will find sufficient reason for the reversal of your decision to allow the erection of an obstruction so obnoxious and inconvenient to the public.

I have, &c.,

JOHN F. KENNY, J.P.

A recommendation that the gate in question be granted, notwithstanding the objections raised, was made by me on 3rd January, 1879, on 79-18, R.S.B.—ROBT. D. FITZGERALD (for Surveyor General), 3rd March, 1879.

See No. 18.

No. 22.

Mr. J. F. Kenny, J.P., to The Secretary for Mines.

Honorable Sir,

Kenny's Point, 17 March, 1879.

Noticing that it is again advertised, that it is intended to sanction the erection of a gate on the road between Collector and Breadalbane Railway Station, I have the honor again to call your attention to the fact that this is not a case that should come under the operation of the Public Gates Act, inasmuch as that Act was only intended to provide for cases when roads were proclaimed through private land, and principally to save the State the expense of fencing. I have the honor further to point out that it scarcely could have been intended by the framers of the Act that obstructions should be placed across roads in the immediate vicinity of a railway station, used by the people of a populous neighbourhood. In this case there is no private land trespassed upon in the immediate vicinity of the gate applied for, and the road is used frequently daily by people travelling to and from the railway station. In addition to this, I have the honor further to call your attention to the fact that the mail is carried six (6) times a week in the night along this road, and a gate or any other obstruction must add considerably to the risk of loss, for which the contractor is heavily responsible.

A petition numerously signed, I know, was prepared on this subject, protesting against the gate and praying for its refusal, but whether it ever reached its destination I know not; but I have the honor to state that I have little personal interest in the matter, as it is not the road I travel, and it is only in consequence of the expression of disapproval by those who do use it, and their desire I should write you on the subject, added to my own desire to see the greatest possible facility of intercourse established, which have induced me thus to venture to address you.

Trusting most respectfully that you will re-consider this matter favourably for the public interest,—

I have, &c.,

JOHN F. KENNY, J.P.

Minutes on No. 22.

Before dealing with this matter, I should like to have a report from the District Surveyor on the objections raised by Mr. Kenny and others to the granting of this gate.—E.A.B., 13/6/79.

The Surveyor General.—H.W., B.C., 18/6/79. Forwarded to Mr. District Surveyor Twynam, as directed by the Secretary for Mines.—ROBT. D. FITZGERALD (for Surveyor General), 23rd June, 1879. Report herewith accordingly, No. 34.—E. TWYNAM, D.-S., 8 July, 1879.

No. 23.

W. Davies, Esq., M.P., to The Secretary for Mines.

Dear Sir,

23 April, 1879.

Gates have been allowed on roads from the Common, at Collector, to Gunning and Pomeroy, but the trustees inform me that they have not received official notification. Will you kindly see to this?

Faithfully,

WILLIAM DAVIES.

No. 24.

Mr. District-Surveyor Twynam to The Surveyor General.

Further report under B.C., 79/359.

1. The gate in question is applied for by the Trustees of the Collector Town Common, and is situated upon the north boundary of an area appropriated to temporary commonage, but subdivided for sale as suburban land.

2. I think that such an application by trustees of a common does not come within the scope of the Act 39 Victoria, No. 10, the preamble of which runs—"Whereas it is expedient to make provision for the erection of public gates by the occupants of inclosed lands through which any unfenced public road may pass, &c." Now the trustees are not occupants, *i. e.*, in lawful possession of the land, and the common, permanent and temporary, is certainly not enclosed land.

3. The application for public gate is urged solely on the grounds of preventing the cattle on the Collector Common from straying along the road to Breadalbane, whence it is alleged they are impounded; and to prevent the cattle belonging to settlers along that road from trespassing on the common, where they are impounded by order of the trustees; such straying and trespass might be prevented by the employment of a herdsman on the part of the commoners. The same reasons might be advanced for public gates on all the other public roads radiating from Collector, viz.:—To Goulburn, to Currawong, to Bungendore, to Gundaroo, to Gunning. Assuming their erection, no doubt it would be found by the inhabitants a serious inconvenience to have direct communication on all sides hindered by public gates, and their town within an enclosure. Moreover, it will be observed that the road to Breadalbane station is that which may reasonably be supposed to convey the most traffic, especially that of a light character, to which gates are the greatest inconvenience.

4. It is remarkable that the parties most concerned—the inhabitants at Collector—have not complained, the opposition arising from those without the township and commoners boundaries; which is evidence of the insignificant character of the traffic, and the value attached to the commonage.

5. The Government town of Collector comprises but few houses and inhabitants, the greater settlement being at the private township, within T. A. Murray's 1,280 acres; the total population is about a hundred souls, for whose use is appropriated an area of 1,965 acres as commonage, say about 20 acres per head.

6. As a matter of fact, the inconvenience resulting from the public gate is of the least harassing character, and the assertions to the contrary appear somewhat exaggerated, when it is known that up to the present time there are two other gates not authorized on the road to the railway station. The contention which has for some time been carried on originates partly from local and party differences.

7. Taking into consideration the doubtful position of the trustees as applicants for a public gate, the aspect and importance of the road, the position of the gate relatively to the town, and the opposition by a large number of inhabitants of the locality, I am of opinion that it would be expedient to revoke the permission granted for this gate.

Goulburn, 7th July, 1879, No. 34.

Submitted.

E. TWYNAM,

District Surveyor.

Minutes on No. 24.

In my opinion the trustees of the common have the power as "occupants" in lawful possession of the land, to apply for the gate; and in view of the fact that the inconvenience caused by the gate is (according to this report from Mr. D.-S. Twynam) of the "least harassing character," I am of opinion that the permission which has been granted should not be cancelled.—ROBT. D. FITZGERALD, for Surveyor General, 9th October, 1879.

Submitted.—H. W., 1/11/79.

Approved.—E.A.B., 17/11/79.

No. 25.

The Under Secretary for Mines to Mr. J. J. Waddell.

Sir,

27 September, 1879.

With reference to your inquiry respecting the granting of public gates to the trustees of the Collector Town Common, I am directed by the Minister for Mines to inform you that Mr. John Kenny has protested against the erection of the gates in question, and the papers in the matter have been sent to Mr. District-Surveyor Twynam, who has been requested to expedite his report.

I have, &c.,

HARRIE WOOD,

Under Secretary.

No. 26.

The Under Secretary for Mines to J. F. Kenny, Esq., J.P.

Sir,

17 November, 1879.

With reference to your letter of the 17th March last, objecting to the erection of the public gate on the road from Collector to the Third Breadalbane Plain, as notified 4th February, 1879, in Government Gazette, I am directed by the Minister for Mines to inform you that the permission to erect the gate having been granted cannot now be revoked.

I have, &c.,

HARRIE WOOD,

Under Secretary.

No. 27.

The Under Secretary for Mines to J. J. Waddell, Esq.

Sir,

17 November, 1879.

With reference to an objection received from Mr. J. F. Kenny to the erection of the public gate on the road from Collector to the Third Breadalbane Plain, as notified 4th February, 1879, in Government Gazette, I am directed to inform you that the Minister for Mines has decided not to withdraw the permission to erect the gate.

I have, &c.,

HARRIE WOOD,

Under Secretary.

No. 28.

H. S. Badgery, Esq., M.P., to The Secretary for Mines.

Sir,

2 March, 1880.

I am informed that public gates are being erected on the main road from Collector to Breadalbane; and as a large number of the inhabitants are much opposed to this as a great public inconvenience, I am requested to respectfully urge that you will not permit the gates in question to be erected till further inquiry is made and till sufficient time has been allowed for an expression of public opinion, supplied on either side, to be made.

I have, &c.,

HENRY S. BADGERY.

No. 29.

Petition from Inhabitants of Collector and surrounding Districts.

Petition from inhabitants of Collector, Currawang, Breadalbane, Lake George, Spring Valley, and Tarago, to the Honorable the Minister for Mines.

WE, the undersigned inhabitants of Collector, Currawang, Breadalbane, Lake George, Spring Valley, and Tarago, seeing that a public gate is now erected on the road from the Collector Common to the Breadalbane Railway station, beg respectfully to state that the gate is not required, on the following grounds:—

1. That the road from Collector Common to Breadalbane is fenced on both sides nearly the whole way, the portion unfenced being Government land.

2. That the gate is of benefit to only two persons whose stock are running on the common; and that there are other persons whose stock are running on this common, and they object to this gate being erected.

3. That there is a great deal of traffic from the surrounding districts to the Breadalbane platform, and this gate causes great inconvenience to persons going to and from the platform, more especially persons travelling with buggies, carts, &c.; women also travelling with carts, &c., with children, find it particularly inconvenient and dangerous getting down to open and shut this gate.

4. That a petition against this gate was presented to the Honorable the Minister for Mines, signed by a number of the inhabitants, who promised that the wishes of the petitioners would be considered.

We now request that you will reconsider the matter and have this gate removed.

And your petitioners will ever pray.

COOPER BROTHERS,
ROBERT BEIT,
EDWARD GRAHAM, J.P.,
And 81 others.

The Surveyor General, B.C., 19/3/80.—H.W. In my opinion there is nothing in this petition to warrant any departure from the decision of the Secretary for Mines, on the 17th November, 1879, on 79-2,466 Rds., viz., that the permission to erect the gate, which has been granted should not be revoked.

—ROBT. D. FITZGERALD, for Surveyor General, 14 May, 1880.

Petition presented by H. S. Badgery, M.P.

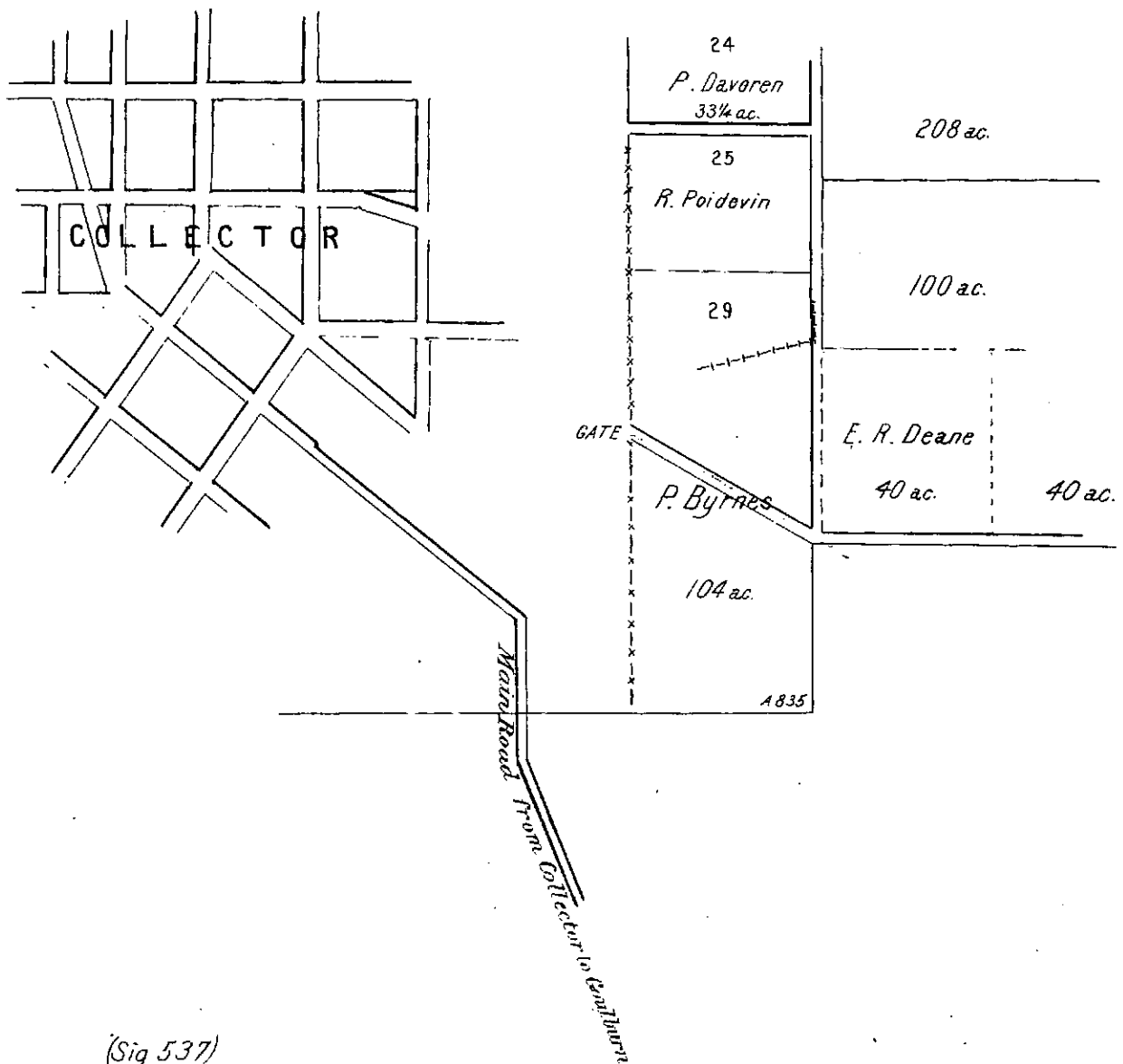
[Two plans.]

PLAN

Showing position of Gate

Applied for by the Trustees of Common, Collector.

Scale 20 Chains to an Inch

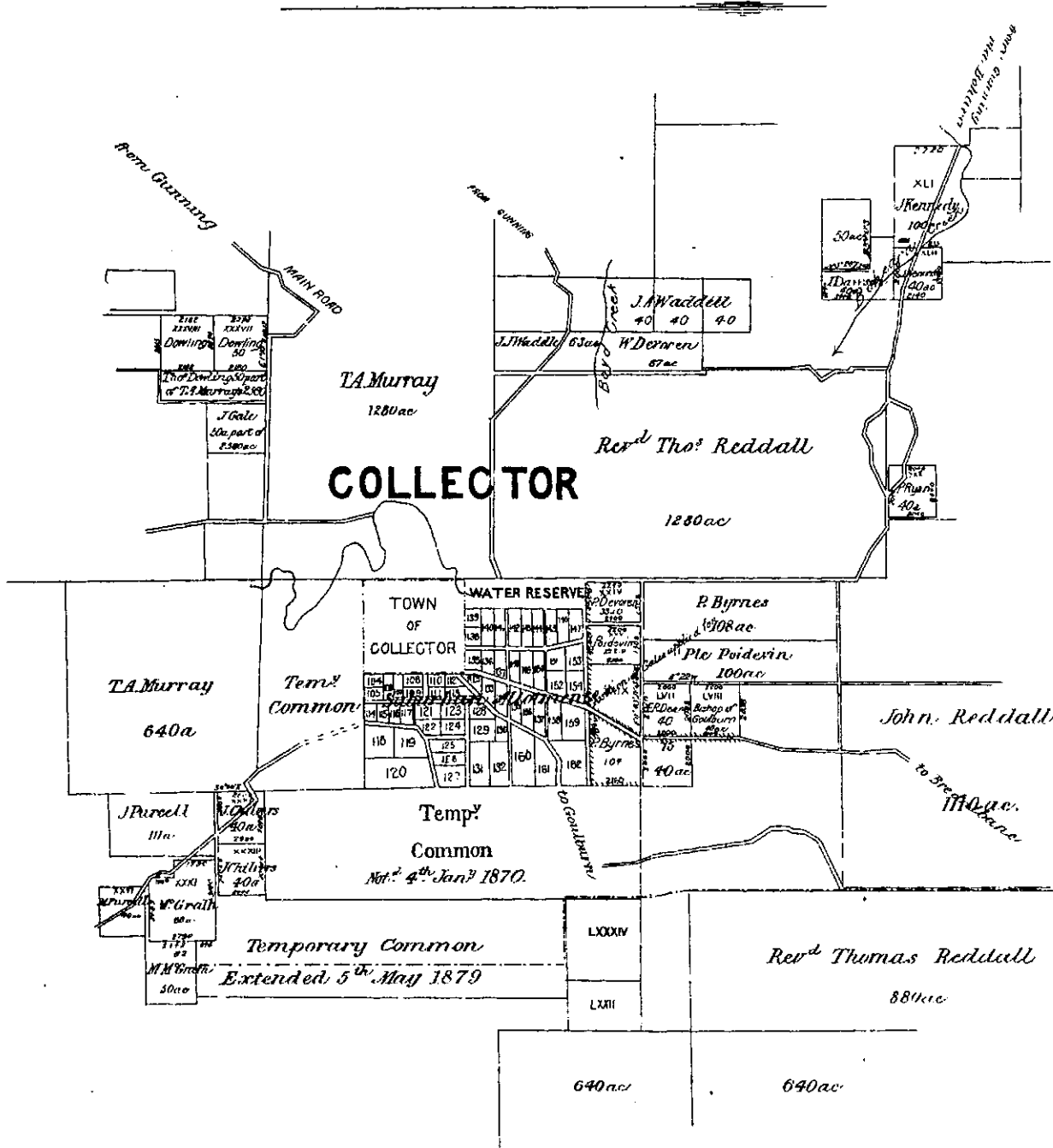
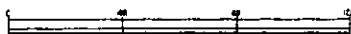


(Sig 537)

PLAN
showing position of Public Gate applied for
and Roads to Gunning and Breadalbane respectively

AT COLLECTOR COUNTY OF ARGYLE

SCALE OF CHAINS



(Sig 537-)

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

ROAD THROUGH THE HONORABLE JAMES CHISHOLM'S LAND, FROM
BREADALBANE PLATFORM TO THE COLLECTOR ROAD.

(CORRESPONDENCE, MINUTES, &c.)

Ordered by the Legislative Assembly to be printed, 22 June, 1880.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 11th March, 1880, That there be laid upon the Table of this House,—

“ Copies of all Correspondence between the Honorable James Chisholm, “ the Commissioner for Roads, and the Colonial Secretary, with all Minutes “ and other Documents having reference to a Road recently proclaimed “ through the Honorable James Chisholm’s land, from Breadalbane Platform “ to the Collector Road ; also all Letters and Reports from the late Mr. “ Chauncy, Superintendent of Roads, bearing on the subject.”

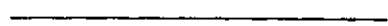
(Mr. Garrett, for Mr. Badgery.)

SCHEDULE.

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2.	Memo.—The Commissioner for Roads to Mr. Road-Superintendent Chauncy ; sketch of proposed deviations by Mr. Chauncy ; minutes, &c., thereon. 16 October, 1875.....	4
3.	Mr. District-Surveyor Twynam to the Surveyor General, reporting upon. 26 October, 1875.....	5
4.	Mr. Road-Superintendent Chauncy to the Commissioner for Roads, enclosing tracing, and further reporting upon the road ; minutes thereon. 27 October, 1875.....	5
5.	Mr. District-Surveyor Twynam to the Surveyor General, further reporting, and recommending the opening of the road indicated in red colour on enclosed sketch ; minutes, &c., thereon. 25 November, 1875.....	6
6.	Mr. Licensed-Surveyor Deano to the Surveyor General, transmitting plan and book of reference of part of the road from Collector to the Great Southern Road at Breadalbane Platform, and stating that no expenditure is required to make the road fit for traffic. 1 March, 1876.....	6
7.	Mr. Road-Superintendent Chauncy to the Commissioner for Roads, returning papers, and further reporting upon the road ; minutes thereon. 3 April, 1876.....	7
8.	Mr. Road-Superintendent Chauncy to the Commissioner for Roads, with estimates for the different proposed lines of road ; minutes thereon. 10 April, 1876.....	7
9.	Mr. District-Surveyor Twynam to the Surveyor General—further report on road, and touching upon Mr. Road-Superintendent Chauncy’s estimates ; minutes, &c., thereon. 23 May, 1876.....	8
10.	The Surveyor General to the Under Secretary for Lands, forwarding plan and book of reference (see No. 6) of part of the road, with a view to opening the same as a parish road. 29 June, 1876.....	9
11.	Minute for Executive Council—preliminary notification of road. 8 July, 1876.....	9
12.	Under Secretary for Lands to Bench of Magistrates, Collector, enclosing copies of plan (see No. 6) and book of reference for public inspection and information. 28 July, 1876.....	9
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14.	Memo.—Commissioner for Roads, stating that it has been represented to him that there is an old and shorter road ; minutes, &c., thereon. 15 September, 1876.....	9

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15. Preliminary notice inserted in Government Gazette. 22 September, 1876	10
16. Under Secretary for Lands to the Clerk of the Executive Council, drawing attention to notice in Government Gazette, and requesting him to have the goodness, at the end of one month thereof, to notify objections. 30 September, 1876	10
17. The Honorable James Chisholm to the Clerk of the Executive Council, protesting against the opening of the proposed deviation notified in Government Gazette of 22nd September (see No. 15). 18 October, 1876	10
18. The Clerk of the Executive Council to the Honorable the Secretary for Lands, in reply to Under Secretary for Lands' letter of 30th ultimo (see No. 16); minutes, &c., thereon. 26 October, 1876	11
19. Memo.—Mr. Road-Superintendent Chauncy to the Commissioner for Roads, enclosing tracing (see No. 4), to be returned should the Commissioner desire him to confer with Mr. Chisholm; minutes, &c., thereon. 2 November, 1876	11
20. Mr. Road-Superintendent Chauncy to the Commissioner for Roads, reporting interview with Mr. Chisholm and advising acceptance of Mr. Chisholm's terms; minutes thereon. 27 November, 1876	11
21. Mr. District-Surveyor Twynam to the Surveyor General, further reporting that Mr. Chisholm will consent to the opening of the deviation if allowed £240 compensation for fencing; minutes thereon. 23 January, 1877	12
22. Same to the same, reporting upon Mr. Chisholm's objection to the opening of the road notified in Government Gazette of 22nd September, 1876 (see No. 15); minute thereon. 13 February, 1877	12
23. Memo.—Mr. Road-Superintendent Chauncy to the Commissioner for Roads—further report on road, and commenting on Mr. District-Surveyor Twynam's report (See No. 21); minutes thereon. 2 August, 1877	12
24. Mr. John Macaulay to the Honorable the Secretary for Lands, enclosing petition from residents of Collector District, praying for the opening of branch line from the north end of Wet Lagoon; minutes thereon. 8 September, 1877	13
25. The President, Argyle and Georgiana Roads Association, to the Honorable the Minister for Lands, asking for plan showing different proposed routes; minute thereon. 8 November, 1877	14
26. Same to the Honorable the Minister for Works, to same purport; minute thereon. 8 November, 1877	14
27. Mr. Road-Superintendent Chauncy to the Commissioner for Roads—further report and estimates; minutes thereon. 26 November, 1877	14
28. The same to the same, reporting according to instructions (see No. 27); minute thereon. 28 November, 1877	16
29. Under Secretary for Lands to the President of the Argyle and Georgiana Roads Association, in reply to letter of 8th ultimo (see No. 25), and informing him tracing applied for cannot be supplied. 14 December, 1877	16
30. Under Secretary for Works to Wm. Davies, Esq., M.P., in reply to letter of 8th ultimo (see No. 26), and transmitting to him (as Member for the District) the tracing applied for. 14 December, 1877	15
31. The Argyle and Georgiana Roads Association to the Honorable the Minister for Lands—further application for tracings; minutes thereon. 24 December, 1877	15
32. Under Secretary for Lands to the Argyle and Georgiana Roads Association, in reply to letter of 24th ultimo (see No. 31), and informing them the case has not yet reached the point at which objections from the public are invited. 24 January, 1878	16
33. Memo.—Mr. Road-Superintendent Chauncy to the Commissioner for Roads—further report on road and the erection of gates, minutes thereon. 1 February, 1878	16
34. Minute for Executive Council—confirmation of road; minute thereon. 27 February, 1878	16
35. Government Gazette Notice—confirmation of road. 26 March, 1878	17
36. Under Secretary for Lands to the Principal Under Secretary, drawing his attention to Gazette Notice (see No. 35), and requesting him to have the goodness, at the end of forty days from date thereof, to state whether any claims for compensation have been made. 5 April, 1878	17
37. The Under Secretary for Lands to the Honorable James Chisholm, M.L.C., in reply to letter of 18th October, 1876 (see No. 17), and advising him His Excellency the Governor and the Executive Council have approved of the confirmation of the road. 30 April, 1878	17
38. Mr. Surveyor Schleicher to the Surveyor General, reporting according to instructions of 5th March (see No. 33), with plan and book of reference. 8 May, 1878	17
39. Principal Under Secretary to Under Secretary for Lands, in reply to letter of 5th ultimo (see No. 36), and stating that no claim for compensation has been received; minute thereon. 8 May, 1878	18
40. Mr. Road-Superintendent Chauncy to the Commissioner for Roads, stating inquiries are being made with respect to new line of road, and asking when it is desired to have it opened; memo. thereon. 21 May, 1878	18
41. Minute Paper, Department of Roads and Bridges, with regard to road, and objecting to compensation for fencing, when gates are allowed; memo. thereon. 27 June, 1878	19
42. Memo. Commissioner for Roads to Mr. Wood—to report on matter, in consequence of decease of Mr. Road-Superintendent Chauncy; memo. thereon. 21 November, 1878	19
43. The Commissioner for Roads to the Honorable James Chisholm, informing him that Mr. Wood has arranged for a meeting on the ground to go into the question of the road. 23 November, 1878	19
44. Telegram, Commissioner for Roads to Assistant Engineer for Roads, or District Surveyor, Goulburn, stating Mr. Chisholm going up by train, and to arrange meeting. 28 November, 1878	19
45. Mr. Acting District-Surveyor Schleicher to the Commissioner for Roads, in reply to telegram (See No. 44), and stating he had written Mr. Chisholm arranging meeting. 28 November, 1878	19
46. The Commissioner for Roads to Mr. Acting District-Surveyor Schleicher, acknowledging receipt of letter of 28th instant (See No. 45). 29 November, 1878	20
47. The Honorable James Chisholm to the Commissioner and Engineer for Roads, stating that he and Messrs. Wood, Waddell, and Schleicher inspected the road; minute, &c., thereon. 10 December, 1878	20
48. Mr. Acting District-Surveyor Schleicher to the Surveyor General, reporting meeting on the ground, &c., and further reporting upon the road; minutes thereon. 14 December, 1878	20
49. Mr. Assistant Engineer for Roads Wood to the Commissioner for Roads, on the same subject; minutes thereon. 20 December, 1878	21
50. The Commissioner for Roads to the Honorable James Chisholm, informing him it is considered advisable to proceed in the ordinary legal way with the proclamation of the line at present in use. 8 January, 1879	22
51. The Honorable James Chisholm to the Commissioner and Engineer for Roads, in reply to letter of 8th instant (see No. 50), and concurring therein, also trusting Mr. Chauncy's recommendation with regard to amount of compensation be carried out in its integrity, &c.; minute thereon. 14 January, 1879	22
52. The Commissioner and Engineer for Roads to the Honorable James Chisholm, in reply to letter of 14th instant (see No. 51), and informing him there is no record in the office of promise having been made to pay compensation. 17 January, 1879	22
53. The Surveyor General to the Under Secretary for Lands, forwarding plan and book of reference (see No. 38), with a view to opening the road; minutes thereon. 29 January, 1879	22
54. Minute for Executive Council—preliminary notification of road; minutes thereon. 6 February, 1879	23
55. The Under Secretary for Mines to the Benches of Magistrates, Goulburn and Collector, enclosing plans and books of reference (see No. 38) for deposit in the respective Police Offices, &c. (see No. 53). 14 February, 1879	23
56. Preliminary notification of road inserted in Government Gazette. 21 February, 1879	23
57. The Under Secretary for Mines to the Clerk of the Executive Council, drawing attention to notice in Government Gazette (see No. 56), &c. 22 February, 1879	23
58. The Clerk of the Executive Council to the Honorable the Secretary for Mines, in reply to letter of 22nd ult. (see No. 57), and stating no objection has been lodged; minute thereon. 27 March, 1879	24
59. The Under Secretary for Mines to the Benches of Magistrates, Goulburn and Collector, asking if plans, &c., enclosed in letter from this office of 14th February last (see No. 55) have been exhibited, &c.; memo. thereon from Clerk of Petty Sessions, Goulburn. 13 October, 1879	24
60. Clerk of Petty Sessions, Collector, in reply to letter of 13th (see No. 59). 18 October, 1879	24
61. Minute for the Executive Council—confirmation of road; minutes, &c., thereon. 25 October, 1879	24
62. Government Gazette Notice—confirmation of road. 2 December, 1879	24

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ROAD THROUGH THE HONORABLE JAMES CHISHOLM'S LAND, FROM
BREADALBANE PLATFORM TO THE COLLECTOR ROAD.

No. 1.

Mr. Road-Superintendent Chauncy to The Commissioner for Roads.

Road, Collector to Mutbilly.

Sir,

Goulburn, 21 August, 1875.

In visiting Collector on the 19th instant I took occasion to pass over and examine the above road. I found three-fourths of it to be fairly good. A side cutting of about $\frac{1}{2}$ a mile will be required along the shores of an extensive lagoon, and there is from one mile to a mile and a-half passing over low flats. These have had about $\frac{1}{4}$ mile of metalling done; but about a mile still remains to be executed—when this is done the road will be very good. But as the siding (railway platform) proposed will be about 1 mile north of this road, I think a deviation will have to be made.

I am still of opinion, however, that the traffic on this line will never be very great, as the great bulk of it will still go to Goulburn, or even to the platform near 6 (six) mile post, rather than to Mutbilly.

I have, &c.,

W. S. CHAUNCY,

Road Superintendent.

Will Mr. Chauncy state amount available. It is clear the road should go to the Railway station. How will this platform be connected with the main road? I wish a sketch or tracing. County map showing in "blue" line of railway and position of Mutbilly platform.—F.A.F., 10/9/75.

Mr. Wickham,—Return for further report.—W.C.B., 10/9/75.

Mr. Chauncy,—B.C. with plan, to be returned.—W.W., 10/9/75.

This road being in the hands of trustees I cannot tell the amount available, but the sum voted for this year was £63 (recommended for increase to £91 in 1876). The present road comes out in main road, opposite Hannon's, and I should say about $1\frac{1}{2}$ mile south of the proposed platform. The plan is not to hand as stated.—W. S. CHAUNCY, 11/9/75.

Telegram sent to Mr. Chauncy as to plan.—14/9/75.

Mr. Eames,—Have the plan looked up and forwarded; be very careful that when enclosures are mentioned in letters or papers that they are sent. Mr. C. will please mark siding and platform at Six-mile post on plan.—W.C.B., 14/9/75. Mr. Eames.—B.C. Now to Mr. Chauncy.—B.C. 15/9/75. Done.—W. S. CHAUNCY, 16/9/75.

Should not some steps be taken to get this deviation made to the station? Is the road *via* Walero-gang Lake subsidized? Is there any road in this vicinity which could be omitted?—W.C.B., 18/9/75. Mr. Chauncy, B.C., 18/9/75.

I do not precisely understand whether the Commissioner refers to the 16-mile station or the 6-mile. If to the former, I may say that there would be no difficulty to make a deviation so as to bring the road out at the station, and it would be a great improvement; but at present it is impossible to get surveyors here to do anything, as they appear to be all sent away to Young, Cootamundra, &c. The road is subsidized, but no improvements have yet been made on the part which would have to be abandoned.—W.S.C., 20/9/75. Re-submit.—W.C.B., 21/9/75.

It is clear I refer to the 16-mile station. I think the change should be made; there will be no difficulty as to engineering. But who owns the land? Will there be compensation for severance or fencing? Ask proprietors.—W.C.B., 22/9/75. Mr. Chauncy.—B.C., 24/9/75.

I was on the ground yesterday, and now find they are putting in the siding about $\frac{1}{4}$ mile north of 15-mile post. The proposed deviation will pass over fairly good country for road purposes, and will extend to the Wet Lagoon about 3 miles, thereby saving about 3 miles for those travelling from Collector. The land belongs to Mr. John Chisholm, who will doubtless require to be paid for the fencing; but I do not think he can legally claim compensation for land. I have not yet seen him on the subject, but will endeavour to do so shortly.—W. S. CHAUNCY, Road Superintendent, 25/9/75.

I wish Mr. Chauncy to go thoroughly into this question with Mr. Chisholm and Mr. Twynam, so that the road may be opened without delay.—W.C.B., 27/9/75. Mr. Chauncy, B.C., 27/9/75. Seen.—W. S. CHAUNCY, 30/9/75.

No. 2.

Memo. from Commissioner for Roads to Mr. Road-Superintendent Chauncy.

WHAT has Mr. Chauncy done about railway approach at Mutbilly? The line will be open before anything is done.

16/10/75.

W. C. BENNETT.

Mr. Chauncy, B.C.—Reply by return post.

I made an appointment with Mr. Twynam for 9th instant which he was unable to keep, and has made another appointment for to-day; but as I have other engagements which must be attended to I am sending Mr. Allman to go over the ground with him, who will then be able to communicate with me as to any information received from Mr. Twynam. I will then go over the ground myself. It may be necessary to state that I have already indicated the direction the line should take, and if no objection should be offered by Mr. Twynam after he has examined it we shall be in a position to apply for a survey. As for Mr. Twynam, he is about leaving Goulburn for a time, and is in fact seldom here now, so that I cannot depend upon him to meet Mr. Chisholm except at long intervals, and I presume that the negotiation of this affair must be carried out by myself alone. I have seen a letter from Mr. Chisholm, in which he expresses his willingness to have the line opened as proposed by me, but objects to the longer one recommended

recommended in the first instance by Mr. Twynam. He is, however, at present only willing to give his consent conditionally upon the road at present in use to Hannon's being given up; but Mr. Twynam says this cannot be done, as it is a cross road at Mutbilly and numerous interests are involved.—W. S. CHAUNCY, 16/10/75.

I will hasten matters as much as possible.—W.S.C. This sketch will afford some idea of the position of the respective roads named in this memorandum. I will shortly forward a correct plan or tracing of the locality.—W.S.C. Sketch

Mr. Chauncy should have made an effort to meet Mr. Twynam. I should prefer the negotiation to be carried on by him. Mr. Chauncy had better only select the line of road and allow Mr. Twynam to negotiate.—W.C.B., 18/10/75. Mr. Chauncy, B.C., 18/10/75.

I had a prior appointment to visit Taralga, from which I have just returned. I find it impossible to visit all the roads in the month. I propose going to the Abercrombie next week, and am doing all I can to get over as much ground as possible in the meantime. I shall be very glad to leave this to Mr. D.-S. Twynam. I merely thought it might be desirable that the Roads Department should be represented, but I had no thought of arranging anything definitely without the full concurrence of the Commissioner. By making several turns at right angles parish roads may be availed of; but the road in that case would not only be much longer but very hilly, whereas the direct road will be free from all impediments, and I think in every way much better. Mr. Twynam has been over the road with Mr. Allman, who will be able to point out to me the line proposed by Mr. Twynam; but I am, I believe, to hear first from Mr. Twynam as to his final determination; if not, I expect to see him on Monday. Mr. Twynam does not appear to consider the matter as in any way urgent. It is probable that Mr. Chisholm will oppose the passage of the road through his land except on the conditions named in my former communication. I will report again as soon as I possibly can, as it appears to me to be very important.—W. S. CHAUNCY, 21/10/75.

P.S.—I intend to go over the ground myself with Mr. Allman on Monday, after which I shall be in a better position to judge of Mr. Twynam's recommendation.—W.S.C.

The road must not be sacrificed for any land considerations.—W.C.B., 22/10/75. Mr. Chauncy, B.C., 22/10/75. I have seen Mr. Twynam this morning, and he has shown me a plan by which he proposes to take about five (5) miles without infringing on private property. I am to go over it on Tuesday and will report further. Mr. Twynam is about to submit a plan to the Surveyor General.—W. S. CHAUNCY, 23/10/75. This will not materially increase the distance.—W.S.C. File.—W.C.B., 25/10/75.

No. 3.

Mr. District-Surveyor Twynam to The Surveyor General.

Application by James Chisholm for the opening of a deviation in the road from Pomeroy to Collector, at the Wet Lagoon, near Mutbilly, county of Argyle.

MR. CHISHOLM proposes a diversion of the road, with the object of providing more direct access from Collector to the platform on the Southern Railway at Mutbilly, and desiring that such diversion, if approved, shall be opened in lieu of a part of the present road, which intersects the Southern Road at Hannon's Inn. The effect of such a diversion would be to break the continuity of the road, and increase the distance for through traffic by about 2 (two) miles; such traffic is at present insignificant, and confined to the moving of a few cattle, but it may probably soon increase as the facilities offered by railway communication improve and develop the resources of the locality. At the intersection of the two roads there has been established for many years an inn kept by J. Hannon, who informed me that he would oppose the deviation suggested, on the grounds that it would divert traffic from his licensed house, to the material damage of his interest therein; and moreover that he and others required the present road for convenient access to water in the Wet Lagoon.

The Wet Lagoon offers a fine harbour for wild fowl, and is at present easily accessible from the Pomeroy and Collector Road, which runs along the strand of this small lake for about half-a-mile, and thus to a certain extent it is available to public recreation for shooting; it also affords abundant and wholesome water supply, and it is represented that for this reason alone there should be no alteration in the present course of the road.

Under these circumstances, it appears to me that it would not be desirable to open the deviation proposed by Mr. Chisholm.

The matter of convenient approach from Collector to the platform is dealt with by a separate letter. Submitted.

E. TWYNAM,
District Surveyor.

Goulburn, 26 October, 1875.

No. 4.

Mr. Road-Superintendent Chauncy to The Commissioner for Roads.

Sir,

Goulburn, 27 October, 1875.

I have the honor to enclose a tracing showing the lines of proposed deviation to meet the railway platform 10 to 15 chains north from 15-mile post. Tracing.

Mr. Twynam is about forwarding a report to the Surveyor General on the subject. He did not inform me precisely as to the nature of the recommendation he intends to make, but gave me to understand that I might perhaps be further advised before the report goes off. I have reason, however, to believe that it is likely he will recommend the adoption of the line C to D, as this can be taken through without interfering with private property. I have carefully examined this line, which is $5\frac{1}{4}$ miles in length, and (as nearly as I can ascertain from scaling the plan) one-quarter mile longer than the line C A D. But there are other disadvantages attending the adoption of the line C D. The entire road is more or less hilly throughout, the ascents and descents being numerous, and several of them very steep; say from 1 in 9 to 1 in 10. Some of these hills are very rough, being covered with quartz rock. The road is also very scrubby and densely timbered, and will cost at least £250 to clear. Two expensive causeways and from 20 to 30 chains of metalling would be required at once to render the road passable, and

and as the distance by this way as compared with going round by B would save only two miles and thirty chains, I am of opinion that the public would prefer the old road to the new one, and that the journey could be performed as quickly under ordinary conditions.

For the above reason I would beg to recommend that no thought be entertained of adopting the line C D.

On the other hand, I think that the line A D would be in all respects a better one for the public. It is open forest country, only slightly undulating, and fully a quarter mile shorter than the line C D.

The ground is for the most part tolerably firm, and this was the line recommended by Mr. Chisholm, though tacked to a proviso for the cancelling of road A B.

This proviso, however, cannot be entertained, as the vested interests would suffer by such an arrangement; but nevertheless I can hardly think that Mr. Chisholm would refuse his consent if an offer were made to fence in the road. This, I think, under the circumstances, ought to be done. At 5s. per rod this would amount to £220 for one side only, or double the amount for both sides. I think the equity of the case would be met by offering to fence one side only, as there is but one side fence on the road A D. Such an arrangement might, I think, be shown to conduce to the advantage of Mr. Chisholm; as, if the line C D be taken, he will in that case be under the necessity of doing the fencing himself over at least four miles of ground. As soon as I can do so, I intend to make a survey of the line A D, and will then report again.

I have, &c.,

W. S. CHAUNCY,

Road Superintendent.

Mr. Chauncy has not marked B on plan. I do not think it likely Mr. Chisholm would be content with the fencing on one side. Mr. Chauncy not to take further steps until Mr. Twynam's report is to hand.—W.C.B., 28/10/75. Mr. Chauncy, B.C. The Commissioner will perhaps be so good as observe the letter B on diagram below the general plan.—W. S. CHAUNCY, 1/11/75. Re-submit when Mr. Twynam's report is to hand.—W.C.B., 2/11/75. Will Mr. Chauncy state what has been done in this case.—W.C.B., 24/3/76. Mr. Chauncy, B.C. Please see report herewith.—W. S. CHAUNCY, 3/4/76.

No. 5.

Mr. District-Surveyor Twynam to the Surveyor General.

REFERRING to correspondence touching a proposed deviation at Mutbilly in the road from Pomeroy to Collector, from which it appears desirable to provide for direct communication from Collector to the Mutbilly platform on the Southern Railway, I would now suggest the opening of the road indicated by the red band in the accompanying sketch, which will secure a suitable approach to the railway.

The road proposed to be opened* would resume land belonging to Mr. James Chisholm in quantity amounting to about 1½ acre.† The severance would not inflict much damage, inasmuch as the adjacent lands all belonging to Mr. Chisholm are separated from the portion severed by a reserved road, which would be superseded by the proposed parish road, and thus being unnecessary might be alienated to him.

I have prepared a sketch annexed‡ illustrative of the question of providing communication from Collector to the Southern Railway, on which a deviation in an existing road, suggested by Mr. Chisholm, is indicated approximately by a black dotted line;§ and the road provided in the subdivision of surrounding country is shown in the usual manner, the extension of the same to the railway platform now suggested being coloured red. The latter would be about a quarter of a mile longer, and rather more costly in construction¶ than the before-mentioned deviation. I may add my opinion that all works necessary to place the road provided and its extension in a state suitable for present traffic might be effected at a cost of about £200. Submitted.

E. TWYNAM,

District Surveyor.

Goulburn, 25 November, 1875.

Forwarded to Mr. District-Surveyor Twynam, who is requested to have the road recommended laid out.—ROBT. D. FITZGERALD (for the Surveyor General, 7th December, 1875). Transferred to Mr. Licensed-Surveyor Deane, for survey.—E.T., D.-S., 17th December, 1875.

No. 6.

Mr. Licensed-Surveyor Deane to The Surveyor General.

Goulburn, 1 March, 1876.

Sir, I have the honor to transmit herewith the plan, accompanied by book of reference of part of the road from Collector to the Great Southern Road at the Breadalbane platform, in the parish of Mutbilly, in the county of Argyle, which I surveyed and marked on the 7th of January last, in accordance with instructions received from the district surveyor, and in compliance with your B.C. instructions No. 75/1,038, of the 7th December, 1875.

No expenditure is required on this road to render it fit for traffic.

I have, &c.,

E. R. DEANE.

Book of reference of road from a reserved road at the north-east corner of James Chisholm's 320 acres conditional purchase to the Main Southern Road within James Chisholm's 640 acres, being part of the road from Collector to the Southern Railway at the Breadalbane platform, parish of Mutbilly, county Argyle, to be opened as a parish road under the Act of Council 4 William IV No. 11.

Portion of road.	Reputed owner and occupier.	Character of land.	Bearings.	Length in chains.	Enclosures.	Character and state of preservation of fencing.	Cultivation.	Breadth of road.	Area.
From a reserved road at the north-east corner of John Povey, now James Chisholm's 320 acres conditional purchase, to the Main Southern Road, within James Chisholm's 640 acres, in the parish of Millbang, in the county of Argyle.	James Chisholm	Forest land, unimproved, adapted for grazing.	Northerly	21.06	Enclosed	Good hardwood 2-rail fence.	None	1 chain ..	a. r. p. 2 0 16

Copy to be sent by the Department of Lands to the Police Offices at Goulburn and Collector.

* C to D on my sketch.—W.S.C.
† E to D on my sketch.—W.S.C.

‡ Tracing.

§ A to D on my sketch.—W.S.C.

¶ Very much more costly in construction.—W.S.C.

Plan.

No. 7.

Mr. Road-Superintendent Chauncy to The Commissioner for Roads.

Sir,

Goulburn, 3 April, 1876.

I beg to return with this the papers relating to road from Collector to railway platform, Mutbilly, also copy of two reports from Mr. Twynam to the Surveyor General, with reference on margin of same to my own original sketch. From the report dated 25th November, 1875, it will be seen that Mr. Twynam reports that the road recommended by him will be more costly in construction and of greater length than the road proposed by Mr. Chisholm and myself. ce No. 4.

It must nevertheless be admitted that a considerable saving would be effected in respect of compensation for the purchase and fencing of land by the adoption of Mr. Twynam's line.

Notwithstanding this, however, I am of opinion that the road is so bad, and the expense of construction would be so great, that it will, on the whole, be most advantageous to the public interest to adopt the line A D, which is naturally a good road.

I cannot hear that any further action has been taken by the Department of Lands in reference to this matter.

I have, &c.,

W. S. CHAUNCY,
Road Superintendent.

Mr. Chisholm proposes the red road, with the understanding that Hannon's road should be shut up. He will no doubt demand a large sum for compensation and fencing. Will Mr. C. say probable amount. In what is the difficulty of construction on Mr. Twynam's road? Give estimate of the two, showing amounts for compensation (indispensable), fencing, and construction in each case.—W.C.B., 5/4/76. Mr. Chauncy, B.C. Report herewith.—W. S. CHAUNCY, 10/4/76.

No. 8.

Mr. Road-Superintendent Chauncy to The Commissioner for Roads.

Estimate—Line A.D.

	£	s.	d.
Three-rail fence 480 rods @ 5s.	210	0	0
Clearing 105 chains (66 feet wide) @ 10s....	52	10	0
Metalling—say 5 chains @ £10	50	0	0
Drains, 20 chains, @ say £40	10	0	0
	£322	10	0

N.B.—If the road be fenced on both sides Mr. Chisholm would not, I think, be entitled either by law or custom to any further compensation. I believe this was so decided in the case of Mr. Shepherd, of Wheeo.

Estimate—Line CD.

	£	s.	d.
Clearing 20½ chains @ 15s., the timber thick and scrubby in places, and the work more expensive in consequence of standing fences	157	0	0
Metalling, say 15 chains, @ £10	150	0	0
Causeways, lin. yds., 58½, @ 13s. 4d.	39	0	0
Drains, 1 mile, @ (say) £40... ..	40	0	0
	£386	0	0

N.B.—The above sum of £386 would, in my opinion, be the least sum to be expended in order to render this road even moderately passable; but it is ¼ mile longer than the other road, and would in other respects be a much worse road than the shorter line, as there are not only several very steep hills upon it, but also several flats which would ultimately require metalling in order to meet the fair requirements of traffic during the wet season.

W. S. CHAUNCY,
Road Superintendent.

Goulburn, 10/4/76.

Is Mr. Chauncy aware that we have no power at all to enter on this land, with or without payment of compensation, except by consent, unless the road is proclaimed, and Mr. C. knows the length of time that will take. I wish him to state if he thinks we should go through the routine of proclamation.—W.C.B., 11/4/76. Mr. Chauncy, B.C.

Yes. I think it better that the matter should be delayed a year or two rather than the public be permanently inconvenienced.—W. S. CHAUNCY, 12/4/76. Under the circumstances detailed in papers herewith, the Surveyor General might be asked to have the road in question proclaimed with as little delay as possible.—W.C.B., 13/4/76. Under Secretary, B.C. Under Secretary for Lands, B.C. 18/4/76.—J.R.

Forwarded to Mr. District-Surveyor Twynam, who is requested to report whether the wishes of the Works Department, and his own objections of depriving the public of access to the Wet Lagoon might not be met by laying a road from the existing road (at a point which would still afford access to the Wet Lagoon) to the railway platform, to be proclaimed in lieu of the remaining portion of the existing road from such point to the Main Southern Road (as shown upon accompanying tracing in blue dotted lines).—ROBT. D. FITZGERALD, for the Surveyor General, 8th May, 1876.

No. 9.

Mr. District-Surveyor Twynam to The Surveyor General.

Further report under B.C., 76/271.

FURTHER particulars are requested as to whether the objection to the deviation proposed by Mr. Chisholm, on the grounds of intercepting access to the Wet Lagoon, may not be met by diversion at a more northerly point, thus affording ample access along the eastern margin of the lagoon.

To this suggestion I would rejoin that, although access to the lagoon would be preserved by the road from Collector to the Breadalbane Platform, still direct approach from the Main Southern Road, near Hannan's, would be stopped. Moreover, I would point out that the question of access to water is not of such salient importance as to make it the chief point of consideration in dealing with this matter. I am aware that any deviation of the Pomeroy and Collector Road will meet with strenuous opposition; and putting aside general objections which may be advanced, I think it will be found difficult to meet Hannan's objection to any deviation of the road which would divert traffic from his licensed house.

It will be observed that the Roads Superintendent concurs in this view, and recommends the opening of the deviation as a separate road for approach to the Breadalbane Platform on the Southern Railway. Thus the question is brought to the consideration of the importance of the traffic for which provision is to be made.

The town of Collector comprises a population of about 100 souls, a monthly Court of Petty Sessions has been established, and lately a Court-house has been built; the local trade is of the most insignificant character and not likely to improve, and it is simply absurd to suppose that the traffic for many years to come will assume such importance as to warrant the expenditure incurred in the opening of the deviation, or as it may really be treated the new road, irrespective of the damage by severance of valuable private estate.

Touching Road Superintendent's report on the comparative cost of necessary works on the road provided to the platform, CD., and the proposed road AED, I think that without presumption I may state that the works he recommends are greatly in excess of the requirements of probable traffic, and I am convinced that the sum I have named, £200, would be ample for all necessary work. Also, it is evidently supposed by the Road Superintendent that the road CD can be closed; this road cannot be closed at present, inasmuch as it affords access to land in possession of several proprietors, and to Crown Land; moreover, it must not be overlooked that, in respect of heavy traffic, there is another road, viz., from Collector *via* the Goulburn Road, maintained as of the 2nd class, to the Collector Platform at the point where the railway crosses the Southern Road (near Kinghorne's 1,000 acres). This route is about 5 miles longer than that *via* the Pomeroy Road, but saves 9 miles of haulage by railway, and therefore will probably be adopted as the depôt for produce brought from the neighbourhood of Collector.

It may also be as well to point out that the question of providing direct approach to the Breadalbane platform originates with Mr. Chisholm, who is desirous of securing a more convenient arrangement of his paddocks, and not with the inhabitants of Collector, who do not appear to have moved in the matter, and therefore at present the question is discussed between the Road Superintendent who would sacrifice private interests for what at present cannot be held as other than imaginary public requirements, and the district surveyor, who suggests a road practicable for all present and probable requirements now partly used, and which may be made quite passable for all ordinary traffic at a comparatively small cost, without involving serious damage by severance of alienated land.

Mr. Chisholm has not lately moved in the matter, and probably will take no further steps, but if he is desirous that it should proceed, the Surveyor General might authorize the survey of the new road, with a view to eliciting formal objections; but I need scarcely point out that, in event of the road not being treated as a deviation, any survey will be detrimental to Mr. Chisholm's interests.

Submitted.

Goulburn, 23 May, 1876.

E. TWYNAM,
District Surveyor.

On this report from Mr. District-Surveyor Twynam, it is *not* recommended that the road required by the Commissioner for Main Roads be laid out, and it is suggested that these papers be forwarded to him for his information.—ROBT. D. FITZGERALD (for Surveyor General), 29th June, 1876. Approved.—T.G., 3/7/76. Under Secretary for Public Works, B.C., 5/7/76. Roads, B.C., 7/7/76, J.R. Mr. Chauncy, B.C., W.C.B., 8/7/76.

I am still of opinion that private interests ought to give place to public requirements. However, I do not see how the division of the paddock by the line AD can prove injurious to Mr. Chisholm. I should have supposed it would have a contrary effect. I am satisfied that my estimate for the repair of line CD is moderate, if rendered available for heavy traffic. In one thing I agree with Mr. Twynam; the amount of traffic at present is so small as to render the entire question unimportant, except as regards future and undeveloped requirements.—W. S. CHAUNCY, 8/7/76.

I concur with Mr. Twynam that further action is unnecessary.—W.C.B., 10/7/76. Surveyor General, B.C.

These papers may be forwarded to Mr. District-Surveyor Twynam for his information, and when returned by him re-transmitted to Works Department, as they all (with the exception of Mr. Twynam's report) belong to that department.—ROBT. D. FITZGERALD (for Surveyor General), 18th July, 1876.

Noted and returned as requested.—E.T., D.-S., 24/7/76.

These papers should now perhaps be returned to the Works Department, as they all, with the exception of this report from Mr. District-Surveyor Twynam, belong to that department.—ROBT. D. FITZGERALD (for Surveyor General), 23rd August, 1876. Under Secretary for Public Works, B.C., 24/8/76, A.O.M., for U.S.

No. 10.

The Surveyor General to The Under Secretary for Lands.

THE accompanying plan and book of reference of road from a reserved road at the north-east corner of James Chisholm's 320 acres conditional purchase, to the Main Southern Road within James Chisholm's 640 acres, being part of the road from Collector to the Southern Railway, at the Breadalbane Platform, parish of Mutbilly, county of Argyle, are forwarded with the view to the opening of the line as a parish road, under the Act of Council 4 William IV, No. 11.

For plan and book of reference, see No. 8. Sec No. 12.

B.C., 29th June, 1876.

ROBT. D. FITZGERALD,
(For Surveyor General).

Minute, 8 July, 1876, T.G. The Executive Council has authorized the proclamation of this road.
Min., 76/34.—Confirmed, 17/7/76.

No. 11.

Minute for Executive Council.

Preliminary notification of road.

Department of Lands, Sydney, 8 July, 1876.

THE authority of His Excellency the Governor and the Executive Council is sought for the opening of the undermentioned line of road, as shown by the accompanying plan and book of reference, in accordance with the provisions of the Act 4th Wm. IV, No. 11, viz. :—Road from a reserved road at the north-east corner of James Chisholm's 320 acres conditional purchase to the Main Southern Road, within James Chisholm's 640 acres, being part of the road from Collector to the Southern Railway, at the Breadalbane platform, parish of Mutbilly, county of Argyle.

THOMAS GARRETT.

THE Executive Council advise that the intended formation of the line of road, herein specified, be notified in the manuer prescribed by the Act 4th William IV, No. 11.—ALEX. C. BUDGE, Clerk of the Council.

Min. 76-34, 10/7/76.—Confirmed, 17/7/76. Approved.—H.R., 10/7/76.

No. 12.

The Under Secretary for Lands to The Bench of Magistrates, Collector.

Gentlemen,

Department of Lands, Sydney, 28 July, 1876.

I have the honor to forward, for deposit in the Police Office at Collector, for public inspection and information, copies of a plan and book of reference of a road which is about to be opened as a parish road, under the Act of Council 4th William IV, No. 11, from a reserved road at the north-east corner of James Chisholm's 320 acres conditional purchase to the Main Southern Road, within James Chisholm's 640 acres, being part of the road from Collector to the Southern Railway, at the Breadalbane platform, parish of Mutbilly, county of Argyle.

For plan and book of reference see No. 8.

I have, &c.,

A. O. MORIARTY,
Under Secretary.

No. 13.

The Under Secretary for Lands to The Bench of Magistrates, Goulburn.

Gentlemen,

Department of Lands, Sydney, 28 July, 1876.

I have the honor to forward, for deposit in the Police Office at Goulburn, for public inspection and information, copies of a plan and book of reference of a road which is about to be opened as a parish road, under the Act of Council 4th William IV, No. 11, from a reserved road at the north-east corner of James Chisholm's 320 acres conditional purchase to the Main Southern Road, within James Chisholm's 640 acres, being part of the road from Collector to the Southern Railway, at the Breadalbane platform, parish of Mutbilly, county of Argyle.

Plan and book of reference same as No. 12.

I have, &c.,

A. O. MORIARTY,
Under Secretary.

No. 14.

Memo. by Commissioner for Roads.

MR. WADDELL, of Collector, called at office to-day, and represents that there is an old road from Collector to the platform at Breadalbane Plains which is three miles shorter than the road now being made by trustees (M'Caulay and others). The traffic by rail would be greatly facilitated if the old road was adopted, and the convenience of a large number of inhabitants would be insured. Instead of branching off at top of hill towards Gunning, it should go straight across to the platform, leaving the Wet Lagoon to the left.—W.C.B., 15/9/76.

Mr. Chauncy, for report.—B.C., 15/9/76.

Mr. Waddell is quite mistaken in supposing that any road that could be laid down would shorten the distance by 3 miles; I do not think that 1 mile could be saved by any possible alteration. Such line as Mr. Waddell refers to must of necessity pass through private lands, and would be objectionable on that account; besides which, much useful work in the present road would be rendered almost valueless. There was an excellent track in use for many years, from the Wet Lagoon to the present site of railway station; and, as I have often pointed out, I think this deviation should be adopted.—W.S.C.

I had a conversation with Mr. John Chisholm on the subject a day or two since, and he quite concurs with me in opinion, and in particular is quite satisfied that the public would never adopt the line recommended by the district surveyor. The deviation might be shortened considerably by turning off from the corner of lagoon nearest the main road, and Mr. J. Chisholm does not think it would injure his brother's property.—W.S.C., 18/9/76.

This minute was written under a misapprehension of the request made by Mr. Waddell. The track referred to herein is, I find, identical with the old road referred to by Mr. Waddell, and if adopted, would have the effect of shortening the distance by nearly 3 miles.—W.S.C.

Will Mr. Twynam be good enough to favour me with his opinion on this matter.—W.C.B., 19/9/76.

Will Mr. Chauncy please give a hand sketch of roads as referred to.—G.C.E., for Commissioner, B.C. Mr. Chauncy.—B.C., 21/9/76.

I have seen Mr. Twynam. He says he has nothing to add to previous reports on the same subject. We examined the map together, and find the distance in a *direct* line from centre of Collector township to railway station to be $8\frac{1}{2}$ miles. By either of the roads recommended by us the distance would not exceed 9 miles; by the present circuitous track it is about, or very nearly, 10 miles.—W.S.C., 22/9/76.

No. 15.

Gazette Notice.

Preliminary notification of a parish road.

Department of Lands, Sydney, 22 September, 1876.

His Excellency the Governor, with the advice of the Executive Council, having deemed it expedient to open and make the parish road mentioned in the Schedule appended hereto, to be maintained at the expense of the parish through which it passes, notice is hereby given that, in accordance with the provisions of the Act 4th William IV No. 11, plans and books of reference, showing the intended line of the road in question, are now deposited at the office of the Surveyor General in Sydney, and at the police offices mentioned.

It is requested that any well-grounded objections that may exist to the formation of the road in question may be transmitted in writing to the Clerk of the Executive Council within one month from this date.

By His Excellency's Command,
THOMAS GARRETT.

Schedule referred to.

Roads No.	Description of Road.	Names of reputed Owners or Occupiers through whose properties the Road passes.	Police Offices at which the Plans and Books of References have been lodged.
76-1,152; R 1,300...	Road from a reserved road at the north-east corner of James Chisholm's 320 acres conditional purchase, to the Main Southern Road, within James Chisholm's 640 acres, being part of the road from Collector to the Southern Railway, at the Breadalbane platform, parish of Mutbilly, county of Argyle ...	James Chisholm	Goulburn and Collector.

No. 16.

The Under Secretary for Lands to The Clerk of the Executive Council.

Sir,

Department of Lands, Sydney, 30 September, 1876.

In drawing your attention to the notice in the Government Gazette of the 22nd inst., respecting the intended formation of a parish road, viz., from a reserved road at the north-east corner of Jas. Chisholm's 320 acres conditional purchase to the Main Southern Road, within James Chisholm's 640 acres, being part of the road from Collector to the Southern Railway, at the Breadalbane platform, parish of Mutbilly, county of Argyle, I am directed to request that you will have the goodness, at the end of one month from the date thereof, to inform me whether any objections have been received by you in respect of the said road, in pursuance of the notice alluded to.

I have, &c.,
W. W. STEPHEN,
Under Secretary.

No. 17.

The Hon. J. Chisholm, M.L.C., to The Clerk of the Executive Council.

Kippilaw, Goulburn, 18 October, 1876.

Protest of James Chisholm, Member of the Legislative Council, against the road notified in the Government Gazette of the 22nd September, from the Breadalbane platform, on the Great Southern Extension Railway.

See No. 15.

I OBJECT to the said road passing through my land, for the following reasons:—

About the time the railway was opened to Goulburn I gave the Government a road to enable the people of Collector and intermediate country having free access to the railway platform and the Main Southern Road. I received no compensation for this road, although it passes through my land for three miles, and runs parallel with the road it is intended to proclaim, and through the same paddock. At the time I gave this road the inhabitants of Collector had no access to the railway or the Main Southern Road. The road was of no advantage to myself, but on the contrary, my property was very much injured by it.

This road is nearly level the whole way to Collector, and is kept in repair by money voted by Parliament, and can be travelled in about one and a half hours from the platform to Collector.

The

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The road it is in contemplation to proclaim will pass mostly through a scrubby hilly country, and will cost several hundred pounds to clear and make it, and then it will not be so good a road as the one I have given.

All the owners of land between the platform and Collector have access to the road now in use, and as all the land on both sides of the road is purchased, it is the most central and convenient for the parties mostly interested.

Two roads I submit are not required, as the traffic from the platform to Collector is so insignificant it does not, so I am informed, pay a railway porter's salary.

JAMES CHISHOLM.

No. 18.

The Clerk of the Executive Council to The Secretary for Lands.

Sir,

Executive Council Office, 26 October, 1876.

In compliance with the request contained in the Under Secretary's letter of the 30th ultimo, No. , I do myself the honor to forward to you the objection lodged with me to the formation of the proposed parish road noted in the margin.*

I have, &c.,

ALEX. C. BUDGE,
Clerk of the Council.

See No. 16.

* From a reserved road at the north-east corner of J. Chisholm's 320 acres conditional purchase, to the Main Southern Road, within J. Chisholm's 640 acres, being part of the road from Collector to the Southern Railway.

Forwarded to Mr. District-Surveyor Twynam, who is requested to report upon the enclosed objection of Mr. Chisholm.—ROBT. D. FITZGERALD (for Sur. Genl.), 8th Feby., 1877. Report accordingly under B.C. memo. dated 13th February, No. 77-24.—E. TWYNAM, D.S.

No. 19.

Mr. Road-Superintendent Chauncy to The Commissioner for Roads.

MEMO.—As I happen to have the enclosed tracing in my possession, I forward it to the Commissioner, in order that he may have it placed with the other papers. It shows the line which I think would be the best to adopt; it is, I believe, nearly identical, and it agrees with that suggested to me by Mr. John Chisholm.

Should the Commissioner desire me to confer at any time with the Hon. James Chisholm on the subject, it would be desirable to return me this tracing with the papers, or forward a copy.

W. S. CHAUNCY,
Road Supt., 2/11/76.

Put all these papers together to take with me to-night.—W.C.B., 3/11/76. A further action required. If Mr. Chauncy thinks further conference advisable he can see Mr. Chisholm, but I think Mr. Twynam is the man to deal with in the first instance.—W.C.B., 15/11/76. Mr. Chauncy, B.C. Please see my letter of this date.—W. S. CHAUNCY, 27/11/76.

No. 20.

Mr. Road-Superintendent Chauncy to The Commissioner for Roads.

Sir,

Goulburn, 27 November, 1876.

At an interview had this morning with the Hon. James Chisholm, he authorizes me to state that he is willing to grant the use of a road for public purposes between the points C and D on the accompanying tracing, provided he be allowed at the rate of .5s. per rod for the fencing, which, for 3 miles of single fence, would amount to £240.

My own opinion is that it will be desirable to consent to this arrangement, as it will save 2½ miles in the distance to the platform over ground naturally good, and which will require little or nothing in the way of repair.

This is the only condition insisted on by Mr. Chisholm, except that he would stipulate to be allowed to erect a gate at points A and C, to which I believe that there would be no objection.

A compliance on the part of the Government will be the means of removing all existing difficulties, and I have no doubt will afford entire satisfaction to the public.

I have, &c.,
W. S. CHAUNCY,
Road Superintendent.

See tracing No. 4.

The proposal is that the line CD be substituted for the line XC, and that £240 be paid for fencing, and permission be given to put a gate at the railway station. Mr. Chauncy reports, and it appears to me that the road C to D would answer the purpose, but I do not know enough of the case to make any recommendation as to the payment for fencing, more particularly at I have always understood that the Gates Act was passed to obviate the necessity for the Government paying for fencing of new roads. The paper should be sent on to Lands, to be dealt with by the Survey Department. Mr. Chauncy also explains that the outlay of this £240 now will save thousands in keeping up a bad road for the future. Mr. Chauncy explains that a gate will be required, as a single line of fence only is proposed.—W.C.B., 11/12/76.

Under Secretary for Lands.—B.C., 21/12/76, J.R. Forwarded to Mr. District-Surveyor Twynam, who is requested to report on this new proposition.—ROBT. D. FITZGERALD (for Surveyor General), 3rd January, 1877.

No. 21.

Mr. District-Surveyor Twynam to The Surveyor General.

Report under B.C. 77/4.

MR. JAMES CHISHOLM, the proprietor whose interests are affected by the diversion of road proposed, has intimated that he is willing to consent to the opening thereof, provided compensation be made in the sum of £240, as for fencing through an enclosure. It would not be becoming in me to oppose the opening of roads through private estate, even where the probable utility of the road is more remote than in this case. My reluctance to concur in the Road Superintendent's views arises from disinclination to advise the sacrifice of private estate to supposititious and improbable requirements of traffic—certainly possible, but under present circumstances altogether improbable.

The traffic from Collector is insignificant, and I have no hesitation in stating that it does not demand the expenditure involved in the opening and construction of the new road; indeed, in support of this opinion I may refer to Mr. Chauncy's minute endorsed upon my previous report, viz.:—"In one thing I agree with Mr. Twynam—the amount of traffic is at present so small as to render the question unimportant, except as regards future and undeveloped requirements."

The statement that the immediate outlay in constructing the diversion of road will save thousands of pounds in maintaining a bad road, and therefore implying the economy of adopting the diversion, appears to me to be rather unreasonable, inasmuch as the necessary works on the road provided will not cost more than £250 and a small sum annually for maintenance, whilst the traffic is of such casual, insignificant character that a first-class road is unnecessary.

I have nothing further to add to the previous reports, except the relative lengths of the three routes mentioned therein, viz.: By the road provided in subdivision of adjacent land, 9½ miles; by the diversion proposed by Mr. Chisholm, 9½ miles; and the distance from Collector to the Collector Platform, on Railway, 14½ miles, of which 2 miles are common to the Southern Road. Submitted.

E. TWYNAM, D. S.

Goulburn, 23 January 1877.

It is recommended that this report from Mr. District-Surveyor Twynam be referred to the Commissioner and Engineer for Roads, with a view to his consideration whether the road proposed by Mr. Road-Superintendent Chauncy should be laid out, in which case the cost of fencing and any claims for compensation should be dealt with by the Works Department. I am of opinion that the necessity for a road must be very great that would warrant the forcing the acceptance of gates in lieu of fencing, upon the proprietors of land through which a road may be taken, as suggested by the Commissioner and Engineer for Roads, in his minute of the 11th Dec., 1876, on 77/25, R.S.B., herewith.—ROBT. D. FITZGERALD (for Surveyor General), 2 July, 1877.

Under Secretary for Public Works.—W.W.S., B.C., 23 July, /77. Roads.—B.C., 27/7/77, J.R. Report herewith.—W. S. CHAUNCY, 2/8/77. Before dealing with this case I wish Mr. Chauncy to reply to Mr. Twynam's objections. Mr. Chauncy, B.C.—W.C.B., 21/8/77.

No. 22.

Mr. District-Surveyor Twynam to The Surveyor General.

Report under B.C. No. 77/53.

MR. JAMES CHISHOLM objects to the opening of this road, on the grounds that there is another road, affording sufficient means of thoroughfare, between the village of Collector and the nearest platform (Breadalbane) on the Southern Railway. The map annexed to my report fully illustrates this case, and the principal reason on which I base my recommendation for the opening of this small portion of road, 25 chains long, through Mr. James Chisholm's land, is that thereby the distance from Collector to the nearest station on the Southern Railway is shortened by 2½ miles; and putting aside relative merits of the two routes, which are fully discussed in other papers (Roads 77/25), and assuming that foot passenger and horse traffic alone are to be provided for, I submit that the gain to public convenience in respect of distance is sufficient to warrant the action taken. I may also point out that the road proposed supersedes that along the north boundary of portions 132 and 134; and I may add my opinion that the opening of this road causes no damage to the occupation or value of Mr. James Chisholm's estate.

Submitted.

Goulburn, 13 February, 1877.

E. TWYNAM, D.S.

It is recommended that, notwithstanding the objections which have been raised, this road be now confirmed.—ROBT. D. FITZGERALD (for Surveyor General), 21 January, 1878.

Approved.—J.S.F., 14/2/78.

No. 23.

Mr. Road-Superintendent Chauncy to The Commissioner for Roads.

MEMO.—Mr. Twynam's disinclination "to advise the sacrifice of private estate" appears to be his chief reason for declining to endorse my recommendation, but in the present case we have the consent of the proprietor freely given; and I would suggest that he must be the best judge as to how far his interests are affected by it. My own opinion is that it will be highly beneficial to him, and in this view I am supported by his brother, who stated that if the case were his own he would be glad to give his approval of it.

I have already stated my reasons for my opinion as to the economy to result from the adoption of the line proposed; and although I am free to admit that the traffic is small at present, it is nevertheless far more considerable than I had anticipated.

But when I compare the distance by this line with that by way of Hannan's, and consider the thousands of miles of needless travelling which will be saved to the public throughout all time, I cannot hesitate for a moment in pressing upon the Government the acceptance of Mr. Chisholm's offer.

W. S. CHAUNCY,

Road Superintendent, 2/8/77.

On the payment of £240 I am inclined to take Mr. Twynam's view; if the public want the road they will move further about it; until then I think it might remain in abeyance.—W.C.B., 3/8/77.

Mr. Chauncy, B.C.

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I think it would be a good thing to have the line surveyed, even if no further action be taken at the present time. I have been requested by several of the inhabitants to recommend such a course as might best serve to secure for them the advantage of a direct line to the platform; but as I have communicated nothing to them as to the steps already taken, they are simply waiting to know what has been done.—W. S. CHAUNCY, 4/8/77.

As a question of survey only, this matter now comes under the Survey Department—its officers are the best judges in such questions.—W.C.B., 7/8/77. Under Secretary, for transmission. Under Secretary for Lands, B.C., 8/8/77.—J.R.

No. 24.

Mr. J. Macauley to The Secretary for Lands.

Sir,

Milbang, near Collector, 10 October, 1877.

I have the honor herewith to enclose petitions for leave to erect a *public gate, and for the opening of a branch line of road from the north side of the Wet Lagoon to the Breadalbane platform respectively.

Trusting they shall receive your favourable consideration,—

I have, &c.,
JOHN MACAULEY.

* I have not seen the papers in this case.—W. S. CHAUNCY, 28/11/77.

Petition from residents of Collector district to The Honorable the Secretary for Lands.

8 September, 1877.

THE petition of the inhabitants of Collector and the surrounding district humbly sheweth:—

That your petitioners are to a great extent debarred from the many advantages they might derive by forwarding their farm produce, &c., to market by rail from the Breadalbane platform, for want of a suitable road.

That whilst the distance from Collector to the platform is only nine miles, the only road available to your petitioners (viz., the Collector and Pomeroy Road as far as Hannon's public-house, and from there back to the platform) increases the distance to at least twelve miles, thereby adding six miles to the journey to and from the said platform.

That a branch line from the north end of the Wet Lagoon to the platform would obviate the difficulty your petitioners have now to contend with, and would cost but a small sum to put it in order for general traffic.

Your petitioners therefore humbly request that the said branch line may be opened for public use with the least possible delay.

And your petitioners, as in duty bound, will ever pray.

John J. Waddell,
Francis Poiderin,
Thomas Hincksman,
William Bode,

John Sheridan,
E. J. Reardon,
James Gale,
E. Kershaw,

And thirty-six others.

It is recommended that this petition be referred to the Commissioner and Engineer for Roads, as to whether he is now prepared to pay the cost of fencing to Mr. Chisholm, amounting to £240, in which case the road will be laid out and proclaimed. Upon the reports of Mr. D.-S. Twynam I cannot recommend the survey of the road unless the Works Department are willing to pay the cost of fencing, as being more economical than the formation of the road recommended by Mr. Twynam.—ROBT. D. FITZGERALD (for Sur. Genl.), 13 November, 1877.

I am very reluctant to recommend £240 to be given to a large landed proprietor for permission to open a road which will be a benefit to himself, and for the opening of which I can gather from the papers he is himself anxious. Neither is it clear that Mr. Chisholm will be content with this amount, but will want to close up the old road to the Main Southern Road near Hannon's, and in addition he requires a gate, which may involve a further demand for another line of fencing at no distant date, should the traffic on the road increase.

Messrs. Waddell, Reily, and Mr. Davies, M.P., have been to this office to press this matter. They represent that the alternative road proposed by Mr. Twynam has no water on it, and is very broken and intersected by gullies. As all roads must ultimately be metalled, will Mr. Chauncey state what the probable ultimate cost of each would be, taking the facilities for drainage into account, and also the cost of the second line of fence. If the result would be in favour of the line recommended by Mr. Chauncey I would advise its adoption.

Will Mr. Chauncey confer with Mr. Twynam on this, and let him see this minute and discuss all the bearings, as to what fencing, &c., Mr. Chisholm is entitled to by law, taking road by proclamation.

Mr. Chauncey, B.C.

W.C.B., 13/11/77.

I regret being unable to meet Mr. Twynam, but may I request that he will refer to the last clause in the minute of the Commissioner for Roads (herewith), and reply thereto by minute. I refer to the question as to the legal claim of Mr. Chisholm, in the event of the road being forced on for proclamation.—W. S. CHAUNCY, 26/11/77.

I believe that Mr. Chisholm would be entitled to compensation for fencing both sides of the road, inasmuch as the land for practical purposes, in respect of occupation, would be considered as an enclosure. On reference to my minute endorsed upon roads 77-2,084, the special circumstances of this case will be seen as to the question of fencing.—E. TWYNAM, D.-S., 26 Nov. Mr. Chauncey. Seen.—W.S.C., 26/11/77.

This matter has been fully dealt with by me in previous reports (papers Roads 77-1,586), and I have no further particulars to supply. Touching the inquiry by the Commissioner and Engineer as to the fencing required, under the administration of the Parish Roads Act, I have to state that the land severed being for all practical purposes an enclosure, probably the road would have to be fenced throughout, amounting to about 960 rods, which, at £80 per mile, would cost £240. I should point out that, under the strict application of the practice previous to recent enactment, this land would not be considered as an enclosure, inasmuch as it is intersected by a parish road which is not fenced, and as there are several reserved roads within such enclosure; but public gates have been authorized on the parish road, and the reserved roads were designed merely to afford access to portions now belonging to one and the same proprietor, Mr. James Chisholm.—E. TWYNAM, D.S., 26 November, 1877. Seen and submitted.—W. S. CHAUNCY, 26/11/77.

No. 25.

The President, Argyle and Georgiana Roads Association, to The Secretary for Lands.

Sir,

Goulburn, 8 November, 1877.

I have the honor, on behalf of the above Association, to request that you will be good enough to have prepared and transmitted to me a tracing showing the present road from the Breadalbane Platform to Collector; also the deviation therein suggested by the Survey Department, and that proposed by the local Roads Superintendent.

I have, &c.,

WILLIAM DAVIES,

President.

The papers in this case and all the tracings, showing the different routes suggested, are at present under reference to the Works Department; but in any case I cannot recommend that the tracings as here applied for be supplied to the Argyle and Georgiana Roads Association. If any line is determined upon and surveyed for proclamation, a copy of the plan will be for public exhibition at the nearest police office.

ROBT. D. FITZGERALD (for Surveyor General), 24 November, 1877.

No. 26.

The President, Argyle and Georgiana Roads Association, to The Secretary for Public Works.

Sir,

Goulburn, 8 November, 1877.

I have the honor, on behalf of the above Association, to request that you will be good enough to have prepared and transmitted to me a tracing showing the present road from Breadalbane Platform to Collector; also the deviation therein suggested by the Survey Department and that proposed by the local Roads Superintendent.

I have, &c.,

WILLIAM DAVIES,

President.

There can be no objection to Mr. Davies getting this information, which I attach; but I think it should be sent to him as the Member for Argyle, and not as President of this Association, which has no official or legal existence.—W.C.B., 1/12/77. Under Secretary, B.C. Approved.—J.R., 12/12/77.

No. 27.

Mr. Road-Superintendent Chauncy to The Commissioner for Roads.

1. It is to be noted that, though Mr. Chisholm was in the first instance desirous of promoting the deviation to Breadalbane Platform, it was only on condition that the road to Hannon's should be closed. When he came to understand that this road could not be closed under any condition his views were entirely altered, and it was with some difficulty I obtained his consent to accept the proposed compensation of £240 for fencing, as in full of all demands, should the same be offered him.

2. It is true he desires to have a public gate at each end of the road, and as these will be 3 miles apart I presume it would be granted in the usual course; but this cannot possibly give him a claim to the closing of the road to Hannon's, or to additional compensation for fencing. The gates, I presume, could only be granted in terms of the Act. All I should undertake therefore in this case would be, not to oppose the application for gates when submitted for my report.

3. It is to be observed further that the line as recommended by me is from 16 to 20 chains shorter than Mr. Twynam's line, which in itself is a great consideration. As desired by the Commissioner, I have furnished below an approximate estimate of the cost of completely macadamising each route; but I have not estimated anything additional for a double fence, as the sum of £240 proposed to be granted is calculated for the double fence on the entire deviation E D, which is 1½ mile in length, and therefore gives 3 miles of fencing, at £80. If Mr. Chisholm, to suit his own convenience, thinks proper to extend the fence as a single line, I do not think we have anything to do with that; as, after receiving the money, he will be at liberty doubtless to dispose of it at his pleasure.

4. In the present instance it may be desirable to allow Mr. Chisholm to put up the fence before the road is opened, and after this the survey could be made.

5. Estimate of cost by Mr. Twynam's line:—

420 lin. chains, clearing and draining, at 20/	...	...	...	£420
420 do. forming and metalling, at 200/	...	...	...	4,200
50 do. compensation for fencing, at 20/	...	...	...	50

Total £4,670

There will be also some cuttings required, which I cannot well estimate here.

6. Estimate of cost by Mr. Chisholm's deviation:—

Say 400 lin. chains, forming and metalling, at 200/	...	...	...	£4,000
120 do. clearing, at 10/	...	...	...	60
300 do. draining, at 10/	...	...	...	150
240 do. compensation for fencing, at 20/	...	...	...	240

Total £4,450

This does not take into account any metalling which may have been done on portion of road under charge of trustees, and which would go to reduce this estimate; but I think that I have already shown sufficient, especially if we take into consideration that by the line proposed by me 3½ miles of the distance are common to both roads, and therefore so much less to keep up.

W. S. CHAUNCY,

26/11/77.

Mr.

Mr. Chauncey has not complied with my request that he would confer with Mr. Twynam. I wish Mr. C. to go carefully through my minute and deal with every point in it.—W.C.B., 27/11/77.
 Mr. Chauncey, B.C. Please see memo. herewith.—W.S.C., 28/11/77.
 Get at Lands Mr. Twynam's paper, Roads 77-1,586; I wish to see it before deciding.—W.C.B., 29/11/77. Mr. Eames.

No. 28.

Mr. Road-Superintendent Chauncey to The Commissioner for Roads.

MEMO.—I regret to say I have been unable to confer with Mr. Twynam personally, but submitted to him the Commissioner's minute of 13th instant, as also my own of the 26th. In reply we have Mr. Twynam's minute of the 26th at back of the Petition, in which he deals with the question of gates and fencing, and refers to previous correspondence in regard thereto, which I have not yet seen. See No. 24

Mr. Twynam states generally that this matter has been fully dealt with in his previous reports, and that he has "no further particulars to supply."

From Mr. Twynam's minute it will be seen that he agrees with me in my estimate for the fencing, and is of opinion that if the deviation were carried out Mr. Chisholm would be legally entitled to the compensation I propose to award.

Will the Commissioner also be good enough to observe that in my minute of the 26th I have carefully referred to all the points referred to by him in his minute of the 13th instant, and (as I hope) in a way to meet his approval.

W. S. CHAUNCY,
 Road Superintendent, 28/11/77.

At an interview with Messrs. Davies, M.P., and Waddell it was pointed out that, in addition to payment for fencing Mr. Chisholm wanted gates; this, both gentlemen stated, could not be admitted; it was suggested that the difficulty might be met by altering position of station to cross road near Hannon's.

Will Mr. Chauncey give me his view of this change—would the probability of it alter Mr. Chisholm's views.—W.C.B., 31/11/78. Mr. Chauncey, B.C.

No. 29.

The Under Secretary for Lands to The President of the Argyle and Georgiana Roads Association.

Sir,

14 December, 1877.

With reference to your letter of the 8th ultimo, requesting on behalf of the Argyle and Georgiana Roads Association that a tracing showing the present road from Breadalbane Platform to Collector, also the deviation therein suggested by the Survey Department and that proposed by the local Road Superintendent, may be prepared and transmitted to you, I am directed to inform you that the papers in this case and all the tracings showing the different routes suggested are at present under reference to the Works Department; but that, in any case, the tracings as applied for by you cannot be supplied to the Association. If any line is determined upon and surveyed for proclamation, a copy of the plan will be for public exhibition at the nearest police office. See No. 25.

I have, &c.,
 W. W. STEPHEN,
 Under Secretary.

No. 30.

The Under Secretary for Public Works to William Davies, Esq., M.P.

Sir,

14 December, 1877.

Referring to your letter of 8th ultimo, making application for a tracing of the road from Collector to Breadalbane Platform, also showing the proposed deviations,—I am directed to transmit to you, as Member for the district, the tracing in question. See No. 26.

I have, &c.,
 JOHN RAE,
 Under Secretary.

No. 31.

The Argyle and Georgiana Roads Association to The Secretary for Lands.

Sir,

Goulburn, 24 December, 1877.

Referring to your letter of the 14th instant, No. 77/2,300, Roads, wherein you state, in reply to ours of the 8th November, that tracings of the roads present and proposed from Collector to the Breadalbane Platform are under reference to the Works Department, we have the honor to state:— See No. 29.

1. That the Association are anxious to have these tracings before any decision shall be arrived at, in order that from their local knowledge they may be enabled to make such recommendations to the Works and to your Department as possibly may influence the decision of the matter.

2. With reference to your statement that these tracings cannot in any case be supplied to the Association, we beg to remark that we have on previous occasions had no trouble in obtaining plans, tracings, and maps; and it affords us pleasure to say our representations have been treated with that consideration which, seeing that we are acting gratuitously for the public good, and without any personal objects of our own, it will be admitted they deserve. We are therefore anxious to know on what grounds it is now stated that the tracings cannot be supplied to the Association.

We have, &c.,
 WILLIAM DAVIES, President.
 WM. TEECE, JUN., Vice-President.
 H. J. PEARD, Secretary.

Mr.

Mr. Teece called on me and explained the matter. I think, under the circumstances, the tracings should be furnished.—J.S.F., 2/1/78.

It appears that the tracings asked for are only explanatory suggestions from the officers of the departments, and that the case has not yet reached the point at which objections from the public are invited by proclamation, at which stage the tracing sent to the police office will be open for inspection, and any objection from the Association will be considered.—J.S.F., 15/1/78.

No. 32.

The Under Secretary for Lands to The Argyle and Georgiana Roads Association.

Gentlemen,

24 January, 1878.

See No. 31.

Adverting to your letter of the 24th ultimo, with reference to your application, on behalf of the Argyle and Georgiana Roads Association, for tracings of the present and proposed roads from Collector to the Breadalbane Platform, I am directed by the Minister for Lands to inform you that it appears that the tracings asked for are only explanatory suggestions from the officers of the Survey and Works Departments, and that the case has not yet reached the point at which objections from the public are invited by proclamation, at which stage the tracings sent to the police office will be open for inspection, and any objection from the Association will then be considered.

I have, &c.,

W. W. STEPHEN,

Under Secretary.

No. 33.

Mr. Road-Superintendent Chauncy to The Commissioner for Roads.

MEMO.—When negotiating with the Hon. Mr. Chisholm regarding the opening of a new line of road through his land leading from Collector to the Breadalbane Platform, I distinctly informed him that the question as to the erection of gates must not be mixed up with matters affecting the proposed opening of the road, but must be considered solely upon its merits. I can see no very strong objection to the gates at present, as they will be three (3) miles apart, and the traffic is not likely to be very great for some time to come.

If the station were removed as proposed to the crossing-place of railway with existing road—Collector to Hannon's—it would remove the difficulty in a great measure; but the removal of the station would, I should think, involve an expense of £1,000 at least, while it would have the effect of removing it a mile away from the Main South Road, which I think would be objectionable, especially as being very inconvenient for the Parksburn people.

I have only to add that I promised Mr. Chisholm, if the matter regarding the erection of gates should be referred to me for report, I should be inclined to recommend the application for acceptance, and I am inclined to think that Mr. District-Surveyor Twynam would take the same view.

W. S. CHAUNCY,

Road Superintendent.

1/2/78.

On what grounds, when Mr. Chisholm is paid for fencing?—W.C.B., 1/2/78. Mr. Chauncy, B.C.

The case is somewhat peculiar, as one of these gates will be at least a mile away from the new line as shown (being common to Hannon's road and this), and the other opposite the railway station. As a further inducement, Mr. Chisholm offered to bring the new line to a point on south side of Wet Lagoon at or near the spot marked "A" on plan, which will shorten the distance to Collector considerably and enable us to use an old track passing over the best ground. It will also enable us to avoid a very bad piece of road along the shores of the Wet Lagoon. But to effect all this the money will only suffice to fence one side in place of two, and to this Mr. Chisholm is willing to consent if the gates be allowed.—W. S. CHAUNCY, 8/2/78.

I think it is much better to deal with this case without complicating it by any agreement with Mr. Chisholm. The proposal to fence one side and allow him gates, adopting the route suggested by him, A to D, seems to me unreasonable, and likely to lead to further complications by Mr. Chisholm ultimately fencing both sides, and thereby cutting the people off from water. I think it better that the people should wait until the road can be taken through by proclamation from E to D, and to pay Mr. Chisholm the amount he is entitled to for compensation. There will then be an end of the matter, and Mr. Chisholm will have to fence the road AEB with access to the lagoon at one point.—W.C.B., 9/2/78. Under Secretary, B.C.

Approved.—J.S., 11/2/78. Should now be sent to Lands, with a request that the road in question be proclaimed and opened.—W.C.B., 11/2/78. Under Secretary, B.C. Under Secretary for Lands, B.C., 14/2/78.—J.R. Forwarded to Mr. District-Surveyor Twynam, who is requested to have the road laid out as desired by the Works Department (*vide* decision of the Secretary for Works upon the other side). ROBT. D. FITZGERALD (for Surveyor General), 5 March, 1878. To Mr. Surveyor Schleicher, for survey on the first convenient opportunity.—E. TWYNAM, D.-S., 15 March, 1878.

No. 34.

Minute for Executive Council.

Department of Lands, Sydney, 27 February, 1878.

Confirmation of road.

It is recommended, for the approval of His Excellency the Governor and the Executive Council, that the undermentioned line of parish road, which has been duly advertised in the Government Gazette, be now confirmed, in accordance with the provisions of the 4th Wm. IV, No 11, viz. :—Road from a reserved road at the north-east corner of James Chisholm's 320 acres conditional purchase, to the Main Southern Road, within James Chisholm's 640 acres, being part of the road from Collector to the Southern Railway at the Breadalbane Platform, parish of Mutbilly, county of Argyle.

JAMES S. FARNELL.

THE

THE Executive Council advise that the line of road herein specified, the intended formation of which has been duly notified in the Gazette, be now confirmed in terms of the Act 4th Wm. IV, No. 11.—
ALEX. C. BUDGE, Clerk of the Council.

Min. 78-11, 11/3/78.—Confirmed, 18/3/78. Approved.—H.R., 11/3/78.

No. 35.

Government Gazette Notice.

Department of Lands, Sydney, 26 March, 1878.

Confirmation of a parish road.

NOTICE is hereby given, in conformity with the provisions of the Act 4 Will. IV, No. 11, that His Excellency the Governor, with the advice of the Executive Council, has been pleased to confirm the road mentioned in the annexed Schedule (notwithstanding any objections that might have been urged); and it is hereby declared expedient to open and make the road referred to, according to the plans and books of reference to be seen at the police offices mentioned.

Any persons intending to claim compensation in respect of the said line are reminded that notice must be served on the Colonial Secretary within forty days from the date hereof, as are provided by the sixth section of the Act above referred to, or they will be forever foreclosed from such claim.

By His Excellency's Command,
JAMES S. FARNELL.

Schedule referred to.

Roads No.	Description of Road.	Date of Gazette of previous notice of intended opening of road.	Plan, &c., lodged at the Police Offices at
77-302; R. 1,300 ...	Road from a reserved road at the north-east corner of James Chisholm's 320 acres conditional purchase to the Main Southern Road, within James Chisholm's 640 acres, being part of the road from Collector to the Southern Railway at the Breadalbane Platform, parish of Mutbilly, county of Argyle.	22nd September, 1876; folio, 3,780.	Goulburn and Collector.

No. 36.

The Under Secretary for Lands to The Principal Under Secretary.

Sir,

Department of Lands, Sydney, 5 April, 1878.

In drawing your attention to the notice in the Government Gazette of the 26th ultimo, folio 1,259, respecting the confirmation of the line of road, viz., road from a reserved road at the north-east corner of James Chisholm's 320 acres conditional purchase to the Main Southern Road, within James Chisholm's 640 acres, being part of the road from Collector to the Southern Railway at the Breadalbane Platform, parish of Mutbilly, county of Argyle, I am directed to request that you will have the goodness, at the end of forty days from the date thereof, to state whether any claims to compensation have been made in respect of the said road, in pursuance of the notice alluded to. See No. 35.

I have, &c.,
W. W. STEPHEN,
Under Secretary.

No. 37.

The Under Secretary for Lands to The Hon. J. Chisholm, M.L.C.

Sir,

30 April, 1878.

With reference to your letter of the 18th October, 1876, objecting to the proposed road from a reserved road at the north-east corner of your 320 acres (conditional purchase) to the Main Southern Road within your 640 acres, being part of the road from Collector to the Southern Railway at the Breadalbane Platform, parish of Mutbilly, county of Argyle, I am directed to inform you that, as notified in the Government Gazette of the 26th ultimo, His Excellency the Governor and Executive Council have approved of the confirmation of this road, notwithstanding the objections raised thereto. See No. 17.

I have, &c.,
OSBORNE RICH,
(For the Under Secretary).

No. 38.

Mr. Surveyor Schleicher to The Surveyor General.

1. REFERRING to your instructions 78-148 of 5th March, 1878, and which were transferred to me for action, I now do myself the honor to transmit herewith plan and book of reference of the above-mentioned road, as surveyed by me in accordance with those instructions. See No. 33.

2. The course of the road now laid out was selected before survey by Mr. Twynam, in company with myself, and though it does not follow the present track, it embraces the most practicable and at the same time the soundest country for the road. As the road has been carefully chosen, very little expenditure will in my opinion be required to make it fit for traffic. The description of country passed over is generally undulating, with gravelly or stony soil, and it is not at all thickly timbered, and is suitable for pastoral purposes.

3. There are no enclosures or fences severed by the proposed road, with the exception of the fence on the Main Southern Road near the platform, and no other improvements of any kind are embraced by it.

4. I would beg to remark that it does not appear to me that this road need be considered as one severing enclosed lands, and as such liable to be fenced by the Government, for though the lands severed by it form part of a large area enclosed by Mr. Chisholm, he has included within it portions of Crown Land such as the Wet Lagoon, and at other places.

5. In my opinion, considering the limited amount of traffic which is ever likely to obtain on this road, it would be quite sufficient to permit Mr. Chisholm to erect public gates at the points where this road intersects his fences.

Goulburn, 8 May, 1878.

A. T. SCHLEICHER,
Acting D.-S.

[Enclosures to No. 38.]

Road from the Collector and Pomeroy Road, at the Wet Lagoon, within Jas. Chisholm's 1,200 acres to the Main Southern Road, near the Breadalbane platform, within Jas. Chisholm's 640 acres, parishes of Milbang and Mutbilly, county of Argyle.

In consequence of the above road passing through the conditional purchase referred to below, it is necessary that the question of refund of deposit to the present owner for the quantity of land taken for the road should be considered, and that the plan, general maps, catalogue, &c., should be altered as to area. R.D.F., 29 Jan., '79.

No. of C.P.	Cat. No. of portion.	No. of portion.	Name of Conditional Purchaser.	Area of portion.	Area to be deducted for road.
62-1585	A. 866-642	95	James Chisholm, formerly Jno. Povey	a. r. p. 320 0 0	a. r. p. 4 0 0

Value of improvements—nil.

BOOK of Reference of road from the Collector and Pomeroy Road, at the Wet Lagoon, within James Chisholm's 1,200 acres to the Main Southern Road near the Breadalbane platform, within James Chisholm's 640 acres, parishes of Milbang and Mutbilly, county of Argyle, to be opened as a parish road, under the Act of Council 4 William, IV No. 11, in lieu of road through James Chisholm's 640 acres, confirmed in Government Gazette 26th March, 1878, folio 1,239.

No.	Portion of road.	Reputed owner and occupier.	Character of land.	* Bearings.	Length in chains.	Enclosures.	Character and state of preservation of fencing.	Cultivation.	Breadth of road.	Area.
1	From the Collector and Pomeroy Road, near the Wet Lagoon, within James Chisholm's 1,200 acres, parish of Milbang, passing through that portion to the boundary-line between it and Jno. Povey's 320 acres conditional purchase.	James Chisholm	Open undulating gum and stringy-bark forest, gravelly soil.	North-easterly.	82.60	None....	.....	None.	One chain wide throughout.	a. r. p. 8 1 0
2	From the last-mentioned boundary, passing through Jno. Povey's 320 acres conditional purchase, to the boundary between that land and James Chisholm's 640 acres.	Reserved road, Jas. Chisholm's conditional purchase.			41.24	None....	.....			4 0 0
3	From the last-mentioned boundary, passing through James Chisholm's 640 acres, to the Main Southern Road, within that portion near the Breadalbane platform.	James Chisholm			23.16	One....	Good 3-rail....			2 3 10

Copy to be sent by the Department of Mines to the Police Offices at Goulburn and Collector.

No. 39.

The Principal Under Secretary to The Under Secretary for Lands.

Sir,

Colonial Secretary's Office, 8 May, 1878.

See No. 38.

In reply to your letter of 5th ultimo (No. 77/302, Rds.), I am directed by the Colonial Secretary to state, for the information of the Secretary for Lands, that no applications have been received in this office for compensation in respect to the line of road, viz., road from a reserved road at the north-east corner of James Chisholm's 320 acres conditional purchase to the Main Southern Road, within James Chisholm's 640 acres, being part of the road from Collector to the Southern Railway, at the Breadalbane Platform, parish of Mutbilly, county of Argyle.

I have, &c.,

H. HALLORAN.

The road R 1,589-1,603 having been proclaimed in lieu of this road, no further action is required to be taken upon these papers, and they should therefore be placed with the papers of R 1,589-1,603, 78-3,353 Rds.—R.D.F., 31/1/79.

No. 40.

Mr. Road-Superintendent Chauncy to The Commissioner for Roads.

Sir,

Goulburn, 21 May, 1878.

Inquiries are being made with reference to the opening of new line of road recently marked by Mr. Atchison, under direction of the Surveyor General, between the Wet Lagoon and Breadalbane Railway Station, on road from thence to Collector, and I am now anxious to know when you desire to have it opened. Mr. Twynam has given his opinion to the effect that Mr. Chisholm is legally entitled to claim compensation for the fencing of this road, so that it is of small consequence, in a financial point of

of view, whether the money be paid now or after issue of the proclamation. At any rate, if the money (£200) is paid *now*, Mr. Chisholm is willing to have the road opened *at once*, which will be a great boon to the public. The road, as marked, covers the same line as that recommended by me and approved by Mr. Chisholm.

I have, &c.,

W. S. CHAUNCY.

Re-submit with papers. I think this was dealt with in Messrs. Davies & Waddell's presence here.—W.C.B., 22/5/78.

No. 41.

Minute Paper—Department of Roads and Bridges.

THIS is a very vexed question, and one that can only be settled by the meeting of all the persons interested on the ground. I would suggest that the Acting District Surveyor and the Road Superintendent be requested to arrange with Mr. Chisholm, Mr. Davies, M.P., and Mr. Waddell, the representative of the applicants for the road, for a meeting on the ground, when the question might be settled. I think the proposal to pay £200 for fencing and still allow gates objectionable. Whatever rights the public obtain by the arrangement should be clear and without any doubt; but at the same time any useless road should, if possible, be allowed to revert to Mr. Chisholm, in consideration of the land now to be taken.

W.C.B., 27/6/78.

Surveyor General, returning papers. Forwarded to Mr. Acting District-Surveyor Schleicher, who is requested to carry out the suggestion of the Commissioner and Engineer for Roads.—ROBT. D. FITZGERALD (for Surveyor General), 6 August, 1878. Reported on by letter 78/151, of 14 December, 1878.—ADELBERT SCHLEICHER, A.D.-S.

No. 42.

Memo.—Commissioner for Roads to Mr. Wood.

THERE is a case now under reference to the district surveyor on papers; he was requested to meet Mr. Chauncy on the ground. This may have fallen through on account of Mr. Chauncy's death. Would Mr. Wood see to the matter, and report by return of post. Mr. Chisholm's compensation, Road Collector to Breadalbane Platform.

W.C.B., 21/11/78.

Mr. Wood, B.C. Have seen Mr. Acting D.-S. Schleicher, and arrangements will be made at once to meet Mr. Davies, M.P., and Messrs. Chisholm and Waddell on the ground.—A. P. Wood, 22/11/78. Commissioner for Roads, B.C. Inform Mr. Chisholm.—W.C.B., 23/11/78.

No. 43.

The Commissioner for Roads to The Hon. J. Chisholm, M.L.C.

Sir,

23 November, 1878.

Referring to personal representations made by you at this office respecting the deviation through your land from Collector to Breadalbane railway platform, I have to inform you that the Assistant Engineer for Roads at Goulburn has arranged with Acting District-Surveyor Schleicher to meet yourself, Wm. Davies, M.P., and — Waddell on the ground, and go into the question.

I have, &c.,

WILLIAM C. BENNETT,
Commissioner for Roads.

No. 44.

Telegram from Commissioner for Roads to Assistant Engineer for Roads or District Surveyor, Goulburn.

MR. JAMES CHISHOLM goes up by the morning train on Saturday, and would like to meet either, to arrange to meet at Breadalbane station on the next week.

W. C. BENNETT, 28/11/78.

No. 45.

Mr. Acting District-Surveyor Schleicher to The Commissioner for Roads.

Sir,

Goulburn, 28 November, 1878.

I have to acknowledge receipt of your telegram of to-day—Mr. Wood being out of town—and see No. 44. in reply thereto, beg to state that I have written to-night to the Hon. James Chisholm, in Sydney, informing him that we shall both be in attendance to meet him on Saturday afternoon at this office to arrange a meeting on the ground, *re* road Wet Lagoon to Breadalbane platform.

Mr. Wood will, I believe, have returned by that time.

The delay in arranging this matter has been partly owing to the death of the late road superintendent, and latterly to pressing business in the field requiring my absence from Goulburn for many weeks together. I had, however, taken steps to arrange a meeting during the early part of this week, but found that Mr. Chisholm was in Sydney.

I have, &c.,

ADELBERT SCHLEICHER,
Acting District Surveyor.

P.S.—Notice will also be sent to Messrs. W. Davies, M.P., and J. Waddell to attend the meeting on the ground, which will probably take place next week.

No. 46.

The Commissioner for Roads to Mr. Acting District-Surveyor Schleicher.

Sir,

29 November, 1878.

See No. 45.

I have to acknowledge receipt of your letter of yesterday in reply to my telegram respecting the deviation on road from Collector to Breadalbane railway station, and to thank you for your prompt attention in the matter.

I have, &c.,

WILLIAM C. BENNETT,
Commissioner for Roads.

No. 47.

The Hon. James Chisholm, M.L.C., to The Commissioner and Engineer for Roads.

Dear Sir,

Kippilaw, Goulburn, 10 December, 1878.

On Saturday last, the 8th instant, I went by appointment to inspect the road recommended by Mr. Schleicher, District Surveyor, and met at the Breadalbane Station Mr. Wood, Superintendent of Roads, Mr. Waddell, of Collector, and Mr. Surveyor Schleicher.

We rode along the line some distance, and Mr. Waddell agrees with me in condemning the road. It would cost a considerable sum of money to clear and open the road, and then it would not be so good a road as the one now used by the public, which branches off from the Collector Road, at the north end of Wet Lagoon, and which I have allowed the public to use for the last eighteen months on sufferance.

Mr. Waddell stated that the people of Collector and Lake George would never agree to the road recommended by the district surveyor being opened, and that every endeavour would be made to prevent it.

As I agreed with the late Mr. Chauncy, Superintendent of Roads, to give the road now used by the public on the terms recommended by Mr. Chauncy, and as this road will satisfy all the parties interested and prevent any further agitation on the subject, I would recommend that it be granted, and that the track now used, which in fact is a beaten road, be proclaimed, as about £20 would make it as good as the Collector Road, and it would take at least £150 to clear and make the road that has been marked by the district surveyor. I think that both Mr. Waddell and Mr. Wood will confirm my statement.

I have, &c.,

JAMES CHISHOLM.

I have been waiting for Mr Wood's report on this troublesome matter. Has it been received? If not, send this paper to Mr. Wood for immediate report.—W.C.B., 20/12/78. No report has been received by me.—J.G.L., 20/12/78. Mr. Wood, B.C., 20/12/78. Report forwarded.—A. P. Wood, 21/12/78. Commissioner for Roads, B.C. Resubmit with report.—W.C.B., 23/12/78.

No. 48.

Mr. Acting District-Surveyor Schleicher to The Surveyor General.

Sir,

1. I do myself the honor to inform you that, in obedience to your instructions as above (B.C., 78/517), a meeting on the ground was arranged to consider the question of the route to be finally adopted from Collector to the Breadalbane Railway platform, through Mr. James Chisholm's property. This meeting took place in due course, at which Mr. James Chisholm, Mr. J. J. Waddell, Mr. Wood, Assistant Engineer for Roads, and myself were present. Mr. Wm. Davies, M.P., was duly invited, and promised to attend, but did not appear.

2. As a preliminary to this meeting, Mr. Wood and myself took a previous opportunity of carefully inspecting the various lines of road as suggested at different times—including the road CD, originally recommended by Mr. District-Surveyor Twynam, with the view of being fully prepared at the meeting. I think I may state that Mr. Wood to a great extent holds Mr. Twynam's view that the line CD, viz., the old road, is thoroughly practicable and would meet all present and prospective requirements of traffic. There is no doubt however that this road could not be used in its present state, being very scrubby in places, and would probably require a preliminary expenditure in clearing, &c., to the cost of about £200.

3. When the question of this road was incidentally raised at the meeting, Mr. Waddell, on behalf of the Collector people and local residents generally, however, protested most strongly against this road; and in view of the great local opposition to be expected, I do not think it expedient that the matter of this route should again be opened up, though personally I believe that this road, with the expenditure above quoted, would suffice all present and more especially future requirements of traffic, in view of the great probability that the projected railway to Cooma will be constructed within the next few years, and that as far as it is possible to say at present this line will pass through and have a station at Collector, which will inevitably have the effect of reducing the traffic from Collector to Breadalbane Platform to a minimum.

4. As this line CD would however meet with the greatest opposition, I do not think it need be again referred to, especially as it has undoubtedly the drawback of passing for the most part along stony, gravelly ridges, which are greatly disliked by country people, whose animals are mostly unshod, and the present line the advantages of better country in this and other respects, and also that it is cleared and otherwise improved the whole way from Collector to the Wet Lagoon, thus requiring only 1½ mile more of improving, as against 5 miles on the CD line.

5. The only matters therefore to be settled at the meeting were,—the line of route to be adopted from the Wet Lagoon to the platform, and the questions of public gates on the road and compensation to Mr. Chisholm. With regard to the first, Mr. Waddell, on behalf of the Collector people, was in favour of the present track as used, and Mr. Chisholm also said that was the road he had arranged with the late Roads Superintendent, Mr. Chauncy, should be adopted; but after discussion Mr. Waddell and Mr. Chisholm both expressed themselves satisfied with the road surveyed (plan transmitted with my letter 78/32, of 8th May). This road runs to the westward of the present track, and was laid out by me under the personal direction of Mr. District-Surveyor Twynam. Mr. Chisholm agreed that it would suit the
subdivision

See plan.

subdivision of his property into paddocks better, and Mr. Wood, I believe, estimates that from a professional point of view there is nothing to choose between it and the present track. I would therefore recommend that proceedings be now commenced to formally open this road under the Parish Roads Act.

6. As to what roads could be alienated to Mr. Chisholm in lieu of the road now to be opened, I cannot recommend this course with regard to any of the roads at present reserved for traffic in the neighbourhood; certainly not the road from the Wet Lagoon towards Pomeroy nor any part of the CD line, which is reserved as a frontage road in the measurement of the adjacent lands.

7. Referring to the question of public gates on the portion of road now to be opened, Mr. Chisholm stated that it is a misconception that he requires any public gates in addition to those already granted to him on the road Collector to Pomeroy as shown on sketch (Mr. Chisholm assured us that these gates had been formally granted. I can, however, find no other evidence to prove this statement). One of these is on the line of road Collector to Breadalbane Platform; but as I have stated in previous reports, I do not think that traffic on this road is sufficient to make the existence of public gates thereon objectionable, and would in fact have no hesitation in recommending a gate on this road near the platform, if applied for.

8. With regard to the compensation to be given to Mr. Chisholm by the Works Department in respect of this road from the Wet Lagoon to the platform, Mr. Chisholm stated that if the road were adopted the agreement made in writing ought to be adhered to, and was unwilling to discuss this matter further. I would only remark that, though it is not probable that Mr. Chisholm, if paid this amount (ostensibly for fencing), will fence this road for some time to come, and probably looks upon the sum more as compensation for severance, &c., still there is no doubt but that the fencing of the road will be eventually carried out, and at the cost of the proprietor. Meanwhile, viewing the present traffic, I do not see any objection to the public gate at present maintained by Mr. Chisholm on the boundary of this enclosure, which moreover may be withdrawn at any time, should circumstances demand it, by the Government.

9. I might again state that the road can hardly be considered as passing through enclosed lands, as not only the Wet Lagoon but other Crown Lands (south of portions 95 and 175) are within the same enclosure, and a proclaimed and formally opened road, unfenced from Pomeroy to Collector, passes through it.

10. I may add that, in my opinion, even allowing that Mr. Chisholm may claim compensation to the extent arranged, it would be preferable to pay this money than to adopt the line CD, which would require an expenditure of nearly that amount before it could be used for traffic, and would not then meet the wishes of the inhabitants, who are greatly prejudiced against it. The present road has also the advantages of touching permanent water at the Wet Lagoon, and requiring very little further improvement.

11. Mr. Assistant-Engineer Wood proposes to send a report on this matter to his department.

I have, &c.,

Goulburn, 14th Dec., /78.

ADELBERT SCHLEICHER,
A.D.S.

Papers may be sent to the Commissioner for Main Roads.—R.D.F., 3/1/79.

This is a misapprehension of Mr. Wood's opinion. He states that were both roads metalled—and one must be ultimately—the surveyed line, or that in use, would be the best. After conference with the Deputy Surveyor General it was considered advisable that this road be proclaimed. I now request that the proclamation be proceeded with.—W.C.B., 8/1/79. The Surveyor General, B.C., 9/1/79.

No. 49.

Mr. Assistant Engineer-for-Roads Wood to The Commissioner for Roads.

Sir, Road Office, Goulburn, 20 December, 1878.

In conjunction with Mr. Acting D.-S. Schleicher I examined the rival routes from the Breadalbane platform to the Collector and Mutbilly Road near the Wet Lagoon on the 30th of last month, and on the following Saturday, the 7th instant, we met Messrs. Chisholm and Waddell there by appointment.

There are three lines to choose from,—

1st. The existing track now being used by the Collector people.

2nd. The new surveyed line proposed by Mr. Chauncy, and laid out by Mr. Schleicher under instructions from Mr. Twynam.

3rd. The old surveyed line known in the correspondence as the CD road.

The existing track is the route advocated by Mr. Waddell on the part of the Collector people, and is stated by Mr. Chisholm to be the line promised by him to Mr. Chauncy. It is about the same length as the new surveyed line, has the advantage of being consolidated by traffic, and the disadvantage of passing over a long flat which would require metalling to stand heavy traffic during the wet weather, but which could be made sufficiently sound for the description of traffic now on the road by draining. The natural grades are good, and no fault can be found with them.

The new surveyed line avoids the low-lying ground, has very easy grades, is sound, lightly timbered, and would, if consolidated by traffic, be a preferable line to the existing track.

The old surveyed road is that advocated by Mr. Twynam, and opposed by Mr. Chauncy. It is about $\frac{1}{4}$ of a mile longer than either of the other routes, being about 5 miles as against $4\frac{1}{4}$ by the new surveyed road, only $1\frac{1}{2}$ mile of which would be new, the balance being common to this and the Mutbilly road.

It passes for the greater portion of its length along a leading ridge, the formation of which is slate with occasional veins of quartz. In places it is rather rough, and would require the out-cropping rocks cleared away. The timber is rather thick, and would require clearing for the entire length of 5 miles. The gradients are not as good as those on either of the other lines, but there is nothing objectionable on this score, and for heavy traffic I am most decidedly of opinion that this would make a better natural road than either of the others.

This line would be very strongly opposed by the inhabitants of Collector.

I am therefore of opinion that, under the circumstances I have noted, and under the existing conditions in regard to traffic and the requirements of the Collector people, either the existing track or the new surveyed line should be adopted, which is, in my opinion, a question that might, as their merits are so evenly balanced, be left to the choice of the Collector people, and they, as represented by Mr. Waddell, would prefer that now in use.

The

The amount claimed by Mr. Chisholm for fencing is £240. If fencing is to be paid for by the department would it not be a better plan to pay for the actual fencing erected, the gross amount not to exceed £240 nor the price per rod 5s., which is the base of the claim made?

The question also crops up whether, according to the practice of the department, which is only to pay for fencing through enclosed lands, Mr. Chisholm can make any claim, as the so-called enclosure contains Crown Lands on the eastern side, and a large reserve (the Wet Lagoon) for watering purposes. It is also traversed by an unfenced public road.

Whether Mr. Chisholm has to be paid or not I am of opinion that, under the circumstances, the road should be opened from the platform to the Wet Lagoon.

ARTHUR P. WOOD,
Assistant Engineer.

Re-submit with papers.—W.C.B., 21/12/78. All papers relating to this are at Lands, with the exception of a communication from D.-S. Schleicher and one from Mr. Chisholm, both of which were sent to Mr. Wood on 20th inst.—J.G.L. Apply for papers.—W.C.B., 21/12/78. Papers obtained from Lands, and now submitted.—J.G.L., 3/1/79. Inform Mr. Chisholm this day that, after conference with the Deputy Surveyor General, it is considered advisable to proceed in the ordinary legal way with the proclamation of this road, and with that view the papers have been sent to the Surveyor General.—W.C.B., 8/1/79.

No. 50.

The Commissioner for Roads to The Hon. J. Chisholm, M.L.C.

Sir,

8 January, 1879.

Referring to previous correspondence on the subject of the deviation on road from Collector to Breadalbane Railway Platform, I have to inform you that, after conference with the Deputy Surveyor General, it is considered advisable to proceed in the ordinary legal way with the proclamation of the line at present in use from the Wet Lagoon to the platform, and with that view the papers in the case have been sent to the Surveyor General.

I have, &c.,
WILLIAM C. BENNETT,
Commissioner for Roads.

No. 51.

The Hon. J. Chisholm, M.L.C., to The Commissioner and Engineer for Roads.

Sir,

Kippilaw, Goulburn, 14 January, 1879.

See No. 50.

On my return home from Sydney I was favoured with your letter of the 8th instant, No. 78-999, informing me that, after conferring with the Deputy Surveyor General, it is considered advisable to proceed in the ordinary legal way with the proclamation of the line now in use from the Wet Lagoon to the Breadalbane Platform, &c.

I am glad this decision has been arrived at, as it will give satisfaction to the public, and is carrying out the recommendation of the late Mr. Chauncy, Superintendent of Roads, who agreed with the trustees of the Collector Road, that a saving of several hundred pounds would be effected if the present track were proclaimed in lieu of the one recommended by the district surveyor.

I trust, however, that Mr. Chauncy's recommendation will be carried out in its integrity, and that the amount he recommended I should receive for fencing in the road will be paid to me at the proper time.

Both Mr. Davies, the Member for Argyle, and Mr. Waddell, road trustee, told me that a distinct promise was made to them to pay the amount recommended by Mr. Chauncy, should the road in question be proclaimed.

I have, &c.,
JAMES CHISHOLM.

Acknowledge, and inform that there is no record of any promise, and that the legal procedure adopted is with a view to determine the amount in accordance with the terms of the Act.—W.C.B., 16/1/79.

No. 52.

The Commissioner and Engineer for Roads to The Hon. J. Chisholm, M.L.C.

Sir,

17 January, 1879.

See No. 51.

I have to acknowledge the receipt of your letter of the 14th instant, respecting the deviation near the Wet Lagoon on road from Collector to Breadalbane Platform, and stating that you hoped the recommendation of the late Mr. Chauncy as regards the amount to be paid to you for fencing would be carried out in its integrity. I have to inform you that there is no record in this office of any promise having been made, but the legal procedure adopted is with a view to determine the amount in accordance with the terms of the Act.

I have, &c.,
WILLIAM C. BENNETT,
Commissioner and Engineer for Roads.

No. 53.

The Surveyor General to The Under Secretary for Lands.

For plan and book of reference see No. 38.

THE accompanying plan and book of reference of road from the Collector and Pomeroy Road at the Wet Lagoon within James Chisholm's 1,200 acres to the Main Southern Road near the Breadalbane Platform, within James Chisholm's 640 acres, parishes of Milbang and Mutbilly, county of Argyle, are forwarded with the view to the opening of the line as a parish road under the Act of Council 4 Will. IV, No. 11, in lieu of road within James Chisholm's 640 acres, confirmed in Government Gazette, 26th March, 1878, folio 1,239.

ROBT. D. FITZGERALD,
(For Surveyor General).

B.C., 29 January, 1879. Submitted.—H.W., 4/2/79. Approved.—E.A.B., 5/2/79.

No. 54.

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No. 54.

Minute for Executive Council.

Preliminary notification of road.

Department of Mines, Sydney, 6 February, 1879.

THE authority of His Excellency the Governor and the Executive Council is sought for the opening of the undermentioned line of road, as shown by the accompanying plan and book of reference, in accordance with the provisions of the Act 4th Wm. IV, No. 11, viz.:—Road from the Collector and Pomeroy Road, at the Wet Lagoon, within Jas. Chisholm's 1,200 acres, to the Main Southern Road, near the Breadalbane Platform, within James Chisholm's 640 acres, parishes of Milbang and Mutbilly, county of Argyle, in lieu of road, within James Chisholm's 640 acres confirmed in Government Gazette of the 26th March, 1878, folio 1,239.

E. A. BAKER.

THE Executive Council advise that the intended formation of the line of road herein specified be notified in the manner prescribed by the Act 4 Wm. IV, No. 11.—ALEX. C. BUDGE, Clerk of the Council.

Min., 79-7, 6/2/79.—Confirmed, 10/2/79. Approved.—H.R., 6/2/79.

No. 55.

The Under Secretary for Mines to The Benches of Magistrates, Goulburn and Collector.

Gentlemen,

Department of Mines, Sydney, 14 February, 1879.

I have the honor to forward for deposit in the Police Offices at Goulburn and Collector, for public inspection and information, copies of a plan and book of reference of a road which is about to be opened as a parish road, under the Act of Council, 4th Wm. IV, No. 11, from the Collector and Pomeroy Road at the Wet Lagoon, within James Chisholm's 1,200 acres, to the Main Southern Road near the Breadalbane Platform, within James Chisholm's 640 acres, parishes of Milbang and Mutbilly, county of Argyle, in lieu of road (within James Chisholm's 640 acres) confirmed in Government Gazette of 26th March, 1878, folio 1,239. Tracing.
See No. 38.

2. Receipt of the plan and book of reference must be acknowledged.

3. At the expiration of one month you will be good enough to advise this department as to whether the plan and book of reference have been duly exhibited for public inspection.

I have, &c.,

HARRIE WOOD,
Under Secretary.

No. 56.

Gazette Notice.

Department of Mines, Sydney, 21 February, 1879.

Preliminary notification of parish road.

HIS Excellency the Governor, with the advice of the Executive Council, having deemed it expedient to open and make the parish road mentioned in the Schedule appended hereto, to be maintained at the expense of the parishes through which it passes: Notice is hereby given that, in accordance with the provisions of the Act 4th Wm. IV, No. 11, plans and books of reference, showing the intended line of the road in question, are now deposited at the Office of the Surveyor General in Sydney, and at the Police Offices mentioned.

It is requested that any well-grounded objections that may exist to the formation of the road in question may be transmitted in writing to the Clerk of the Executive Council within one month from this date.

By His Excellency's Command,

E. A. BAKER.

Schedule referred to.

Roads No.	Description of Road.	Names of reputed Owners or Occupiers through whose properties the Road passes.	Police Offices at which the Plan and Book of Reference have been lodged.
79-441	Road from the Collector and Pomeroy Road at the Wet Lagoon, within James Chisholm's 1,200 acres, to the Main Southern Road, near the Breadalbane Platform, within James Chisholm's 640 acres, parishes of Milbang and Mutbilly, county of Argyle, in lieu of road (within James Chisholm's 640 acres) confirmed in Government Gazette of the 26th March, 1878, folio 1,239.	James Chisholm James Chisholm, conditional purchase, reserved road.	Goulburn and Collector.

No. 57.

The Under Secretary for Mines to The Clerk of the Executive Council.

Sir,

Department of Mines, Sydney, 22 February, 1879.

In drawing your attention to the notice in the Government Gazette of the 21st instant, respecting the intended formation of a parish road, viz., from the Collector and Pomeroy Road, at the Wet Lagoon, within James Chisholm's 1,200 acres, to the Main Southern Road, near the Breadalbane Platform, within James Chisholm's 640 acres, parishes of Milbang and Mutbilly, county of Argyle, in lieu of road within James Chisholm's 640 acres, confirmed in Government Gazette of the 26th March, 1878, folio 1,239, I am directed to request that you will have the goodness, at the end of one month from the date thereof, to inform me whether any objections have been received by you in respect of the said road, in pursuance of the notice alluded to. See No. 60.

I have, &c.,

HARRIE WOOD,
Under Secretary.

No. 58.

No. 58.

The Clerk of the Executive Council to The Secretary for Mines.

Sir,

27 March, 1879.

See No. 57.

In compliance with the request contained in the Under Secretary's letter of the 22nd ultimo, No. . I do myself the honor to inform you that no objection has been lodged with me to the formation of the proposed parish road noted in the margin.*

I have, &c.,
ALEX. C. BUDGE,

Clerk of the Council.

* From the Collector and Pomeroy Road, at the Wet Lagoon, within J. Chisholm's 1,200 acres, to the Main Southern Road, near Breadalbane Platform.

The confirmation of this road is now recommended.—ROBT. D. FITZGERALD (For Surveyor General), 9th Oct., 1879. Submitted.—H.W., 23rd Oct., 1879. Approved.—E.A.B., 24th Oct., 1879.

No. 59.

The Under Secretary for Mines to The Benches of Magistrates, Goulburn and Collector.

[Urgent.]

Gentlemen,

Department of Mines, Sydney, 13 October, 1879.

See No. 55.

I am directed to request you to state whether the plan, &c., of a road which is about to be opened as a parish road, under the Act of Council, 4 Wm. IV, No. 11, viz., from the Collector and Pomeroy Road, at the Wet Lagoon, within J. Chisholm's 1,200 acres to the Main Southern Road, &c., enclosed in letter from this department, dated 14 February last, have been exhibited for public inspection as required by law.

I have, &c.,
HARRIE WOOD,

Under Secretary.

I certify that this plan, &c., has been duly exhibited.—C. S. ALEXANDER, C.P.S., 14th Oct., 1879.

No. 60.

The Clerk of Petty Sessions, Collector, to The Secretary for Mines.

Sir,

Collector, 18 October, 1879.

See No. 59.

I have the honor to acknowledge the receipt of your letter, dated 13th instant, asking if the plan, &c., of a road about to be opened as a parish road, under the Act of Council, 4 Wm. IV No. 11, viz., from the Collector and Pomeroy Road at the Wet Lagoon, within J. Chisholm's 1,200 acres, to the Main Southern Road, &c., enclosed in letter from this department, dated 14th February last, have been exhibited for public inspection as required by law.

In reply, I beg to state that I duly received the plans, &c., and they have since been exhibited as required by law.

I have, &c.,
THOMAS WADDELL,
Acting C.P.S., Collector.

No. 61.

Minute for Executive Council.

Confirmation of road.

Department of Mines, Sydney, 25 October, 1879.

It is recommended for the approval of His Excellency the Governor and the Executive Council, that the undermentioned line of parish road, which has been duly advertised in the Government Gazette, be now confirmed, in accordance with the provisions of the 4th Wm. IV, No. 11, viz.:—Road from the Collector and Pomeroy Road at the Wet Lagoon, within J. Chisholm's 1,200 acres, to the Main Southern Road near the Breadalbane Platform, within James Chisholm's 640 acres, parishes of Milbang and Mutbilly, county of Argyle, in lieu of road within James Chisholm's 640 acres, confirmed in Government Gazette, 26th March, 1878, folio 1,239.

E. A. BAKER.

THE Executive Council advise that the road herein described be now confirmed, in terms of the Act 4 William IV, No. 11.

ALEX. C. BUDGE,
Clerk of the Council.

Min. 79/60, 4/11/79.—Confirmed, 12/11/79. Approved.—A.L., 4/11/79.

No. 62.

Gazette Notice.

Department of Mines, Sydney, 2 December, 1879.

Confirmation of a parish road.

NOTICE is hereby given, in conformity with the provisions of the Act 4th William IV, No. 11, that His Excellency the Governor, with the advice of the Executive Council, has been pleased to confirm the road mentioned in the annexed Schedule (notwithstanding any objections that might have been urged), and it is hereby declared expedient to open and make the road referred to, according to the plans and books of reference, to be seen at the police offices mentioned.

Any persons intending to claim compensation in respect of the said line are reminded that notice must be served on the Colonial Secretary, within forty days from the date hereof, as is provided by the sixth section of the Act above referred to, or they will be for ever foreclosed from such claim.

By His Excellency's Command,
E. A. BAKER.

Schedule

Schedule referred to.

Roads No.	Description of Road.	Date of Gazette of previous notice of intended opening of road.	Plan, &c., lodged at the Police Office at
79-4,172	Road from the Collector and Pomeroy Road, at the Wet Lagoon, within J. Chisholm's 1,200 acres, to the Main Southern Road, near the Breadalbane Platform, within Jas. Chisholm's 640 acres, parishes of Milbang and Mutbilly, county of Argyle, in lieu of road within Jas. Chisholm's 640 acres, confirmed in Government Gazette of 26th March, 1878, folio 1,239.	21st February, 1879; folio 832.	Goulburn and Collector.

No. 63.

The Under Secretary for Mines to The Principal Under Secretary.

Sir,

Department of Mines, Sydney, 4 December, 1879.

In drawing your attention to the notice in the Government Gazette of the 2nd instant, folio 5,318, respecting the confirmation of the line of road, viz., from the Collector and Pomeroy Road at the Wet Lagoon, within J. Chisholm's 1,200 acres, to the Main Southern Road near the Breadalbane Platform, within J. Chisholm's 640 acres, parishes of Milbang and Mutbilly, county of Argyle, in lieu of road within J. Chisholm's 640 acres, confirmed in Government Gazette 26 March, 1878, folio 1,239, I am directed to request that you will have the goodness, at the end of forty days from the date thereof, to state whether any claims to compensation have been made in respect of the said road, in pursuance of the notice alluded to.

I have, &c.,

HARRIE WOOD,
Under Secretary.

No. 64.

The Hon. J. Chisholm, M.L.C., to The Principal Under Secretary.

Sir,

Kippilaw, Goulburn, 9 December, 1879.

In the Government Gazette of the 2nd instant it has been notified that a road has been opened through my enclosed land to the Breadalbane platform on the Great Southern line, in lieu of a road confirmed in the Government Gazette of 26th March, 1878, now cancelled.

When it was first contemplated by the Government to proclaim a road through my land from the north end of the Wet Lagoon to the platform, I protested against, it as the people of Collector and Lake George who petitioned for the road had access to the platform and the Main Southern Road by a proclaimed road through the same enclosure. After a good deal of correspondence on the subject, and several interviews with the late Superintendent of Roads, Mr. Chauncy, who reported against the road that has been cancelled, and in favour of the road that is now proclaimed in the Gazette, I withdrew my objection to the two roads being granted, as Mr. Chauncy informed me he had recommended that I should receive the usual allowance for fencing in the road from where it branches off from the Wet Lagoon to the platform, which he estimated would be about £240.

I have now, therefore, the honor to apply for the amount estimated by Mr. Chauncy for fencing in the road, and

Have, &c.,

JAMES CHISHOLM.

No. 65.

The Principal Under Secretary to The Under Secretary for Mines.

Sir,

Sydney, 14 January, 1880.

In reply to your letter of the 4th ultimo (No. 79/4,172), I am directed by the Colonial Secretary to state, for the information of the Secretary for Mines, that an application has been received in this office for compensation in respect to the line of road, viz., from the Collector and Pomeroy Road at the Wet Lagoon, within J. Chisholm's 1,200 acres, to the Main Southern Road, near the Breadalbane platform, within J. Chisholm's 640 acres, parishes of Milbang and Mutbilly, county of Argyle, from Mr. J. Chisholm, which is forwarded herewith.

I have, &c.,

CRITCHETT WALKER.

The Surveyor General, B.C., 16/1/80.—G.E.H. (p. U.S.)

This is a case in which it was understood the compensation and cost of fencing (if any) was by agreement to be met by the Works Department; it is therefore recommended that the enclosed claim from Mr. Chisholm be referred to the Commissioner and Engineer for Roads. It may be added that, under the practice of this department, Mr. Chisholm would not be entitled to any cost of fencing; his claim therefore depends upon how far it was recognized by the Works Department, *vide* decision of Secretary for Works on 78/382. Rds., enclosed.—ROBT. D. FITZGERALD (for Surveyor General), 31 January, 1880.

Submitted.—H.W., 4/2/80. Approved.—E.A.B., 4/2/80. The Under Secretary for Public Works, B.C., 4 Feb., 1880. Roads, B.C.—H.H., 5 Feb., 1880.

Compensation is only made by this department when a concession is made by the landowner to allow immediate opening of road and save delays in proclaiming. No concession was made in this case, so I cannot recommend any compensation for land or fencing. The point raised by Mr. Chisholm in paper herewith, that he subsequent to the initiation of this matter secured all the land within the enclosure cannot, I should think, affect the decision, which deals with the case as it stood when first steps for opening road were taken.—W.C.B., 5/2/80.

Under Secretary, B.C. Inform to effect of minute of Commissioner for Roads.—J.L., 19/2/80. Commissioner for Roads, B.C., 23/2/80.—H.H. File.—W.C.B., 23/2/80.

No. 66.

The Principal Under Secretary to The Hon. J. Chisholm, M.L.C.

Sir,

Colonial Secretary's Office, Sydney, 14 January, 1880.

See No. 64

I am directed by the Colonial Secretary to acknowledge the receipt of your letter of the 9th ultimo, applying for compensation on account of a road passing through your land, and to inform you that your communication has been brought under the notice of the Secretary for Mines.

I have, &c.,

CRITCHETT WALKER.

No. 67.

Office Memo. by Commissioner for Roads.

MR. Chisholm has applied to know what about the compensation for road, Wet Lagoon, now proclaimed, Breadalbane Platform to Collector Road. Inquire at Lands, and advise Mr. Chisholm this day, Australian Club. W.C.B., 19/1/80.

No. 68.

The Commissioner and Engineer for Roads to The Hon. J. Chisholm, M.L.C.

Sir,

22 January, 1880.

Referring to personal inquiries made by you at this office respecting compensation claimed for land taken near the Wet Lagoon, leading from Collector and Pomeroy Road to Breadalbane Platform, I have the honor to transmit herewith copy of minute received from Deputy-Surveyor General, having reference to the payment in question.

I have, &c.,

WILLIAM C. BENNETT,

Com. and Engineer for Roads.

No. 69.

Memo.—Deputy Surveyor General.

THE Deputy Surveyor General has seen the Commissioner and Engineer for Roads with reference to this case, and they are of opinion that the road should be confirmed, and that if a claim for compensation be made by Mr. Chisholm, that it be referred to the Works Department. Mr. Chisholm would not legally be entitled to compensation, as his deeds of grant contain the usual reservation of way or ways, and he is not, according to the practice of this department, entitled to cost of fencing, as his enclosure embraces Crown Lands, &c.

No. 70.

The Hon. J. Chisholm, M.L.C., to The Commissioner for Roads.

Sir,

Kippilaw, Goulburn, 26 January, 1880.

See No. 68

See No. 69

I have the honor to acknowledge the receipt of your letter of the 22nd instant, enclosing a minute of the Surveyor General, in which he states that as there is no Crown Land in my paddock at Breadalbane, through which a road has recently been proclaimed, I am not entitled according to the practice of the department to compensation for fencing in the road.

I am aware that about two years back there were Crown Lands in my paddock, but I have selected these lands as additional selections under the provisions of the Land Act, which does away with the Surveyor General's objection.

I also wish to point out that, when the road from Collector to the Main Southern Road was proclaimed through the same enclosure, I was not allowed compensation for fencing in the road, although it runs for 3 miles through the same enclosure.

On all former occasions, whenever a road was proclaimed through my purchased land, I have been allowed payment for fencing it in. I therefore respectfully request that my case may be reconsidered, and that the usual allowance may be granted for fencing in the road.

I have, &c.,

JAMES CHISHOLM.

Acknowledge receipt, and inform Mr. Chisholm that the whole question is one to be dealt with by the Survey Department, to which office his letter has been forwarded.—W.C.B., 28/1/80. Forward letter to S.G.O. Under Secretary, B.C., 28/1/80.—G.C.E., for Commissioner. The Under Secretary for Mines, B.C., 30 Jan., 1880.—H.H. The Surveyor General, B.C., 30/1/80.—G.E.H., p. U.S.

A report upon this matter has recently been made by me (on 80-157 Rds.) to the effect that this claim is one which should be dealt with by the Works Department.—ROBT. D. FITZGERALD (for Surveyor General), 3rd Feby., 1880.

No. 71.

The Commissioner and Engineer for Roads to The Hon. J. Chisholm, M.L.C.

Sir,

28 January, 1880.

See No. 70.

I have to acknowledge receipt of your letter of the 26th instant, respecting compensation for fencing a road through your paddock at Breadalbane, and to inform you that the whole question is one to be dealt with by the Survey Department, to which office your letter has been forwarded.

I have, &c.,

WILLIAM C. BENNETT,

Commissioner and Engineer for Roads.

No. 72.

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No. 72.

The Acting Under Secretary for Public Works to The Hon. J. Chisholm, M.L.C.

Sir,

23 February, 1880.

Referring to your letter of the 15th* December last, addressed to the Department of the Colonial Secretary, requesting compensation in respect to road from the Collector and Pomeroy Road to the Main Southern Road near the Breadalbane platform, I am directed by the Secretary for Public Works to forward herewith for your information copy of a report which has been received from the Commissioner for Roads on the subject.

I have, &c.,

GERALD HALLIGAN,
Acting U.S.

No. 73.

The Hon. J. Chisholm, M.L.C., to The Secretary for Public Works.

Sir,

Hippilaw, Goulburn, 27 February, 1880.

I have the honor to acknowledge the receipt of your letter of the 23rd instant, No. 807-601, enclosing a minute from the Commissioner of Roads, in which he states, "That compensation is only made by this department when a concession is made by the landowner to allow of immediate opening of road, and save delay in proclaiming; no concession was made in this case, so I cannot recommend compensation for land or fence."

The Commissioner has evidently confounded my objection to another road with the road now proclaimed. The road I objected to and protested against was marked before the recently proclaimed road, and was reported against by the late Mr. Chauncey, Superintendent of Roads, and Mr. Waddell, Trustee of the Collector Road. Subsequently I was officially invited to meet the present Superintendent of Roads, Mr. Wood, the District Surveyor, and Mr. Waddell, which I did, and examined both roads, when the first marked road was condemned and the road recently proclaimed approved of. It was not my fault that the recently proclaimed road was not proclaimed eighteen months ago, for I always approved of it, and allowed the public to use it for more than two years before it was proclaimed, and it was as beaten a road when proclaimed as the main road to Collector.

The reason the road was not proclaimed sooner was owing to the road I protested against being proclaimed first. This road had to be, and was, cancelled before the other road could be proclaimed, for it was impassable and was never used, and Mr. Waddell estimated that it would cost £1,500 to make it passable for teams.

In contradiction to what the Commissioner of Roads has stated with respect to the practice of granting compensation for fencing in roads proclaimed through private property, I may state that when the Hon. J. B. Wilson was Minister for Lands he authorized a road to be surveyed and marked through my land at Breadalbane, which I protested against on the ground that the petitioners who asked for the road had already access to Goulburn by another parish road, which they were using, and that two roads were not required.

After some considerable delay my objections were overruled and the road proclaimed, but I received full compensation for fencing it in.

Although the road from the Breadalbane platform was not proclaimed when it might have been, the public sustained no inconvenience from it; and I submit that I am entitled to the compensation usually allowed for fencing in roads proclaimed through private property.

I have, &c.,

JAMES CHISHOLM.

NOTE.—I respectfully request that this letter be sent to the head of the department, for his consideration.—J.C.

Roads, in reference to previous papers on this subject. B.C., 1 March, 1880.—H.H. Re-submit with papers.—W.C.B., 1/3/80. Papers herewith.—5/3/80.

Mr. Chisholm misapprehends the purport of my minute. I point out that compensation is not made by this department unless to obtain a special concession and access to the land for the public before proclamation; this was not done, though the public may have used the road, consequently it is for the Surveyor General's Department to determine whether the case comes within the limits laid down by the department for granting compensation. The Deputy Surveyor General states that Mr. Chisholm should be referred to them.—W.C.B., 9/3/80.

I presume it is now too late to refer to the Survey Office, as the papers have been ordered by Parliament to be laid on Table of the House. Mr. Bennett; for returns. B.C., 15/3/80.—H.H. Mr. Eames.—W.C.B., 15/3/80.

No. 74.

The Hon. J. Chisholm, M.L.C., to The Secretary for Public Works.

Sir,

1, Bridge-street Chambers, Sydney, 5 March, 1880.

In reference to my letter of the 27th ultimo, in reply to yours of the 23rd (No. 807), on the subject of my claim for compensation for fencing of the public road from the Collector and Pomeroy Road to the Main Southern Road, near the Breadalbane platform, I would wish to invite attention to the statement of the Vice-President of the Executive Council during the recent debate on the Land Bill, which is contained in the annexed extract, as absolutely supporting my claim; and I would also urge that, in fencing the whole of the paddock, the greater part of which was then, and the whole of which is now, my property, I did fence my property (the greater containing the less), and that any objection to the contrary will, I submit, want logical or sufficient force.

I trust that the money to which I claim to be entitled may not be longer withheld.

I have, &c.,

JAMES CHISHOLM,
(By HENRY HALLOMAN.)

Sir

Sir John Robertson said that the Government could not be compelled to fence the parish roads. Government had not been in the habit of fencing them under his administration ; years ago it was resolved that where the Government went through land that was fenced, they then fenced both sides of the road, and asked Parliament to meet the expense ; but when the land was not fenced, the Government in making the road did not fence it. That course had been followed by succeeding administrations.

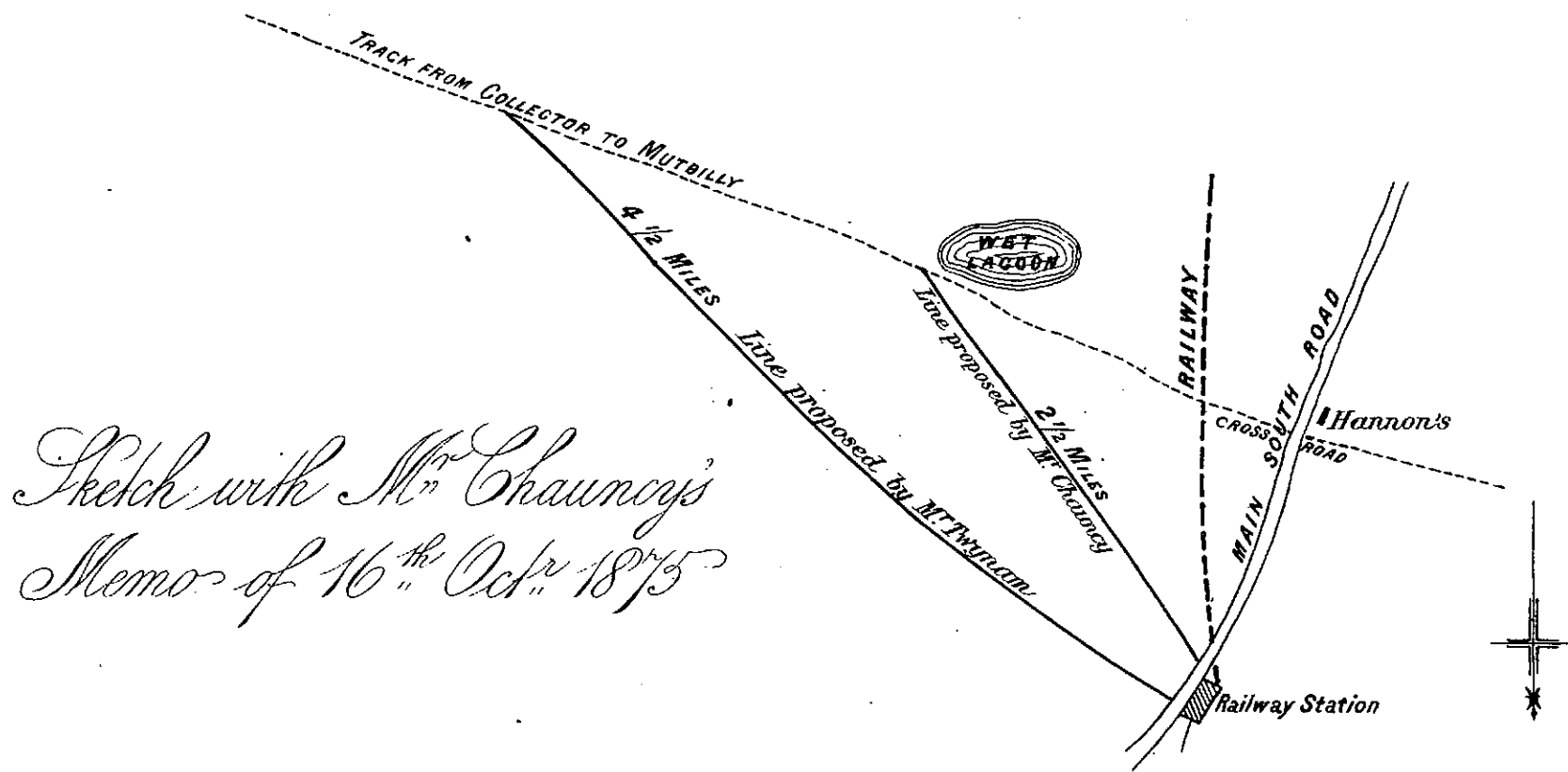
Roads, in reference to previous correspondence, B.C., 5 March, 1880.—H.H. Papers,—W.C.B., 6/3/80. Roads.—8/3/80.

My dear Fitzgerald,—I have brought down Wood, in *re* Chisholm's Breadalbane road case, and would like to have a final interview with you on the matter. Will you be disengaged at 12? We will go down, bringing the papers we have, as we want to refer to documents in your office.—Yours truly, W. C. BENNETT.

See minute herewith.—9/3/80, W.C.B.

[Five plans.]

(Enclosure in N^o 2)



Sketch with M^r Chauncey's
Memo of 16th Oct^r 1875

(Sig 617)

Re: Thomas Reddall
1280 ac

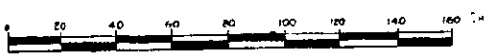
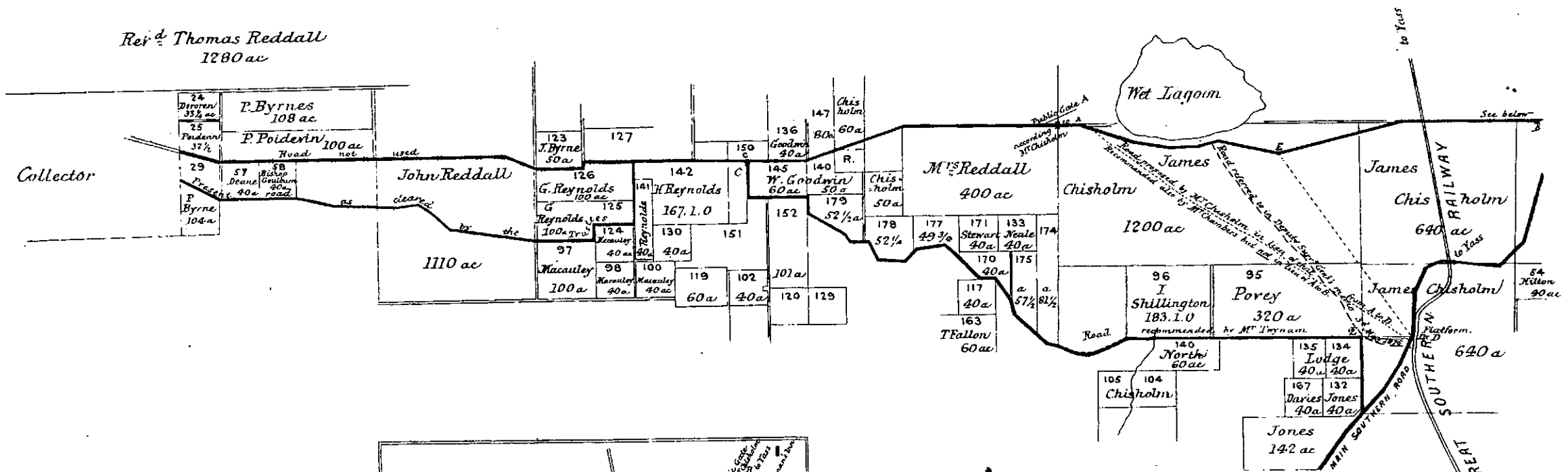
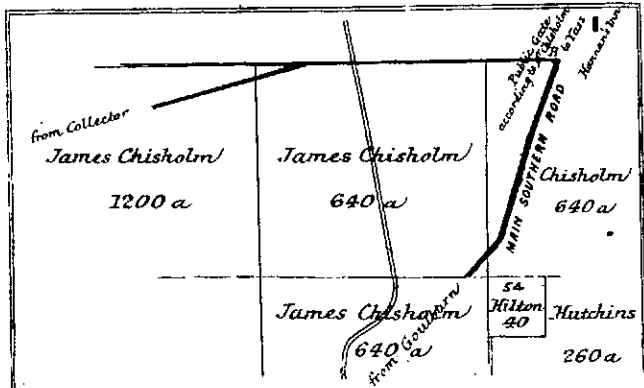
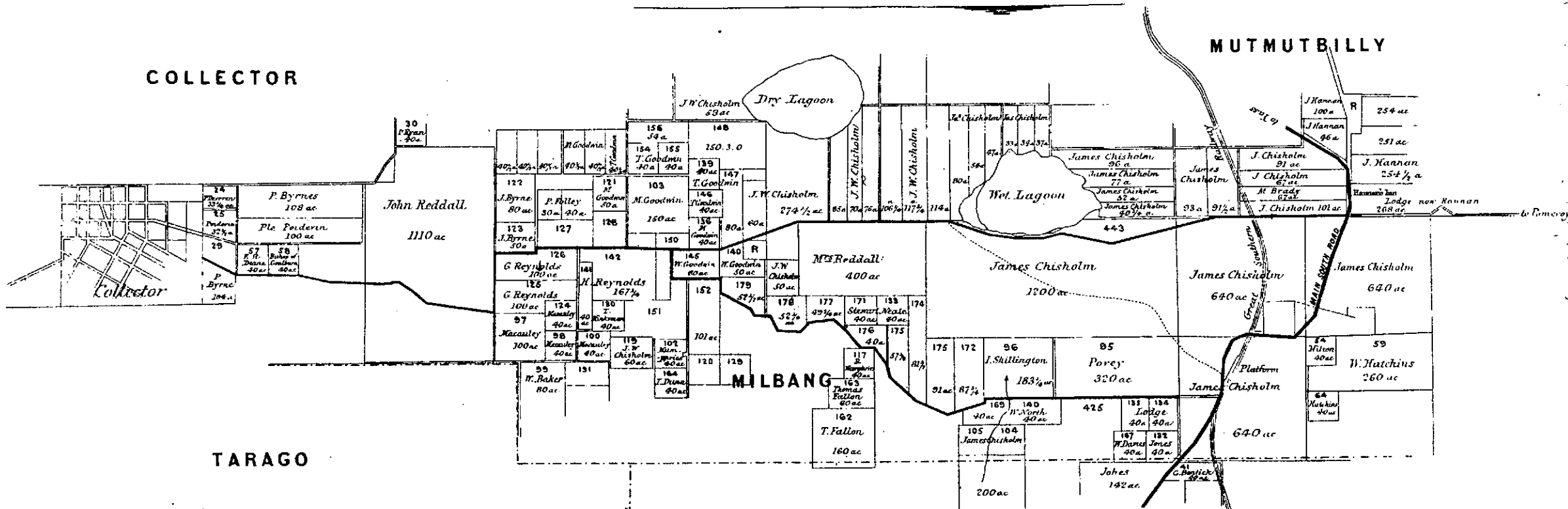


PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

John Richardson (Sig 617-)



Note - Great Southern Railway shown in Blue on original tracing
 Road referred to &c do do do do
 Road proposed by &c do in Red on do do
 Road from E to D^x do do do do
 Letters A, B, C, D & E do do do do
 Public Gates according to do do do do
 Roads shown thus are coloured Burub Sienna on original tracing




Note G.S. Railway Line is shown in Blue on original tracing, and road from the N.W. corner of Portion 138 to the Railway Line is shown in Pink on original tracing. Roads shown thus  are coloured Iron Sienna on original tracing

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE, SYDNEY, NEW SOUTH WALES.

John Richardson (Sig. 617)

WOLOGORONG

Second Breadalbane Plain

Copy of Plan of a Road
 From a reserved road at the North East corner of James Chisholm's 320ac C.P
 to the Main Southern Road within James Chisholm's 640 acres
 being part of the Road from Collector to the Great Southern Railway
 at the Bredalbane Platform


Parish of Mutmutbilly

COUNTY OF ARGYLE

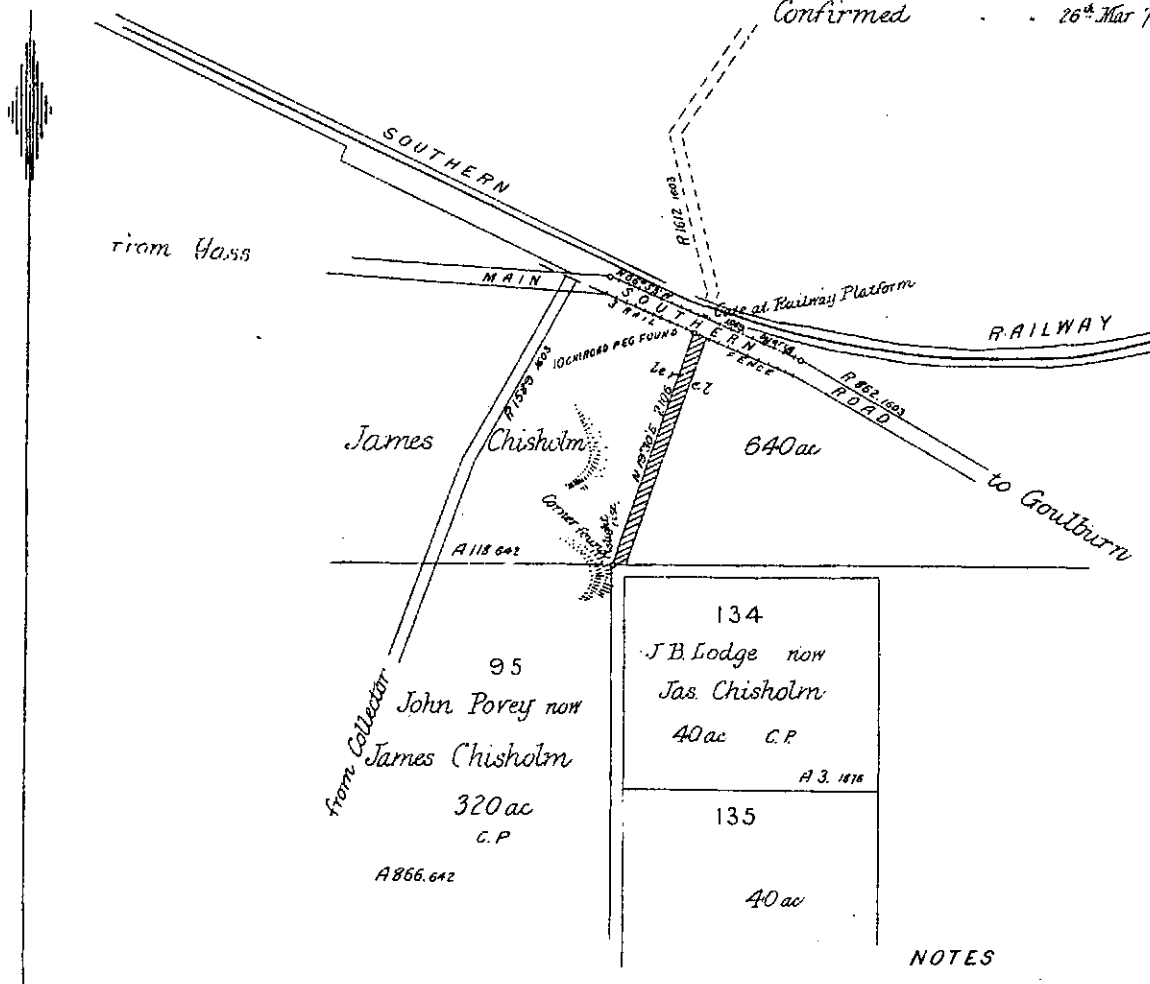
PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
 SYDNEY, NEW SOUTH WALES.

Laid before the Executive Council
 on 10th July 1876 Mis 76/34
 signed Alex G Budge
 Clerk of the Council

Proposed to be opened as a Parish Road under Act of Council 4 William IV No 11

Road to be opened is shown thus  & by a Red band on original plan
 and is One Chain wide

Preliminarily notified in Govt Gaz 22nd Sept 76 fol. 3780
 Confirmed 26th Mar 78 fol 1239



NOTES

Marked according to regulations
 Theodolite used in Surrey
 Surveyed 7th January 1876
 Length of Road 21 chains 6 links

Transmitted to the Surveyor General with my letter of the 1st March No 76/18
 (signed) E. R. Deane

Licensed Surveyor

R. 1300. 1603 (Sig 617-)

Received 24 76/16
 E. R. Deane 2 27 0
 1 189 0/100
 20th 1876

Copy of Plan
of a Road

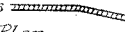
Enclosure to N^o 38

from the Collector's Pomeroy Road within James Chisholm's 1200ac to the Main Southern Road near the Bredalbane Platform within James Chisholm's 640acres

Parishes of Milbang and Mutmutbilly

COUNTY OF ARGYLE

Proposed to be opened as a Parish Road under the Act of Council 4 William IV N^o 11
in lieu of road within James Chisholm's 640ac confirmed in Government Gazette 26th March 1878 folio 1239

The Road to be opened One Chain wide is shown thus  and by a
Red band on Original Plan

1878

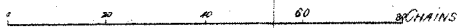
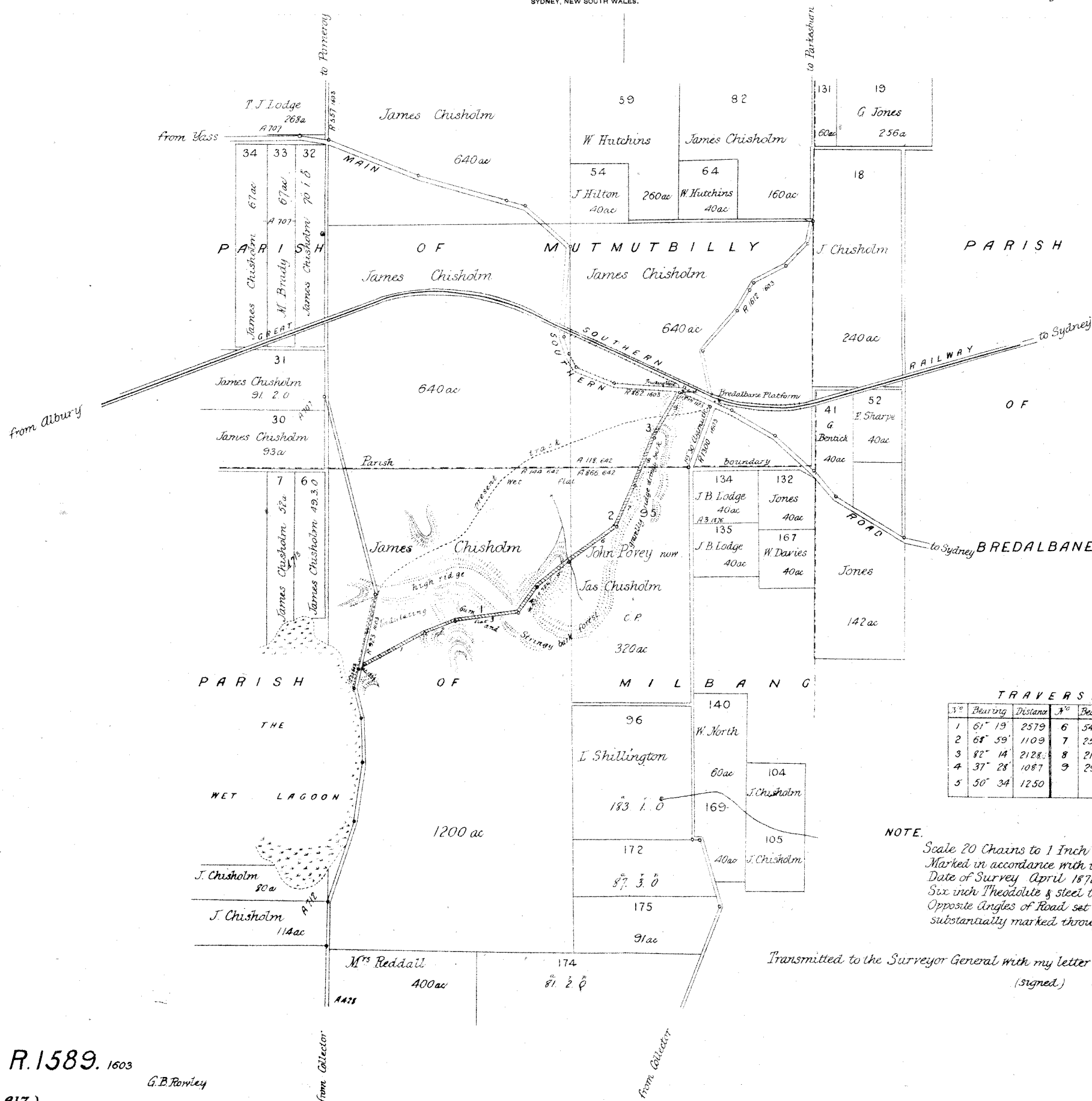
SCALE OF  CHAINS

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

Preliminary notified in Govt Gaz: 21st Feb^y 79 fol. 432

Confirmed in Government Gazette 2nd Dec^r 1879 fol. 5318



TRAVERSE					
No	Bearing	Distance	No	Bearing	Distance
1	61° 19'	2579	6	54° 14'	2099
2	68° 59'	1109	7	25° 12'	1535
3	82° 14'	2128	8	21° 10'	1731
4	37° 28'	1087	9	29° 50'	1785
5	50° 34'	1250			

NOTE.

Scale 20 Chains to 1 Inch
Marked in accordance with the Regulations
Date of Survey April 1878
Six inch theodolite & steel tape used in Survey
Opposite Angles of Road set off and both sides
substantially marked throughout

Transmitted to the Surveyor General with my letter dated 8th May 1878 N^o 78/32
(signed) Adelbert Schleicher
Surveyor

R.1589. 1603

G.B. Rowley

(Sig 617-)

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

TOLLS.

(LEVIED AT PUBLIC FERRIES ON NORTHERN RIVERS.)

Ordered by the Legislative Assembly to be printed, 4 May, 1880.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated the 25th of February, 1880, That there be laid upon the Table of this House,—

“A Return showing the rates of all tolls or dues demanded, levied, and taken
“by the Government at the various Public Ferries on the Hunter, Paterson,
“Williams, Manning, Hastings, Wilson, Macleay, Nambuccra, Bellinger,
“Clarence, and Richmond Rivers.”

(*Mr. R. B. Smith.*)

TOLLS.

RATES of Tolls charged at the undermentioned Ferries.

Name of Electorate.	Name of Ferry.	Tolls.	s.	d.
Hastings	Telegraph Point	For every foot passenger, excepting children going to or coming from school... " every sheep, lamb, pig, or goat ... " every ox or head of neat cattle, drawing or not drawing, not exceeding ten in number ... " every ox or head of neat cattle, drawing or not drawing, being more than ten in number ... " every horse, mare, gelding, ass, or mule, drawing or not drawing ... " every gig, dray, or cart, with two wheels only ... " every waggon, carriage, or other vehicle with four wheels ... The tolls for vehicles to be paid in addition to the tolls for horses or other animals drawing such vehicles. Tolls to be paid for each time of crossing. Persons riding or travelling in vehicles not to be charged toll as foot passengers. Children going to or coming from school will be exempt from toll. Where the number of vehicles crossing at one time exceeds two, half-rates only to be charged. For every foot passenger, except children going to or coming from school ... " every horse, mare, gelding, ass, or mule, drawing or not drawing ... " every gig, buggy, waggon, dray, or other vehicle... " every ox or head of neat cattle, drawing or not drawing ... " every sheep, lamb, pig, or goat ... One charge to include passing and repassing once a day. Persons riding or travelling in vehicles not to be charged toll as foot passengers. For every foot passenger, excepting children going to or coming from school... " every horse, mare, gelding, ass, mule, ox, or head of neat cattle, drawing or not drawing, not exceeding twenty in number ... " every horse, mare, gelding, ass, mule, ox, or head of neat cattle, drawing or not drawing, if more than twenty in number ... " every sheep, lamb, pig, or goat, not exceeding twenty in number ... " every sheep, lamb, pig, or goat, if more than twenty in number ... " every waggon, dray, or other vehicle drawn by one horse ... " goods, per cwt. ...		
	Bar Scrub		0	2
	Blackman's Point.....		0	0½
	Kempsey		0	4
	Gladstone		0	3
	Darkwater		0	6
	South Arm		1	0
	Nambuccra		1	6
	Taylor's Arm			
	Kinchela Creek.....			
	Taree			
	Tinonee			
	Scott's Creek			
	Oxley Island.....			
	Wingham			
	Dumaresq Island			
	Ghinni Ghinni			
Lansdowne				
Pelican Island				
Frederickton				
Clarence	Coraki			
	(For special rates for Grafton Ferry see below.) Woodburn			
	Lismore.....			
	Bungawalbyn			
	Nimboyda			
Williams	Coldstream			
	Shark's Creek			
Paterson	Bulladelah			
	Paterson			
Morpeth	Hinton	0	1	
	Morpeth	0	3	
	Largs	0	6	
Lower Hunter	Seaham	0	2	
	Nelson's Plains.....	0	0½	
	Hexham			
	Raymond Terrace.....			
Clarence	Grafton.....			
(For rates of all other Ferries in this Electorate see above.)				

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

WATER SUPPLY AND SEWERAGE FOR SYDNEY AND SUBURBS.

(MESSAGE No. 20.)

Ordered by the Legislative Assembly to be printed, 25 February, 1880.

AUGUSTUS LOFTUS,
Governor.

Message No. 20.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with a Bill to provide for the Water Supply and Sewerage of the City of Sydney and its Suburbs.

Government House,

Sydney, 25 February, 1880.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

WATER SUPPLY AND SEWERAGE FOR TOWNS.

(MESSAGE No. 21.)

Ordered by the Legislative Assembly to be printed, 25 February, 1880.

AUGUSTUS LOFTUS,
Governor.

Message No. 21.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with a Bill to establish a system of Water Supply and Sewerage for certain Towns.

*Government House,
Sydney, 25 February, 1880.*

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

WATER SUPPLY, DENILIQVIN.

(PETITION FROM THE MAYOR AND ALDERMEN OF THE MUNICIPAL COUNCIL OF DENILIQVIN.)

Received by the Legislative Assembly, 11 May, 1880.

To the Honorable the Speaker and Members of the Legislative Assembly of the Colony of New South Wales, in Parliament assembled.

The Petition of the Municipal Council of Deniliquin, in the Colony of New South Wales,—

RESPECTFULLY SHOWETH:—

That the Town of Deniliquin contains a population of upwards of 3,000 souls, or thereabouts.

2. That no suitable provision whatever has as yet been made for supplying the residents with water, and as a consequence their health and the prosperity of the town is seriously affected.

3. That the wells sunk in the town for the most part produce salt or brackish water unfit for domestic purposes, and the residents are compelled to buy water for household use at an average cost of 2/6 per cask.

4. That the Town of Deniliquin is one of rapidly increasing importance, and the want of an adequate water supply is becoming daily more severely felt.

5. That in order to show the importance of the town, your Petitioners would respectfully remind your Honorable House that it is the chief centre of population in the Electoral District of The Murray, and that during the last five years no less an area than one million two hundred and sixty-four thousand acres of land have been sold by the Government through the local lands office either by auction or conditional purchase, besides large areas alienated under the 2nd and 31st sections of "The Lands Act Amendment Act of 1875."

6. That the amount of money derived from the sale of such land during the period mentioned, with rents on leases, interest on conditional purchases, &c., is upwards of one million two hundred and twenty-five thousand pounds (£1,225,000), as a reference to the Lands Office returns will show, and in addition to this a very large and increasing annual revenue is derived by the Government from other sources.

7. That a very small sum is expended annually on public works in the district—an amount out of all proportion to the revenue derived.

8. That some 12 months ago Mr. J. W. James (civil engineer) was employed by the Government to advise upon the best means of supplying the town with water and the disposal of sewage, and a very exhaustive report from actual survey was sent in, which the estimate for the work is set down at a cost (in rough figures), of £26,000.

9. That since the report was furnished nothing has been done in furtherance of the matter, and the inhabitants continue to be severely taxed in being compelled to supply themselves with this necessary of life in the primitive and costly manner mentioned, the revenue of the Municipal Council being barely sufficient to carry on the necessary public works in the town, and quite inadequate to provide any proper means of supply.

10. Your Petitioners would also respectfully point out that, owing to the small annual rainfall and the severe heat experienced during the greater part of the year, a very abundant supply of pure water to the town is an absolute sanitary necessity; and your Petitioners, being fully alive to the importance and urgency of the matter, desire to approach your Honorable House with this Petition in the confident hope that the great want will be met without delay.

Your Petitioners therefore on behalf of the residents of the Town of Deniliquin pray that the matter will receive your favourable consideration, and that immediate steps will be taken to have the works recommended by Mr. James carried out, or such like measures effected for water supply and drainage of the town as to your Honorable House may seem meet.

And your Petitioners will ever pray, &c.

[Here follow 6 signatures.]

1879.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SEWAGE OF SYDNEY AND SUBURBS.
(PARTICULARS OF.)

Ordered by the Legislative Assembly to be printed, 18 November, 1879.

7. MR. LUCAS *to ask* THE SECRETARY FOR PUBLIC WORKS,—

- (1.) At what height above high-water is the city sewage to be discharged into the sea near Ben Buckley's Point?
- (2.) At what height above high-water will proposed sewers drain each of the following places, viz.:—Glebe, Parramatta-street, Prince, Gloucester, Cumberland, York, George, Pitt, Castlereagh, Elizabeth, Phillip, and Macquarie Streets; also Hyde Park, Woolloomooloo, and Darlinghurst?
- (3.) What will be the length of the proposed sewers from the outlet to the places abovementioned?
- (4.) Is it intended that the whole of the silt and other matter collected by the new sewers shall be discharged at the outlet, or will silt-pits be constructed to catch the most solid and heavy matter; if the latter, how many are to be constructed, and in what localities?
- (5.) How is it proposed to deal with the sewage of the city and suburbs below the action of the proposed new sewers?

- (1.) The Sewage Board proposed 10 feet—Mr. Clark reduced this to 8 feet.
- (2.) The heights proposed on sections of Sewage and Health Board are shown in Return now laid on Table. Working surveys are in progress to determine in detail the exact heights. Every effort will be made to connect at as low a level as possible.
- (3.) The distances from Sewage Board sections are also shown in Return laid on Table.
- (4.) A great portion of the silt will be intercepted by the present silt-pits; in storms some of it will run into the harbour—the remainder will be discharged by the intercepting sewers. More silt-pits will be provided if required, but it is at present impossible to state where they will be constructed.
- (5.) The 55 and 56 paragraphs of the Final Report of Sewage and Health Board deals with this question. All portions of the city below the 25-feet contour will be allowed to discharge into the harbour, and if ever it is necessary can be pumped; but as the low-lying portion is chiefly used for purposes of trade stores and wharves, except at Woolloomooloo Bay and southern parts of Darling Harbour, the sewage will be insignificant and inoffensive, but if it does become necessary its discharge is provided for in intercepting sewer.

The Southern Division of the City.

- (1.) Is it intended to take the sewage from above 1,000 acres of the southern portion of the city to the head of Shea's Creek for filtration?
 - (2.) Is it intended to purchase 100 acres of the Waterloo Estate, into which the more solid portion of sewage is to be dug, when the effluent water has passed into Shea's Creek?
 - (3.) What will be the approximate quantity of solid matter, also the quantity of fluids, which it is expected will be run on to the proposed receptacle of the sewage of the southern portion of the city?
- (1.) It is intended to take the sewage for the present to head of Shea's Creek, for reasons stated in 15th paragraph, Second Report, Sewage and Health Board.
 - (2.) Yes, as a temporary measure pending extension to land at Webb's Grant, and ultimate extension seaward as the requirements of the district demand.
 - (3.) It is impossible to state approximate quality of solid matter, which will vary with weather and local circumstances, but the area proposed to be taken has been found far more than sufficient to purify such amount of sewage in England.

HEIGHTS and Distances of Sewers according to Sewage and Health Board's Surveys.

	Above H. W.	From outlet.
	Height.	Distance.
	feet	Miles chains
Glebe	36'00	5 40
Parramatta Road	36'00	5 40
Prince-street	32'66	5 40
Gloucester-street	32'66	5 40
Cumberland-street	32'66	5 40
York-street	32'00	5 15
George-street	30'00	5 7
Pitt-street	29'50	5 1
Castlereagh-street	28'36	4 75
Elizabeth-street, North	30'78	5 20
Do. South	25'00	4 60
Phillip-street	31'00	5 23
Macquarie-street	31'32	5 28
Hyde Park	23'78	4 24
Woolloomooloo	21'97	4 15
Do.	21'50	4 2
Darlinghurst	21'50	4 2

[3d.]

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

DEODORIZATION OF SEWAGE MATTER.
(CORRESPONDENCE.)

Ordered by the Legislative Assembly to be printed, 22 June, 1880.

RETURN to an Order made by the Honorable the Legislative Assembly of New South Wales, dated 11th June, 1880, That there be laid upon the Table of this House :—

“Copies of all papers, documents, and reports of any Board or Boards
“relative to the deodorization of human excreta and other offensive matter
“which have been submitted for the consideration of the Government by
“any person or persons whatever.”

(Mr. Farnell.)

SCHEDULE.

NO.		PAGE.
1.	Mr. J. L. Nicholls to the Colonial Secretary. 11 February, 1880	2
2.	The Principal Under Secretary to Professor Smith, Professor Liversidge, and Mr. Charles Watt. 19 March, 1880	2
3.	Professor Smith, Professor Liversidge, and Mr. Charles Watt to the Principal Under Secretary, with enclosures and minutes thereon. 8 May, 1880.....	2
4.	The Principal Under Secretary to Mr. Nicholls. 15 May, 1880	4

DEODORIZATION OF SEWAGE MATTER.

No. 1.

Mr. J. L. Nicholls to The Colonial Secretary.

Sir,

Sydney, 11 February, 1880.

I beg leave to bring under your notice the discovery of a most effective deodorizer of night-soil and other offensive matter.

This deodorizing agent is obtainable in superabundant quantities in the Colony, and can be applied with great economy in regard to labour and cost.

Its faculty, whilst effectually removing the offensive odour, is to fix all the volatile salts in the soil, and to preserve all its qualities as the most valuable of manures.

The discoverer of this invaluable agent (who acts with me in conjoined interests) is desirous of submitting the discovery to the consideration of your Government, and is willing to comply with any request made for its examination, or for testing the same by competent authority which the Government may require for their satisfaction, having also due regard to the protection of the discoverer's rights and interests therein.

I have, &c.,

JAMES LANDER NICHOLLS.

No. 2.

The Principal Under Secretary to Professor Smith, Professor Liversidge, and Mr. Charles Watt.

Gentlemen,

Colonial Secretary's Office, Sydney, 19 March, 1880.

I am directed by the Colonial Secretary to request that you will have the goodness to jointly examine the samples herewith forwarded to you, and furnish him with a report as to the properties of the product in question and the practical uses of the process by which it is produced, and its application to the question of sewerage.

I have, &c.,

CRITCHETT WALKER.

Under separate cover, addressed to Professor Liversidge.

No. 3.

Professor Smith, Professor Liversidge, and Mr. Charles Watt to The Principal Under Secretary.

Sir,

Sydney, 8 May, 1880.

We have the honor to forward herewith the results of the analyses of the three samples submitted to us for examination, in accordance with your letter of March 19th.

1. All three samples were inodorous, dry, and portable. Estimating by the current market value of the constituents useful for manurial purposes, Nos. 1 and 3 are worth about 35s. per ton and No. 2 about 38s. per ton.

2. But we have to point out that the above values, calculated upon the percentages of the useful constituents present, *i.e.*, the ammonia, phosphoric acid, potash, and organic matter, must be considerably reduced on account of the large proportion of useless matter through which the useful constituents are diffused. In order to arrive at the fair market value of these "pondrettes" we have consulted Messrs. Elliott Brothers., who have large experience in the manufacture and sale of artificial manures, and they have kindly furnished us with the following memorandum:—"We are of opinion that manures containing these proportions (*vide* analyses) would only be saleable in very limited quantities, as they would not bear any expense of transport. We doubt whether, even in small quantities, 30s. per ton could be obtained for them."

3. The commercial aspect of the question is further illustrated by the following extract from a report by the Town Clerk of Melbourne to the Central Board of Health there, on the subject of the disposal of cesspit matter:—"The fact of the manure giving a return equal only to less than one-third of the expenses of its collection and disposal proves the fallacy of the notion that a profit could be realized by its sale. If it could be stored and treated by one of the patent processes, or kiln-dried, and by admixture with street sweepings, as at Rochdale in England, made comparatively inodorous and tolerably portable, it might to some extent be purchased for back cartage from market in market gardeners' carts, which now carry stable manure; but in that case the cost of manipulation would be added to that collection, and as the stuff must be got rid of, and not allowed to accumulate at the depôt, the sales would always be forced, and the price be consequently kept down."

4. In order to obtain accurate information from the manufacturer of the samples we had an interview with Mr. Nicholls upon the subject, and further requested him to supply us with details upon certain matters. In reply we received a letter from him, which we append, from which it appears that Mr. Nicholls has treated cesspit matter only, and that he has not yet applied his process to the liquid sewage matter, and we are of opinion that the large quantity of water present in such sewage matter, and the additional expense which its removal would entail, must necessarily raise the cost of treating it much greater than the 6s. to 8s. per ton quoted by Mr. Nicholls.

5. We are not in a position to give an opinion, as requested by you, as to the "practical uses of the process" by which the samples have been produced, since the manufacturer declines to make the details of the process known to us at present.

We have, &c.,

J. SMITH.

A. LIVERSIDGE.

CHAS. WATT.

Minutes

Minutes by the Colonial Secretary.

Submitted, 12/5/80. Inform Mr. Nicholls that this report is not of a character to justify the Government in entertaining his proposal.—H.P., 14/5/80. Mr. Nicholls can read the report.—H.P. Mr. Nicholls has seen this report.—C.W., 15/5/80.

[Enclosure No. 1.]

CESSPIT MATTER. SAMPLE No. 1. A dark brown coloured powder; dry and inodorous.

Moisture driven off at 100° C.....	6.55
Woody fibre.....	15.00
Organic matter (by loss on ignition)	24.21
Sand	40.80
Inorganic substances soluble in hydrochloric acid	9.34
" " insoluble " consisting chiefly of clay, traces of sulphate of lime, &c.	4.10
	100.00

COMPLETE ANALYSIS.

Moisture driven off at 100° C.....	6.55
Sand	40.80
Woody fibre.....	15.00
Carbon in addition to that in the woody fibre	15.79
Nitrogen other than as ammonia.....	.87
Matter insoluble in hydrochloric acid	4.10
Alumina .....	.56
Iron sesquioxide .....	.82
Phosphoric acid (P ₂ O ₅)	2.41
Lime	1.67
Magnesia .....	.47
Potash (K ₂ O) .....	.35
Soda (Na ₂ O) .....	.44
Ammonia (NH ₃) .....	.27
Sulphuric Acid (SO ₃) .....	.44
Undetermined constituents such as oxygen, hydrogen, chlorine, carbonic acid, silicic acid, &c. (about 7.5% of this consists of oxygen and hydrogen combined with the 15.79% of carbon)	9.46
	100.00

CESSPIT MATTER. SAMPLE No. 2. Same colour as No. 1, but in coarse pellets; dry and inodorous.

Moisture driven off at 100° C.....	6.34
Woody fibre.....	18.00
Organic matter (by loss on ignition)	25.61
Sand	35.20
Inorganic substances soluble in hydrochloric acid	9.67
" " insoluble " consisting chiefly of clay, sulphate of lime, &c.	5.18
	100.00

COMPLETE ANALYSIS.

Moisture driven off at 100° C.....	6.34
Sand	35.20
Woody fibre.....	18.00
Carbon in addition to that in woody fibre.....	14.34
Nitrogen other than as ammonia.....	.99
Matter insoluble in hydrochloric acid	5.18
Alumina .....	.62
Iron sesquioxide	1.07
Phosphoric acid (P ₂ O ₅)	2.67
Lime	1.50
Magnesia .....	.66
Potash (K ₂ O) .....	.34
Soda (Na ₂ O) .....	.45
Ammonia (NH ₃) .....	.25
Sulphuric Acid (SO ₃) .....	.44
Undetermined constituents such as oxygen, hydrogen, chlorine, carbonic acid, silicic acid (about 10% of this consists of oxygen and hydrogen combined with the 14.34% of carbon).....	11.95
	100.00

CESSPIT MATTER. SAMPLE No. 3. Of almost the same colour as Nos. 1 and 2, but pressed into the form of a brick dry; and inodorous.

Moisture driven off at 100° C.....	13.13
Woody fibre	15.00
Organic matter (by loss on ignition) in addition to woody fibre	24.31
Sand	38.70
Inorganic substances soluble in hydrochloric acid	7.12
" " insoluble " consisting chiefly of clay, sulphate of lime, &c.	1.74
	100.00

COMPLETE

COMPLETE ANALYSIS.

Moisture driven off at 100° C.....	13.13
Sand	38.70
Woody fibre	15.00
Carbon in addition to that in the woody fibre.....	13.53
Nitrogen other than as ammonia	1.07
Matter insoluble in hydrochloric acid	1.74
Alumina .....	.26
Iron sesquioxide .....	.75
Phosphoric acid (P_2O_5)	1.83
Lime.....	1.41
Magnesia .....	.53
Potash (K_2O) .....	.28
Soda (Na_2O) .....	.37
Ammonia (NH_3) .....	.23
Sulphuric Acid (SO_3) .....	.39
Undetermined constituents such as oxygen, hydrogen, chlorine, carbonic acid, silicic acid (about 9.5% of this consists of oxygen and hydrogen combined with the above 13.53% of carbon)	10.78
	<hr/>
	100.00

The specific gravity of the brick was found by calculation to be 1.08.

[Enclosure No. 2.]

Mr. J. L. Nicholls to Professor Smith, Professor Liversidge, and Mr. Charles Watt.

Gentlemen,

79, Castlereagh-street, Sydney, 30 March, 1880.

1. Having been informed by the Honorable the Colonial Secretary of your appointment to examine and report upon certain samples of deodorized excrement or night-soil submitted by me to the consideration of the Government, accompanying my letter dated 11th February last,—

2. I have the honor, at your expressed desire in my interview with you hereon, further, and in addition to the propositions already submitted to the Government, to state that the three several samples delivered by me in the form of fine powder, small broken pieces, and a compressed solid mass in brick-shape, respectively, and placed in your hands for examination, are the products of the ordinary contents discharged from the Sydney cesspits, which contains the usual sand and gravel and matter other than human excreta, but which is not used in this process of deodorization. The matter thus operated upon was immediately deodorized upon application of the agents employed.

3. The cost of deodorization will not exceed 3s. per ton, and the cost of labour and mechanical appliance to prepare and bring the same into the marketable shape presented to the Board will be about 3s. more, that is 6s. in all.

4. The deodorizing agents exist in the Colony in inexhaustible quantities, and will in bulk form about 4 or 5 per cent. in the manure produced. This manufactured product can be transmitted to any part of the world with or without package with all its volatile salts fixed in it and free from any offensive odour whatever.

5. The urinary fluids can be deodorized in like manner, and the ammonia and other salts therein also fixed and rendered perfectly inodorous, or condensed for exportation, or may otherwise be applied as a surface manure, and in dry weather of inestimable value.

6. The process is capable of illimitable extension. Its test application on a larger scale is proposed by the Government on about 30 tons of cesspit matter, which I have consented to undertake; and after consulting with a competent engineer in reference to the necessary works a lump sum of cost has been submitted by me and approved by the Government.

7. It is proposed that the output of the city cesspits for one night shall be delivered at some convenient locality and there immediately deodorized, the solids with fluid separated, made ready for delivery on the following morning in condition as per sample now in your charge.

8. In like manner I shall be prepared to treat any quantity of ordinary sewage matter, separating the solids from the fluids, and rendering them in similar condition as stated in regard to the city cesspits.

I have, &c.,

JAMES LANDER NICHOLLS.

No. 4.

The Principal Under Secretary to Mr. J. L. Nicholls.

Sir,

Colonial Secretary's Office, Sydney, 15 May, 1880.

Referring to the samples of deodorized excrement or night-soil submitted by you for the consideration of the Government, I am directed by the Colonial Secretary to inform you that the report furnished by the Board to whom the samples were referred is not of a character to justify the Government in entertaining your proposal regarding the product in question.

I have, &c.,

CRITCHETT WALKER.

1879-80.

NEW SOUTH WALES.

MUNICIPAL COUNCIL OF SYDNEY.

(ABSTRACT OF ACCOUNTS FOR 1879.)

Presented to Parliament, pursuant to Act 43 Vict. No. 3, sec. 220.

ABSTRACT of RECEIPTS and DISBURSEMENTS of the MUNICIPAL COUNCIL of SYDNEY
for the year 1879.

ABSTRACT of the RECEIPTS and DISBURSEMENTS of the MUNICIPAL COUNCIL of the CITY OF SYDNEY, on account of the CITY FUND, for the year ending 31st December, 1879.
Incorporated by Act of the Colonial Legislature, 20 Victoria No. 26.

RECEIPTS.				DISBURSEMENTS.							
	REVENUE.			TOTAL AMOUNT.		SALARIES.	CONTINGENCIES.	TOTAL AMOUNT.			
	£	s.	d.	£	s.				d.	£	s.	d.
City Rate,—raised by Assessment under the authority of the Act of Council, 17 Victoria No. 33	48,901	15	6			Office of Mayor					
Watering Street Rate,—raised by Assessment under the authority of the Act of Council, 18 Victoria No. 30	4,706	5	2			Town Clerk	800	0	0		
Fees and Fines under the Building, Police Act, By-laws, &c.	2,613	17	0			Surveyor	1,050	0	0		
Rents and dues from George-street Markets	8,231	11	0			Treasurer	3,830	13	8		
Belmore Markets.....	912	4	8			Solicitor.....	1,400	0	0		
Eastern Markets	923	19	9			Officekeeper and Messenger	350	0	0		
Rent of Public Baths	749	11	8			Health Officer	357	1	8		
City Wharves	1,719	5	10			Inspector of Nuisances.....	400	0	0		
Randwick Road.....	625	0	0			Clerk of Markets	825	0	0		
Repayment for Paving	238	14	0				250	0	0	9,262 15 4	
Cleansing Earth Closets	547	2	6			MISCELLANEOUS.					
Rent of City Property	450	10	0			Expenses of City Markets				21,790 0 0	
Repayment of Works	81	11	7			City Improvements—Wages				45,552 12 10	
Proceeds, Sale of Stores.....	117	7	4			Metal				13,251 11 7	
Street Sweepings	21	6	8			Street Works				8,507 7 11	
Citizens' List.....	49	19	0			Printing				455 12 3	
Sale Yard Dues	186	2	10			Stationery				529 18 8	
Removal of Rubbish	46	2	4			Advertising				219 7 7	
Tar Paving	379	12	6			Election Expenses				87 9 0	
Parliamentary Grant	25,000	0	0			Copying Notices				82 8 1	
Interest and Premium	1,022	6	1			Cab hire, postages, &c.....				276 4 6	
Rent of Exhibition Building.....	703	10	0			Office Furniture, Fuel, &c.....				121 11 0	
Forfeited Deposit	10	0	0			Collecting Citizens' Lists.....				133 0 0	
Government Endowment	10,000	0	0			Regulating Clocks				40 5 0	
				108,237	15	5	Bunnerong Road Trustees				77 5 9
Balance due by Union Bank, 31st December, 1878	16,263	18	0			Town Hall Building.....				16,112 16 10	
Balance due by Union Bank, 31st December, 1879	577	19	8			Lighting City with Gas				7,862 10 2	
				15,685	18	4	Public Baths				2,035 15 0
						Law Expenses				29 7 2	
						City Architect's Commission				927 11 0	
						Gratuity				700 0 0	
						Assessment				1,820 0 0	
						Interest Expenses.....				6,519 14 0	
						Discount and Charges				348 10 0	
						Prince Alfred Park				6,456 14 8	
						Report on Corporation Accounts				200 0 0	
						Removing Obstruction.....				50 0 0	
						Sale Yard Expenses.....				47 10 0	
						Purchase of Disinfectants, &c.				36 15 0	
										114,660 18 5	
										£ 123,923 13 9	
										£ 123,923 13 9	

City Treasurer's Office,
 Sydney, 24th January, 1880.

EDW. LORD,
 City Treasurer.

ABSTRACT of the RECEIPTS and DISBURSEMENTS of the MUNICIPAL COUNCIL of the CITY OF SYDNEY, on account of the WATER FUND, for the year ending 31st December, 1879.
 Incorporated by Acts of the Colonial Legislature, 17 Victoria No. 35, and 20 Victoria No. 36.

RECEIPTS.			DISBURSEMENTS.										
	REVENUE.		TOTAL AMOUNT.			SALARIES.		CONTINGENCIES.		TOTAL AMOUNT.			
	£	s. d.	£	s. d.		£	s. d.	£	s. d.	£	s. d.		
From Water laid on to Houses	55,427	15 6	57,210	7 3	Salaries of Officers generally	1,625	0 0			1,625	0 0		
Rent of fountains	51	12 0					MISCELLANEOUS.						
Premium and interest	666	15 5					General Works—Wages			15,294	3 6		
Repayment of Works and Sale of Stores	860	3 11					Castings and pipes			17,692	3 6		
Rents	35	14 0					Tools and repairs			5,686	1 4		
Plumbers' Licenses	94	10 0					Reservoirs			5,122	6 8		
Suburban Hydrants	73	16 5					Botany Works—Wages			7,847	11 10		
							Coal			5,836	5 0		
SPECIAL MATTER.					Machinery			1,039	16 6				
Balance due by Union Bank, 31st December, 1878	14,383	1 11	11,885	4 11	Interest expenses			8,165	6 4				
Balance due by Union Bank, 31st December, 1879	2,497	17 0			Allowance to Auditors			50	0 0				
					Rates—Paddington			61	17 6				
					Discount and charges			675	0 0				
										67,470	12 2		
			£							£	69,095 12 2		

City Treasurer's Office,
Sydney, 24th January, 1880.

EDW. LORD,
City Treasurer.

ABSTRACT of the RECEIPTS and DISBURSEMENTS of the MUNICIPAL COUNCIL of the CITY OF SYDNEY on account of the SEWERAGE FUND, for the year ending 31st December, 1879.
 Incorporated by Acts of the Colonial Legislature, 17 Victoria No. 34, and 20 Victoria No. 36.

RECEIPTS.			DISBURSEMENTS.								
	REVENUE.		TOTAL AMOUNT.					CONTINGENCIES.		TOTAL AMOUNT.	
	£	s. d.	£	s. d.		£	s. d.	£	s. d.	£	s. d.
Miscellaneous receipts	5	5 6	672	12 9	MISCELLANEOUS.						
Premium and interest	667	7 3					General works, wages, &c.....			1,924	4 4
					Interest expenses			16,762	11 3		
					Discount and charges			2,153	14 11		
										20,840	10 6
SPECIAL MATTER.					SPECIAL MATTER.						
Proceeds of sale of Debentures.....			32,000	0 0	Balance due to Union Bank, 31st December, 1878			57,011	4 3		
					Balance due to Union Bank, 31st December, 1879			45,179	2 2		
										11,832	2 3
			£							£	32,672 12 9

City Treasurer's Office,
Sydney, 24th January, 1880.

EDW. LORD,
City Treasurer.

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ABSTRACT of the RECEIPTS and DISBURSEMENTS of the MUNICIPAL COUNCIL of the CITY OF SYDNEY, on account of the SYDNEY COMMON, for the year ending 31st December, 1879.

RECEIPTS.				DISBURSEMENTS.					
Rent, agistment, impoundings ...	£	s.	d.	£	s.	d.	£	s.	d.
Balance due to Union Bank, 31st December, 1879	27,355	18	4	194	3	5	2,889	18	1
Balance due to Union Bank, 31st December, 1878	24,660	3	8						
				2,695	14	8			
	£			£			£		
				2,889	18	1	2,889	18	1

City Treasurer's Office,
Sydney, 24th January, 1880.

EDW. LORD,
City Treasurer.

ABSTRACT of the RECEIPTS and DISBURSEMENTS of the MUNICIPAL COUNCIL of the CITY OF SYDNEY, on account of PRINCE ALFRED PARK, for the year ending 31st December, 1879.

RECEIPTS.				DISBURSEMENTS.						
Rent of Exhibition Building	£	s.	d.	Interest, expenses	£	s.	d.	£	s.	d.
City Fund, amount paid to Union Bank	1,122	1	0	Insurance	1,051	15	6			
	6,456	14	8		35	0	0	1,086	15	6
				Balance due to Union Bank, 31st December, 1878.....				6,492	0	2
	£				£			£		
					7,578	15	8	7,578	15	8

City Treasurer's Office,
Sydney, 24th January, 1880.

EDW. LORD,
City Treasurer.

LIABILITIES of the MUNICIPAL COUNCIL of the CITY OF SYDNEY, 31st December, 1879.

CITY FUND ACCOUNT.		£	s.	d.	£	s.	d.
Debentures outstanding		112,000	0	0			
Less due by the Union Bank		577	19	8			
					111,422	0	4
WATER FUND ACCOUNT.		£	s.	d.	£	s.	d.
Debentures outstanding		136,000	0	0			
Less due by the Union Bank		2,497	17	0			
					133,502	3	0
SEWERAGE FUND ACCOUNT.		£	s.	d.	£	s.	d.
Debentures outstanding		232,000	0	0			
Balance due to Union Bank		45,179	2	2			
					277,179	2	2
SYDNEY COMMON ACCOUNT.		£	s.	d.	£	s.	d.
Debentures outstanding		10,000	0	0			
Balance due to Union Bank		27,355	18	4			
					37,355	18	4
					559,459	3	10
SINKING FUND—Amount to credit at the Union Bank.....	£				19,292	0	11

City Treasurer's Office,
Sydney, 24th January, 1880.

EDW. LORD,
City Treasurer.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CITY OF SYDNEY IMPROVEMENT ACT AMENDMENT BILL.

(MESSAGE No. 55.)

Ordered by the Legislative Assembly to be printed, 23 June, 1880.

AUGUSTUS LOFTUS,
Governor.

Message No. 55.

In accordance with the provisions contained in the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with a Bill to amend the City of Sydney Improvement Act.

Government House,
Sydney, 23 June, 1880.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MUNICIPALITIES SPECIAL ENDOWMENT BILL.
(MESSAGE No. 60.)

Ordered by the Legislative Assembly to be printed, 1 July, 1880.

AUGUSTUS LOFTUS,
Governor.

Message No. 60.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision for the requisite expenditure in connection with a Bill to grant to the Municipalities of the Colony, other than the Municipal Council of Sydney, a special endowment extending over twelve calendar months.

Government House,
Sydney, 1 July, 1880.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES.

BOROUGH OF ASHFIELD—SUPPLEMENTARY BY-LAW.

Presented to Parliament, pursuant to Act 31 Vict. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 28th July, 1879.

BOROUGH OF ASHFIELD.

SUPPLEMENTARY BY-LAW.

THE following Supplementary By-law relating to Sewerage, made by the Council of the Borough of Ashfield, having been confirmed by His Excellency the Lieutenant-Governor, with the advice of the Executive Council, is published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

SUPPLEMENTARY By-law, made by the Council of the Borough of Ashfield, under the provisions of the Municipalities Act of 1867.

Disposal of Sewage.

The Council shall have power from time to time to enforce the adoption or alteration of any system, which to them may appear necessary, for the better regulation, disposal, or treatment of night-soil, sewerage, or other drainage, and may suspend the use or further extension of any system which may seem detrimental to public health.

Made and passed by the Council of the Borough of Ashfield, this nineteenth day of May, 1879.

(L.S.) **DANIEL HOLBOROW,**
Mayor.

W. R. MUIR, Council Clerk.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES.

(BOROUGH OF GULGONG—FREE LIBRARY BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Department of Justice and Public Instruction,
Sydney, 2nd August, 1879.

BOROUGH OF GULGONG.

THE following By-laws, made by the Council of the Borough of Gulgong, for the regulation of the Gulgong Free Library, having been confirmed by His Excellency the Lieutenant-Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities' Act of 1867.

F. B. SUTTON.

BY-LAWS FOR REGULATING THE GULGONG FREE PUBLIC LIBRARY.

- 1. The Library and Reading-room shall be open every Monday, Tuesday, and Friday from 7 to 10 p.m.; on Saturdays from 2 to 6 p.m., and from 7 to 10 p.m.; and on Wednesday mornings from 10 to 12 a.m.
- 2. Every person who shall enter the Library or Reading-room shall immediately on entering the same write his or her name and address in a book to be kept for such purpose at such Library or Reading-room, and to be called the "Visitors' Book," and if such person shall be unable to write, then such name and address may be written by any other person or shall be so written by the proper officer of the Council, at such Library or Reading-room, at the request of such person; and no person who shall refuse to comply with this regulation shall be permitted to remain in such Library or Reading-room; and it shall be the duty of the officer of such Library or Reading-room to enforce this by-law.
- 3. Any person who, being intoxicated, shall enter such Library or Reading-room, shall be at once removed from the premises. Any person who shall use therein any abusive, improper, or unbecoming language, or who shall, by unnecessarily loud talking, or by any noise, or otherwise, disturb or annoy the persons using or resorting to such Library or Reading-room, or who shall without lawful excuse, but without felonious intent, remove any property from such Library or Reading-room, shall forfeit and pay any sum not less than ten shillings, nor more than ten pounds; and any such person may be forthwith removed by any officer of the Council in charge of such Library and Reading-room.
- 4. Any society or class for mutual improvement or instruction, or for study, or experiments, may, with the consent of the Council, be formed in connection with, or may hold its meetings, or carry on its studies or experiments at the said Library or

- Reading-room, provided that the general free access to and use of the said Library or Reading-room by persons who are not members of such society or class be not thereby interfered with: Provided, however, that no rule made by the members of any such society or class for the management of the same shall conflict in any way with these Regulations made by the said Council hereinafter.
- 5. Any person who shall wilfully damage any "Visitor's Book," Catalogue, copy of Regulations, or other book or record kept at the Library or Reading-room for the general uses thereof, shall for every such offence forfeit and pay any sum not less than ten shillings, or more than ten pounds.
- 6. It shall be the duty of the Librarian to report at every meeting of the Library Committee any infraction of the rules, or any injury to the books.
- 7. A copy of these By-laws shall be suspended in the Library-room for the information of visitors.
- 8. Any ratepayer may propose books for addition to the Library on entering the titles, price, and other particulars in a book to be kept for that purpose.
- 9. The Library shall be closed annually from the 15th to 30th November inclusive.

Reading-room Regulations.

- 10. Newspapers shall not be detained more than a quarter of an hour, or periodicals more than half an hour, if required by another visitor, he having intimated his wish to the person reading the same.

These By-laws were confirmed at a special meeting of the Council of the Municipality of Gulgong, held 4th June, 1879.

(L.S.) WILLIAM SELFF,
W. M. HOPPER, Council Clerk. Mayor.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES.

(BOROUGH OF SHELLHARBOUR—BY-LAWS OF THE ALBION PARK FREE LIBRARY.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Department of Justice and Public Instruction,
Sydney, 21st January, 1880.

BOROUGH OF SHELLHARBOUR.

THE following By-laws made by the Council of the Borough of Shellharbour for the regulation of the Albion Park Free Library, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

F. B. SUTTOR.

BY-LAWS FOR REGULATING THE ALBION PARK FREE LIBRARY.

1. The Municipal Council of Shellharbour shall appoint a Librarian, who shall make out and keep a catalogue of all the books in the Library.
2. The Library shall be open to the public from the hour of 6 p.m. to 9 p.m. each day, excepting Saturday, on which day it shall be opened from the hour of 2 p.m. to 5 p.m., subject to the provisions of the 141st section of the Municipalities Act of 1867.
3. Persons making use of the Library shall enter their names in a book to be kept for that purpose.
4. Any person damaging a book shall pay to the Librarian on behalf of the Municipal Council of Shellharbour the cost of such damaged book.
5. The Library shall be kept in a room under the control of the Municipal Council of Shellharbour.
6. No person shall be admitted into the Library while in a state of intoxication.
7. Any person behaving in a disorderly manner while in the Library or on the premises, or damaging any property in such Library or on the premises, shall for every such offence be liable to a fine of not less than (5s.) five shillings, and shall make good and replace any such damaged property.

Made and passed by the Municipal Council of Shellharbour, this 22nd day of November, 1879.

RICHARD HALL, Council Clerk.

JOHN FRASER, Mayor.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES.

(BOROUGH OF WOOLLAHRA—AMENDED BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 12th January, 1880.

BOROUGH OF WOOLLAHRA.

AMENDED BY-LAWS.

THE following amended By-laws, made by the Council of the Borough of Woollahra, for regulating the proceedings of the Council and the duties of the officers and servants thereof; for collection and enforcement of rates; relating to roads and streets and encroachments thereon; for suppressing nuisances and houses of ill-fame; for restraining noisome and offensive trades; for providing for the health of the Municipality; for regulating sewerage and drainage; for preventing and extinguishing fires; for regulating public amusements; for regulating the supply of water; for regulating public jetties, &c., and for generally maintaining the good rule and government of the Municipality, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

BY-LAWS OF THE BOROUGH OF WOOLLAHRA.

PART I.

By-laws repealed.

1. The By-laws of the said Council of the Borough of Woollahra, dated the 8th day of December, 1868, and published in the Government Gazette of the 2nd April, 1869, No. 78, are hereby repealed.

Proceedings of the Council and Committees—Preservation of Order at Council Meetings—Duties of Officers and Servants, &c.

Meetings of the Council.

Ordinary Meetings.

2. The Council shall meet for the dispatch of business on the second Tuesday in each month, at the hour of quarter to eight p.m., unless such day shall be a public holiday, in which case the meeting shall be held on the day following.

Adjournment for want of quorum.

3. Whenever there shall be an adjournment of any meeting for want of a quorum, the names of the members present shall be taken down, and recorded in the minute-book.

Course of procedure.

4. The following shall be the course of procedure at such meetings, viz:—

1. The reading and confirmation of the minutes of the proceedings of the previous meetings.
2. Questions and complaints.
3. Statement of accounts, showing the moneys received and paid since last meeting, with the balance in the Bank to the credit of the Municipality.
4. The presentation of reports and petitions.

5. The reading of correspondence.
6. Adjourned motions and motions of which notice has been given.
7. Such other business as may lawfully be brought before the Council.

Business at Special Meetings.

5. At special meetings of the Council the business shall be taken in such an order as the Mayor, or in his absence, the Aldermen at whose instance such special meeting shall have been called, may direct.

Motion to be seconded.

6. No motion shall be discussed until it be seconded.

Motions to be in writing and not withdrawn without leave.

7. Every motion shall be in writing—shall be signed by the mover, and no motion when seconded shall be withdrawn without leave of the Council.

Amendments may be moved.

8. When a motion shall have been moved and seconded, any Alderman shall be at liberty to move an amendment thereon, but no such amendment shall be discussed until it be seconded.

Petitions.

9. The Council may at any meeting resolve, without previous notice, that any petition be received, and that the same, or any correspondence read, be referred to a Committee for report [or that the requests therein contained be granted].

Mayor to preserve order.

10. The Mayor shall preserve order, and may at any time call to order any Aldermen who may appear to him to be out of order.

Calls to order.

11. Any Alderman may at any time call the attention of the Mayor to any Alderman being out of order, or to any other point of order.

Mayor's decision on points of order final.

12. Every point of order shall be taken into consideration immediately upon its arising, and the decision of the Mayor thereon shall be conclusive.

Mayor may take part in proceedings.

13. The Mayor may take part in all the proceedings of the Council or Committees thereof.

Questions put by Mayor.

14. The Mayor shall put all questions, first in the affirmative and then in the negative, and may do so as often as may be necessary to enable him to determine the sense of the Council thereon, and thereupon he shall declare his decision, which shall be final, unless a division be called for.

Mayor to decide as to pre-audience of Aldermen.

15. If two or more Aldermen rise to speak at the same time, the Mayor shall decide which of them shall be entitled to pre-audience.

No Alderman to speak twice on the same question or amendment, except in Committee.

16. No Alderman shall speak twice on the same question, unless in Committee, or in explanation, where he shall have been misrepresented or misunderstood: Provided that any Alderman, although having previously spoken, may speak once on every amendment, and that the mover of every question shall always have a right of final reply.

No Alderman to make personal reflections.

17. No Alderman shall digress from the matter under discussion, or make personal reflections on, or impute motives to, any other Alderman.

No Alderman to speak for more than fifteen minutes.

18. No Alderman shall speak upon any motion or amendment for a longer period than fifteen minutes, without the consent of the Council.

Alderman using offensive expression to apologize.

19. When any member of the Council shall make use of any language or expression offensive, or capable of being implied offensively, to any Alderman, the member so offending shall be required to withdraw such language or expression, and to make an apology satisfactory to the Council or Committee thereof.

Debate may be adjourned.

20. A debate may be adjourned to a later hour of the same day or to another day.

Alderman adjourning debate entitled precedence on resumption.

21. The Alderman upon whose motion any debate shall be adjourned shall be entitled to precedence on the resumption of the debate.

Adjournments.

22. Any motion for adjournment, if seconded, shall be immediately put without discussion; but if such motion be negatived, it shall not be competent for any Alderman to make a similar motion until thirty minutes have elapsed thereafter.

Any Alderman may divide Council.

23. It shall be competent for any Alderman to divide the Council on any question, both in full Council and in Committee of the whole Council.

Divisions to be entered on minutes.

24. All divisions of the Council shall be entered on the minutes of the proceedings.

Questions to be read when required.

25. Any Alderman may require the question or matter under discussion to be read for his information, and upon such request the question or matter under discussion shall be read.

Suspension of By-laws.

26. Any By-law relating to or affecting proceedings at meetings of the Council may by resolution of the Council be suspended *pro tempore* in cases of emergency.

Standing and Special Committees.

Standing Committees.

27. There shall be a Committee of Works for each Ward, and a Finance Committee. These Committees shall be re-appointed every year at the first meeting of the Council which shall be holden after the election of the Mayor.

Constitution of Standing Committees.

28. The Committees of Works shall consist of the Aldermen for their respective Wards. The Finance Committee shall consist of three members.

Committees of Works.

29. The Committees of Works shall have the general direction of all works ordered or sanctioned by the Council, and the general inspection of all streets, roads, ways, bridges, public reserves, and other places under the care and management of the Council in their respective Wards. They may also report from time to time upon such improvements, repairs, or other matters as they may think necessary.

Finance Committee.

30. The Finance Committee shall examine and check all accounts, and shall watch generally over the collection and expenditure of the Municipal revenues. They shall inquire and report from time to time as to all matters which they may consider to affect the finances of the Borough.

Rules to be observed in Committee.

31. The rules of the Council shall be observed in Committee, except the rule limiting the number of times of speaking.

Reports of Committee to be signed.

32. Every report of a Committee shall be signed by the Chairman thereof.

Protection of Funds and Records.

Member or officer of Council not to be surety.

33. In cases where surety is required by the Municipalities Act, it shall not be competent for the Council to accept as surety any of their members, or any person holding office under the Council.

Custody of records, seal, &c.

34. The common seal and all charters, deeds, muniments, books, papers, and records of the Council shall be kept in the Council Chambers or office of the Council in the custody of the Council Clerk, unless the Council shall otherwise order for any purpose; and the common seal shall not be used, except with the signature of the Mayor.

Records, &c., not to be defaced or altered.—Nor removed.

35. Any person who shall deface, alter, or destroy, or attempt to deface, alter, or destroy any such common seal, charter, deed, muniment, book, paper, or record shall on conviction thereof forfeit and pay for the first offence a penalty not exceeding fifty pounds nor less than five pounds, and upon every subsequent conviction a penalty of not less than twenty pounds.

36. Any person who shall remove or attempt to remove (except for the purposes of evidence in any legal proceedings) any such seal, charter, deed, muniment, book, paper, or record from the Council Chamber, without leave from the Council or Mayor, shall on conviction thereof forfeit and pay a penalty of not more than twenty pounds nor less than two pounds, and for every subsequent offence a penalty of not less than five pounds.

Expense of proposed works to be first ascertained—Accounts to be examined by Finance Committee.

37. No work except as hereinafter provided shall be undertaken until the probable expense thereof shall have been ascertained by the Council; and all accounts to be paid by the Council shall be examined by the Finance Committee before any warrant shall be issued for the payment thereof.

Outlay in urgent cases.

38. In cases of emergency arising between meetings of the Council, it shall be lawful for necessary works to be ordered without vote of the Council, as under, viz.:—By the Mayor, to the extent of twenty pounds. By the Chairman of any Committee of Works, to the extent of ten pounds. By any Alderman, to the extent of five pounds.

Levying Rates, &c.

Due dates for rates—Defaulters.

39. The rates and taxes levied by the Council shall be held to be due and payable on such day or days as the Council shall, by resolution, from time to time appoint. Every person not paying his or her rates or taxes at the office of the Council, or to the Council Clerk or other proper officer of the Council, within thirty days after any of the days so appointed for payment thereof, shall be deemed a defaulter: Provided that due notice of such rate shall have been given in manner as required by the Municipalities Act of 1861.

Rates on damaged premises.

40. In the event of any premises being wholly or partially destroyed by fire or other accident, the Council shall have power to accept an equitable proportion of the assessed rates of such premises for the remainder of any municipal year.

Streets and public places, &c.

New roads to be reported upon.

41. No new public road, street, way, park, or other place proposed to be dedicated to the public, shall be taken under the charge and management of the Council until after such road, street, way, or park shall have been examined by a Committee for Works and reported upon to the Council by such Committee.

Plans of proposed new road, &c., to be deposited.

42. Whenever any proprietor or proprietors of land within the said Borough shall open any road, street, or way, or lay out any park or other place for public use or recreation through or upon such land, and shall be desirous that the Council shall undertake the care and management of such road, street, way, park, or other place, he or they shall furnish the Council with a plan or plans, signed by himself or themselves, showing clearly the position and extent of such road, street, way, park, or other place as aforesaid. And he or they shall execute any instrument dedicating such road, street, way, park, or other place, as the Council may consider necessary.

Roads and streets, and encroachments thereon, &c.

43. The Surveyor of the Borough, or other officer or person duly authorized by the Council in that behalf, shall be the proper officer for making out, and shall fix, mark, and lay out, when and where necessary in the opinion of the Council or Committees of Works, the levels of all public roads, streets, lanes, and thoroughfares, and the carriage and foot ways thereof, which now are or shall hereafter be under or subject to the control, construction, care, or management of the Council. And it shall be the duty of such surveyor or officer to place posts at the corners or intersections of such streets, roads, lanes, and thoroughfares whenever the same may be deemed necessary or desirable by the Council, so as to give a width of 42 feet for the carriage and 12 feet for the foot way on each side, where the road, street, lane, or thoroughfare shall be sixty-six feet wide, and in proportion, and in the discretion of the Council, of any such road, street, lane, or thoroughfare, or other public place of other width than 66 feet: Provided that there shall be no change of level in any such public road, street, lane, thoroughfare, or public place until the same shall have been submitted to and adopted by the Council as hereinafter provided.

Change of street levels.

44. Whenever it may be deemed necessary to alter the level of any such public road, street, or way as aforesaid, the Committee of Works shall cause a plan and section, showing the proposed alterations, to be exhibited at the Council Chamber for fourteen days, for the information and inspection of rate-payers, and shall notify, by advertisement in some newspaper circulating in the Borough, that such plan is so open to inspection. At a subsequent meeting of the Council the said plan and section shall, if adopted, be signed by the Mayor or Chairman, and countersigned by the Council Clerk.

Footways may be levelled, &c.

45. The Surveyor may cause all footways to be levelled, and made as nearly as practicable of equal height and breadth and with an equal slope and inclination; and for this purpose may remove any flagging, steps, or other matter, thing, or obstruction that may injure or obstruct the said footway, or render it unequal or inconvenient, and which now is or may hereafter be erected or placed on the space marked out for any of the said footways.

Temporary stoppage of traffic for repairs, &c.

46. The Committees for Works, or any officer or person acting under the authority of such Committees, may at any time cause the traffic of any street, lane, or thoroughfare, or any portion thereof, to be stopped for the purpose of repairing the same or for any necessary purpose; and any person or persons offending against this By-law, either by travelling on such street, lane, or thoroughfare, or by removing or destroying any obstruction that may be placed thereon for the purpose of suspending the traffic, shall forfeit and pay a penalty of any sum not exceeding five pounds for every such offence.

No encroachment allowed on streets, &c.

47. Whenever any road, street, lane, or thoroughfare has been marked out in manner herein provided, no house, shop, fence, or other structure shall be allowed, except as hereinafter mentioned, to project or encroach on any part thereof; and it shall not be lawful for any person, unless for any temporary or other purpose permitted by the Council, to erect or put up any building, erection, obstruction, fence, or enclosure, or make any excavation or hole on, under, or near such road, street, lane, or thoroughfare, unless due notice of the same shall have been given to the Council of the Borough at least one week before any such building, erection, obstruction, fence, or enclosure, excavation or hole, as aforesaid, shall be commenced to be erected or put up or made, and the assent of the Council first obtained. Any person or persons offend-

ing against this By-law shall forfeit and pay for every such offence a sum not exceeding five pounds nor less than forty shillings; and on every successive conviction for a similar offence, shall forfeit and pay a penalty of not less than five pounds.

Obstructing public pathways.

48. If the owner or occupier of any premises situate on the side of any street or road in this Borough shall permit any tree, shrub, or plant, kept for ornament or otherwise, to overhang any footway, street or road, and on demand made by the Council or their overseer or inspector shall not cut or cause to be cut, lop or cause to be lopped, all such trees, shrubs, or plants, the said Council and their servants and workmen may cut or cause to be cut or lopped, all such overhanging trees, plants and shrubs, and to remove or burn any portion of such trees, plants, or shrubs so cut or lopped without being deemed a trespasser or trespassers; and the Council may recover the cost of such work from the owner of the premises; and in case any person or persons shall resist or in any manner forcibly oppose the said Council or their servants or workmen in carrying out this By-law, every person so offending shall on conviction for every such offence forfeit and pay any sum not exceeding ten pounds.

No balcony, &c., to project more than 18 inches.

49. It shall not be lawful for any awning, verandah, portico, balcony, coping, parapet, overhanging eaves, cornice, windows, string-cornice, stringcourse dressing, or other erection or construction of any kind, to project more than eighteen inches beyond the alignment of any street, road, or thoroughfare, except with the consent of the Council first obtained, under a penalty not exceeding five pounds nor less than one pound.

Encroachments must be removed on notice.

50. The Surveyor or other officer of the Council may at any time, on the order of the Council, give seven days notice in writing directing the removal of any building, fence, sign-board, obstruction, encroachment, or erection of any kind, in and upon any reserve, road, street, lane, footway, thoroughfare, or place under the charge of the Council, and such notice shall be served either personally or at the usual or last known place of abode of the person to whom such erection, obstruction or encroachment belongs, or who has erected the same, or caused it to be erected; and shall state that in the event of such notice not being complied with in ten days, the work will be done at the risk and expense of the person served with such notice. And in any case where, after service of notice as aforesaid, the person served shall not comply therewith, it shall be lawful for the Council to direct the removal of the same under the superintendence of its officer, and the cost thereof to be recovered from the person so served as aforesaid; and the person neglecting to comply with such notice shall, in addition to the cost of removal, be liable to a penalty not exceeding twenty-five pounds nor less than one pound; and in case of every successive offence, the penalty on conviction shall not be less than five pounds.

Or may proceed by action.

51. Notwithstanding the above By-law the Council shall be at liberty to proceed by action for trespass in respect of any such excavation, obstruction, or encroachment.

To apply also to obstructions by digging, &c.

52. The provisions, remedies, and penalties contained in the last two By-laws shall apply in all cases of obstruction, injuries, or encroachments by excavating under, digging, or taking away any portion of any reserves, road, fence, street, lane, footway, thoroughfare, or place within the Borough or under the charge of the Council.

Persons obstructing Overseer, &c.

53. Any person who shall wilfully obstruct or interfere with the Surveyor or other officer of the Council, or any person acting for or under him or them, in the exercise of any of the duties or powers by these By-laws imposed, shall on conviction forfeit and pay a penalty of not less than two pounds nor more than twenty pounds.

Offences, nuisances—General good order of the Borough.

Damaging public buildings, jetties, &c.

54. Any person who shall damage any public building, wall, parapet, bridge, road, street, kerbing, sewer, watercourse, gutter, stone steps, footway, fence, posts, rails, wharf, jetty, truck, rails, implement, or other property of the Municipality, shall pay the cost of repairing the same; and if the same be wilfully done shall also forfeit and pay a penalty not exceeding fifty pounds.

Injuring public fountains, washing thereat, &c.

55. Any person who shall wilfully injure any public fountain, well, pump, cock, tap, jet, or water pipe, or any part thereof, shall pay the cost of repairing the same; and if the injury be wilfully done, or pollute the water thereof, shall forfeit a sum not exceeding twenty pounds nor less than one pound; and any person who shall have in his possession any

private key for the purpose of opening any cock, tap, or pump, or who shall in any manner clandestinely or unlawfully appropriate to his own use any water from any public fountain, well, or pipe, shall forfeit a sum not exceeding twenty pounds nor less than one pound; and any person who shall use, open, or leave open any cock, tap, or pump of any public fountain or well, so that the water shall or may run to waste, shall forfeit a sum not exceeding two pounds nor less than five shillings; and any person who shall wash any clothes, omnibus, carriage, cart or other vehicle, or any horse, animal, or thing, at any public fountain, well, or pump, shall forfeit and pay a sum not exceeding five pounds nor less than five shillings.

Injuring or extinguishing lamps.

56. Any person who shall wantonly or maliciously break or injure any lamp or lamp-post, or extinguish any public lamp set up in the said Borough, shall, over and above the necessary expense of repairing any injury committed, forfeit and pay for every such offence a penalty of not less than one pound, nor more than five pounds.

Damaging trees.

57. Any person who shall wilfully, and without the authority of the Council, cut, break, bark, root up, ring, or otherwise destroy or damage the whole or any part of any tree, sapling, plant, scrub, or underwood growing in or upon any street, reserve, or place under the management of the Council, shall forfeit any sum not exceeding ten pounds nor less than ten shillings.

Throwing dead animals, &c., into any watercourse, &c.

58. Any person who shall throw or cast any filth, rubbish, or any dead animal, or any living animal with intent to drown the same, into any watercourse, waterhole, river, creek, or canal, or who shall permit or suffer slops, suds, or filth of any kind to flow from his or her premises into any such watercourse, waterhole, river, creek, or canal, or shall permit or cause by means of pipes, shoots, channels or other contrivances, filth, refuse, or offensive matter of any kind whatsoever to flow into any watercourse, waterhole, river, creek, or canal, or shall obstruct or divert from its channel any sewer or watercourse, river, creek, or canal, shall forfeit any sum not exceeding five pounds nor less than one pound, and shall, in addition to any such penalty, pay the cost of removing such filth or obstruction, or of restoring such watercourse or canal into its proper channel: Provided that such cost and penalty shall not together exceed the sum of fifty pounds.

Throwing filth on roadway, &c.

59. If any person shall, in any street, road, lane, reserve, or public place, throw, cast, or lay, or shall cause, permit, or suffer to be thrown, cast, or laid any ashes, rubbish, offal, dung, soil, dead animal, blood, or other filth, or shall kill, slaughter, dress, scald, or cut up any beast, swine, calf, sheep, lamb, or other animal, in or so near to any such street, road, lane, reserve, or public place as that any blood or filth shall run or flow upon or over, or be on any road, reserve, lane, footway, or public place, he shall forfeit and pay a penalty not exceeding five pounds, nor less than one pound.

Allowing filth to flow from premises.

60. Any person or persons allowing any filth or offensive matter to flow or come from his, her, or their premises, shall be liable to a penalty of not less than forty shillings nor more than twenty pounds.

Driving or riding on footway.

61. Any person who shall run, roll, drive, draw, place or cause, permit or suffer to be run, rolled, driven, drawn, or placed upon any footway any wagon, omnibus, cart, dray, stage, bicycle, carriage, wheelbarrow, truck, cask, or vehicle, or shall lead, drive, ride, or place any horse, cattle, or other beast upon any footway, shall forfeit and pay a penalty not exceeding five pounds nor less than one pound.

Placing goods, &c., on roadway, &c.

62. If any person shall set or place, or cause or permit to be set or placed, any stall, show-board, sign-board, basket, or goods of any kind whatsoever, or shall hoop, place, wash, or cleanse, or shall cause to be hooped, placed, washed, or cleansed any cask or vessel in or upon or over any road, footway, or public place within the said Borough: Or shall set out, lay, or place, or shall cause or procure, permit or suffer to be set out, laid, or placed, any coach, cart, dray, barrow, truck, or other carriage, upon any footway: Or shall allow any vehicle, goods or property, to remain in or obstruct any road, street, lane or way: Or if any person shall set or place, or cause to be set or placed, in, upon, or over, any of the said carriage or foot ways, any timber, stones, bricks, lime, or other materials or things for building whatsoever (unless the same shall be enclosed as hereinafter directed), or any other goods or things whatsoever: Or shall hang out or

expose, or shall cause or permit to be hung out or exposed, any meat or offal or other commodity or thing whatsoever, from any house or premises, over any part of such footways or carriageways, or over any area of any house or premises, over or next to any such street, road or public place; in every such case every person so offending shall forfeit and pay a sum not exceeding forty shillings nor less than ten shillings: And it shall be lawful for any constable, without any warrant or other authority than this By-law, to seize any such stall, show-board, basket, goods, coach, cart, dray, barrow, truck, or other carriage, together with the horses or other animals, if any shall be thereunto belonging, with the harness, gear, and accoutrements thereof, or any such timber or other materials or other matters or things aforesaid, or any of them: And in case any of the goods, wares, or merchandize so seized shall be perishable, or shall be articles of food, then the same shall be immediately forfeited and the person or persons who shall seize the same shall deliver the same or cause the same to be delivered to the Superintendent for the time being of the Benevolent Asylum, and the same shall and may be distributed for the benefit of the inmates of the said Asylum; but otherwise, such constable shall cause the stall, basket, cask, goods, coach, cart, dray, barrow, truck, or other carriage, horses or other animals, materials or other things so seized, and not being of perishable nature, to be removed to any place appointed for the reception thereof (if there be any such), or otherwise to such place or places as he or they shall judge convenient, giving verbal notice of such place unto the owner, driver, or person having interest in the things so seized or removed, if he shall be then there present, and the same shall be there kept and detained until such owner, driver, or other person interested therein aforesaid, shall cause to be paid the penalty in which he shall be convicted together with the charges for taking and removing the same, and of keeping such horses or other animals (if any); and in case the animals or other things so removed shall not be claimed and the said penalty and charges be paid within five days next after such removal, it shall be lawful for any Justice to order the same to be sold and the overplus of the money arising from such sale (if any) shall be paid to the owner thereof.

Drawing or trailing timber, &c.

63. If any person shall haul or draw, or cause to be hauled or drawn, upon any part of the streets, roads, or public places, any timber, stone, or other thing otherwise than upon wheeled conveyances, or shall suffer any timber, stone, or other thing which shall be carried principally or in part upon wheeled carriages, to drag or trail upon any part of such street or public place to the injury thereof, or to project or hang over any part of such conveyance so as to occupy or obstruct the street or road beyond the breadth of the said conveyance, every such person so offending shall forfeit and pay for every such offence a penalty of not less than ten shillings, nor more than five pounds, and shall also pay any damage occasioned thereby.

No turf, gravel, &c., to be removed from streets without leave, &c.

64. Any person who from any part of the roads, streets, thoroughfares, reserves, footways, or public places shall remove or cause to be removed any turf, clay, sand, soil, gravel, stone, or other material, without leave first had and obtained from the Council, or who shall wantonly break up or otherwise damage any part of the said roads, streets, thoroughfares, reserves, footways, or public places, shall, on conviction, forfeit and pay for every such offence any sum not exceeding ten pounds, nor less than five shillings, and for every subsequent offence shall forfeit and pay a sum of not less than one pound.

As to riding or driving improperly through streets, &c.

65. Any person who shall ride or drive through any road, street, or public place so negligently, carelessly, or furiously, that the safety of any other person shall be actually endangered, shall on conviction forfeit and pay a sum not exceeding ten pounds, nor less than five shillings.

Loitering in streets, &c.

66. Any person or persons remaining or loitering in or obstructing any road, street, footway, or other public place within the Borough shall be liable to a penalty of not less than ten shillings nor more than ten pounds; and for any subsequent conviction shall be liable to a penalty of not less than five pounds, nor more than twenty pounds.

Gambling in streets, &c.

67. Any person playing or betting at any unlawful game, or playing or betting at or with any cards, money table, implement or instrument of gaming, in any street, road, footway, reserve, or other open or public place, shall be liable to a penalty of not less than forty shillings nor more than ten pounds; and for every subsequent conviction shall be liable to a penalty of not less than five pounds, nor more than twenty pounds.

Affixing placards on walls, and chalking thereon.

68. It shall not be lawful for any person to paste or otherwise affix any placard or other paper or notice upon any wall, fence, post, stone, pillar, railing, house, or building; nor to deface or mark any such wall, fence, post, pillar, railing, house, or building by chalk or paint, or in any other manner, unless with the consent of the owner thereof; and any person who shall be guilty of any such offence shall forfeit and pay a sum not less than ten shillings, nor more than ten pounds.

Cattle, &c., not to wander about streets, &c.

69. It shall not be lawful for any person to suffer any kind of cattle, horse, ass, mule, sheep, swine, or goat belonging to him or under his charge, to stray or to be depastured in any road, street, lane, reserve, or public place in this Borough; and any person who shall so offend shall forfeit and pay in respect of every such offence, a sum not exceeding forty shillings, nor less than five shillings.

Swine, &c., not to be kept within fifty yards of a dwelling-house &c.

70. It shall not be lawful for any person to breed, feed, or keep any kind of swine in any house, building, outhouse, yard, garden, or other tenement or hereditament situate and being in or within fifty yards of any street, way, or public place or dwelling-house now erected or hereafter to be erected within the limits of this Borough; and every person who shall so offend shall on conviction forfeit and pay for every such offence a sum not exceeding five pounds, nor less than ten shillings.

Allowing filth to remain on premises.

71. Any person or persons allowing any filth or offensive matter to be or remain on his or their premises, shall be liable to a penalty of not less than forty shillings, nor more than twenty pounds.

Stables and nuisances not removed on complaint, &c.

72. In case any privy, stable, cow-yard, pig-stye, or any other enclosure, place, or thing within the said Borough shall be or become a nuisance, or shall be so close to a dwelling-house as to become a nuisance or injurious to the health of the inhabitants, it shall be lawful for the Council by notice in writing, to order that such privy, stable, cow-yard, pig-stye, or other place or thing, being a nuisance or injurious to health, be remedied or removed within fourteen days after such notice shall have been given to the owner or occupier of the premises wherein such nuisance shall exist, or shall have been left for such owner or occupier at his or her last or usual place of abode, or on the said premises; and every such owner or occupier neglecting to remedy or remove such nuisance, shall for every such offence forfeit and pay a penalty not exceeding twenty pounds.

Weeds.

73. Any person permitting Bathurst burs, Scotch thistles, or other noisome or obnoxious plants and weeds to grow in his or her enclosed or unenclosed lands in the said Borough, so that the said plants or weeds shall spread or be likely to spread to the injury or detriment of any resident in the said Borough who shall not remove and burn the same within seven days after receiving notice to that effect from the Council or its officer shall forfeit and pay a sum of not more than five pounds, nor less than ten shillings.

Removal of Night-soil.

74. It shall not be lawful for any person or persons to deposit night-soil, ammoniacal liquor, or other offensive matter nearer to any street, road, or dwelling-house, than shall be directed by the said Council or its officer; and all night-soil and other offensive matter shall be removed within the hours hereinafter prescribed, in properly covered and water-tight carts or other vehicles; and no vehicles used for this purpose shall be allowed to stand on any premises nearer to any road, street, or dwelling-house than shall be directed by the said Council or its officer; and every person offending against this By-law or neglecting to comply with any directions given them shall for every such offence forfeit and pay a sum not exceeding ten pounds nor less than ten shillings.

Hours for removing night-soil, ammoniacal liquor, or other offensive matter.

75. If any person shall take away night-soil, ammoniacal liquor, or other offensive matter from any house, place or premises within the said Borough, or shall come with carts or carriages for that purpose except within the hours of 11 at night and 5 in the morning, or if any person or persons shall cast, or permit to leak or slop out of any cart, bucket, tub, or otherwise, any night-soil, ammoniacal liquor, or offensive matter in or near any of the streets or public places, he shall forfeit and pay a penalty of not less than forty shillings nor more than ten pounds for every such offence; and in case the person or persons so offending cannot be found, then the owner or owners of such cart, carriage, or other vehicle employed in and about emptying and removing such night-soil, and also the employer or employers of the person or persons so offending shall be liable to and forfeit and pay such penalty as aforesaid.

Cleansing butchers' shambles, slaughter-houses, &c.

76. It shall be lawful for the Inspector of Nuisances or for any other officer appointed by the Council, when and as often as he or either of them shall see occasion, to visit and inspect any butchers' shambles, shops boiling-down establishments, tanneries, fellmongering establishments, breweries, or places of a like nature in the said Borough, and to give such directions concerning the cleansing of the said shambles, shops, tanneries, breweries, and establishments, both within and without, as to him shall seem needful; and any butcher, or the occupier of any such premises as aforesaid, who shall refuse or neglect to comply with such directions within a reasonable time (not exceeding 14 days) after being so directed shall forfeit and pay a sum not exceeding ten pounds nor less than twenty shillings.

Slaughtering.

77. Any person slaughtering or causing to be slaughtered any cattle, sheep, swine, or other beast, in any house, enclosure, or place, the same being not less than three miles from the city of Sydney, without the written sanction of the Council, shall be liable to a penalty of not less than two pounds nor more than ten pounds for every animal so slaughtered.

Inspection of premises, &c.

78. The Inspector of Nuisances or other officer appointed by the Council, shall make an inspection of any premises, yards, closets, or drains in the Borough, and shall have full power, without any other authority than this By-law, to go upon such premises for the purpose of such inspection, and any person obstructing any Inspector or officer in the execution of his duty shall be liable to a penalty not exceeding ten pounds.

Discharging firearms, &c.

79. Any person who shall discharge any firearms within the Borough without lawful cause, shall forfeit and pay a sum not exceeding five pounds nor less than ten shillings.

No rock to be blasted without notice to the Surveyor.

80. Any person who shall be desirous of blasting any rock within the distance of 150 feet of any dwelling house, street, road, or other public place, shall give notice in writing twenty-four hours previously to the said Council or Surveyor thereof, and they shall be at liberty either to prohibit such blasting, or may appoint in writing a time when the same may take place, and give such other directions as they or he may deem necessary for the safety of life and property, and if any person shall blast or cause to be blasted any rock within the limits aforesaid without giving such notice, or shall not conform to the directions given to him by the said Council or Surveyor, he shall forfeit and pay for every such offence a sum not exceeding twenty pounds nor less than one pound, and for every subsequent offence shall pay a penalty of not less than five pounds.

Entrance to cellars, &c., to be covered, &c.

81. If the owner or occupier of any premises, having any rails, bars, or covers over the areas or openings to any kitchen or cellars or other part of the said premises beneath the surface of the footway of any streets or public places, or having any doorway or entrance into the basement or cellar story thereof, shall not either keep the same, or the rails or cover of such kitchens, cellars, or other parts, in sufficient and good repair, or constantly keep the same securely guarded by rails or otherwise, or cover the same over with a strong flap or trap-door according to the nature of the case, and so as to prevent danger to persons passing and re-passing; or, if any such owner or occupier shall leave open, or not sufficiently or substantially kept covered and secured, any coal or other hole, funnel, trap-door, or cellar-flap, belonging to or connected with his premises; or, if such owner or occupier shall not repair, and from time to time keep in good and substantial repair, all and every of such rails, guard-rails, flaps, trap-doors, and other covering, then and in every such case he shall for every such offence forfeit and pay a sum not exceeding five pounds nor less than one pound.

Wells to be covered over, &c.

82. Every person who shall have a well, sunken tank, or pit, situated between his dwelling-house or the appurtenances thereof, and any public place, road, street, or footway, within the limits of the said Borough, or at the side of such public place, road, street, or footway, shall cause such well to be securely and permanently covered over; and if any person having such well, tank, or pit, as aforesaid, shall fail to cover and secure the same within twenty-four hours after notice in writing shall have been given to him or her by any officer of the said Council, or shall have been left at such person's usual or last known abode or at the said premises, in the manner and with such materials as the Council or its officer shall direct and to their satisfaction, such person shall forfeit and pay a sum not exceeding ten shillings for every day that such well, tank, or pit, shall remain open or uncovered contrary to the provisions hereof.

Holes made for vaults, &c., to be enclosed, &c

83. If any person shall dig or make, or cause to be dug or made, any hole, or leave or cause to be left any hole in or adjoining any street, road, lane, or public place, for the purpose of making any vault, cellar, or basement, or the foundation or foundations to any house or other building, or for any other purpose whatsoever, and shall not forthwith enclose the same in a good and sufficient manner, and keep up or cause to be kept up and continued any such enclosure, and shall not, when thereunto required by the said Council or officer thereof, well and sufficiently fence or enclose any such hole, within the time and in the manner provided by the preceding By-law, and shall not place a light upon the said enclosure, and keep the same constantly burning, from sunset to sunrise, during the continuance of such enclosure, then and in every such case the person so offending shall forfeit and pay for every such offence and for every such refusal or neglect, any sum not exceeding five pounds nor less than ten shillings; and on conviction for every subsequent offence a sum not less than one pound.

Excavation, &c., to be protected by fence or wall.

84. It shall not be lawful for any person to make any quarry, excavation, or opening in the ground, on any premises adjoining or near to any public road or footpath within the limits of this Borough, until the owner or occupier of the said property shall have erected a good substantial fence or wall at the least four feet high around such parts of the said property as adjoin such public road or footpath; and any person neglecting to enclose any premises upon which any such quarry or excavation shall be made, shall forfeit and pay for every such offence a sum not exceeding five pounds nor less than ten shillings; and all existing quarries, excavations, or precipices situated within the limits of this Borough shall be enclosed and protected in the manner aforesaid, within one month after due notice to that effect shall have been given by the said Council, and in the event of the failure or neglect of the owner or occupier of any such last-mentioned premises to enclose the same, after notice as aforesaid, such person so offending shall be subject to the penalty before-mentioned.

Bathing prohibited within certain limits.

85. It shall not be lawful for any person to bathe in any waters exposed to view from any inhabited house, public wharf, jetty, bridge, road, street, reserve, or other place of public resort, in or near to the said Borough, between the hours of six in the morning and eight in the evening; and any person who shall offend against this By-law shall forfeit and pay a sum not exceeding five pounds.

Indecent exposure of person.

86. Any person who shall offend against decency by the exposure of his or her person or by indecent behaviour or by committing a nuisance, in any street or public place or unenclosed land within the said Borough or in view thereof or in any public conveyance, shall forfeit and pay a sum not exceeding ten pounds nor less than ten shillings.

Houses of ill-fame.

87. Upon representation to the Council that any house or premises within the Borough is of ill-fame, it shall be lawful for the Council to cause the residents of such house or premises to furnish to the Council a list of names, ages, sexes, and occupations of all the inmates of the said house or premises; and upon non-compliance with such request, or if, upon consideration, the Council consider the house to be one of ill-fame, they shall declare the same to be a nuisance, and shall cause a notice in writing to be served upon the holder of such house or premises, or any person resident or being therein, to discontinue or abate the said nuisance within forty-eight hours after the receipt of such notice; and if such nuisance be not so abated, the holder of such house or premises, or person residing or being therein, shall be liable to be proceeded against for such nuisance, and shall on conviction thereof, forfeit and pay any sum not less than two pounds nor more than twenty pounds; and if such nuisance shall not be abated within forty-eight hours after such conviction, the holder of the house, or person residing or being therein as aforesaid, shall forfeit and pay for such second offence a sum of not less than five pounds nor more than fifty pounds; and if a further period of forty-eight hours shall elapse after such second conviction, without the abatement of such nuisance, the holder of such house or other person residing or being therein as aforesaid, shall for such third offence forfeit and pay any sum not less than ten pounds nor more than fifty pounds.

Various obstructions and annoyances.

88. Every person who, in any street or other public place or passage within the said Borough, to the obstruction, annoyance, or danger of the residents or passengers, shall commit any of the following offences, shall on conviction for any and every such offence, forfeit and pay a penalty of not more than five pounds nor less than five shillings:—

Every person who shall hoist, or cause to be hoisted, or lower, or cause to be lowered, goods of any description from any house fronting any street or public place, and close to the footway thereof, without sufficient and proper ropes and tackling.

Every person who shall carry or convey, or cause to be carried or conveyed in any street or public place the carcase, or any part of the carcase, of any newly slaughtered animal, without a sufficient and proper cloth covering the same, for the concealment from public view, or shall hawk or carry about butchers' meat for sale without covering the same as aforesaid.

Every person who shall place any wire, line, cord, or pole across any street, lane or passage, or hang or place clothes thereon to the danger, obstruction or annoyance of any person.

Every person who shall place any flower-pot, vase, or utensil in any upper window, near to any street or public place, without sufficiently guarding the same from being thrown down.

Every person who shall throw or cast from the roof, or any part of any house or other building, any slate, brick, wood, rubbish, or other material, or thing (unless within a board or enclosure when any house or building is erected, pulled down, or repaired).

Every blacksmith, metal-founder, lime-burner, brick-maker, potter, or other person using a forge, furnace, fire, or kiln, and having a door, window, or aperture fronting or opening into or towards any street, lane, or passage, and not enclosing such door, or not fastening the shutters or other fastenings of such window, and closing such aperture, or placing a screen before the same every evening, within one hour after sunset, so as effectually to prevent the light from showing through the doorway, window, or aperture next or upon such street, lane or passage.

Every person who shall, within the distance of one hundred yards from any dwelling-house, burn any rags, bones, cork, or other offensive substance (garden refuse excepted) to the annoyance of any inhabitant.

Every person who shall carry goods or any frame to the annoyance of any person upon any public footway.

Every person who shall be the keeper of or have any dog or other animal which shall attack or endanger the life or limb of any person in any street, or other public place within the said Borough.

Noisome or offensive trades.

No noisome or offensive trades to be carried on to injury of any inhabitants.

89. No person shall carry on any noisome or offensive trade or calling within the said Borough so as to injure or be a nuisance as hereinafter stated to any of the inhabitants thereof; and the business of a soap-boiler, tallow-melter, boiler-down, glue-maker, blacksmith, tanner, currier, or cowkeeper, or any other business, manufacture, trade, calling, or operation, in the conducting, following, or carrying on of which, or in connection wherewith, or from the premises where the same is conducted, followed, or carried on, any gas, vapour, effluvia, liquid, or any large quantities of smoke shall be evolved or discharged, which gas, vapour, effluvia, liquid, or smoke, shall be calculated to injure animal or vegetable life, or in any other way to injure or be a nuisance to any of the inhabitants of the said Borough, shall be considered a "noisome and offensive trade or calling" within the meaning of these By-laws. And if the Council or Mayor shall, after such inquiry as may be necessary, be of opinion that any manufacture, trade, calling, so being conducted, followed, or carried on as aforesaid, is a "noisome or offensive trade or calling" within the meaning of these By-laws, it shall be lawful for the said Council or Mayor to give to the person or persons conducting, following, or carrying on such trade or calling, notice to cease and discontinue the same in such reasonable time, not being less than twenty days nor more than sixty days, as the said Council or Mayor may direct, or so to conduct, follow, or carry on his, her, or their manufacture, trade, calling, or operation, as that in such reasonable time as aforesaid the same shall wholly and permanently cease to be noisome and offensive within the meaning of these By-laws to any resident within the said Borough; and if such manufacture, trade, calling, or operation, shall not be discontinued or shall not be so conducted as that it shall wholly cease to be noisome and offensive, by the end of the time named in such notice as aforesaid, any person thereafter conducting, following, or carrying on such manufacture, trade, calling, or operation as aforesaid, shall for the first offence forfeit and pay a sum of not less than forty shillings, nor more than five pounds; for a second offence, a sum of not less than five pounds nor more than twenty-five pounds; and for a third and every subsequent offence, a sum of not less than ten pounds nor more than fifty pounds,

Mode of proceeding when "noisome or offensive trade" is about to be commenced—Penalty.

90. The like proceedings, as in the last By-law, may be taken whenever any manufacture, trade, calling, or operation is about to be commenced or entered upon which is likely to prove "noisome and offensive" within the meaning of these By-laws, and notice may be given to the person or persons about to commence or enter upon such manufacture, trade, calling, or operation, and shall require him, her, or them, not to commence or enter upon the same; and any person who shall, after such notice, commence, enter upon, or continue any such manufacture, trade, calling, or operation, so that the same shall be in any way "noisome or offensive" within the meaning of these By-laws, shall for every such offence forfeit and pay a sum of not less than ten pounds nor more than fifty pounds.

Service of notice—Liabilities.

91. Service of any such notice as aforesaid upon the occupier or owner of any premises or land wherein or whereon such manufacture, trade, calling, or operation is being conducted, followed, or carried on, or is about to be commenced or entered upon, or at the last known place of abode of such occupier or owner, or upon any person on the said premises or land, shall be a good and sufficient service of such notice for all the purposes of these By-laws. And every person who shall be actually engaged in superintending, directing, or managing, or who shall be in any other way actually engaged or employed in any such manufacture, trade, calling, or operation as aforesaid, or on any premises where the same is about to be established, shall be liable to be regarded and treated as a person conducting, following, or carrying on such manufacture, trade, calling, or operation, within the meaning and for all the purposes of these By-laws.

Closets, Stables, &c.

Privies or closets to be provided for every building.

92. Every building already built or hereafter to be built shall be provided with sufficient privy or closet accommodation for the sole use of the occupants of such building, and no closet or privy shall be built except in such place as shall be approved in each case by the Inspector of Nuisances.

Insufficient privy accommodation.

93. If the Inspector of Nuisances shall be of opinion that there is not sufficient privy or closet accommodation to meet the requirements of the occupants of any building or premises or of the persons employed therein, he shall cause a notice to such effect to be served upon the owner or occupier of such building or premises, together with full particulars of the extra accommodation in his opinion necessary; and if any such owner or occupier shall not within thirty days from the service of such notice cause the accommodation therein specified to be provided he or she shall, for every day after the said time during which such building or premises shall remain occupied or such person be employed therein, be liable to a penalty of a sum not exceeding twenty pounds and not less than two pounds; and in all cases the onus of proving that such building or premises are not occupied or that such persons are not employed therein shall be upon the said owner or occupier.

Closets, stables, &c., not built in conformity with this Act or being a nuisance to be altered or removed.

94. If any stable cow-shed or other out house or any closet privy and cesspit is or shall be in the opinion of the Council or Mayor and the Inspector of Nuisances a nuisance from its too close proximity to any adjoining premises or from any other cause or is not kept in repair and clean, the Council or Mayor may by notice in writing given to the owner or occupier order the same to be taken down, altered, repaired, or cleaned as the case may require; and if any such order be not obeyed within seven days from the service of such notice the Council or Mayor may without any further notice cause the same to be pulled down, destroyed, altered, repaired or cleaned and shall be entitled to recover all expenses that may be incurred from the owner in a summary way at the suit of the Council.

Stables to be erected only on site chosen by officer.

95. No stable cow-shed or other out-house shall be erected except upon a site approved of by the Inspector of Nuisances and every stable cow-shed or other out-house already built or hereafter to be built shall be drained, paved, ventilated, and provided with a properly constructed pit for the receipt of manure and drainage therefrom to the satisfaction of the Council and Inspector of Nuisances.

Power of entry for inspection, &c.

96. The Mayor, Surveyor, Health Officer, Inspector of Nuisances or any person authorized by them or either of them shall be entitled at any time between the hours of nine a.m. and five p.m. to enter upon any premises for the purpose of inspecting any portion of the said premises in the Borough or for the better carrying into effect these By-laws.

Alignment, Streets, Encroachments, New Buildings, &c.

Powers under section 123 delegated to Council Clerk.

97. The Council by this By-law hereby delegates to the Council Clerk for the time being, all the powers and obligations vested in the Council by virtue of the 123th section of the "Municipalities Act of 1867."

Public Health.

Houses to be purified on certificate of two medical practitioners.

98. If, upon the certificate of any two duly qualified medical practitioners, it appear to the Council or Mayor thereof, that any house, or part thereof, or the premises occupied in connection therewith, within the limits of the said Borough, is in such a filthy or unwholesome condition that the health of any person is or may be liable to be affected or endangered thereby, and that the whitewashing, cleansing, purifying, or fumigating of any house or part thereof, or the premises occupied in connection therewith would tend to prevent or check infectious or contagious disease, the said Council or Mayor shall give notice, in writing, to the owner or occupier of such house or part thereof or the premises occupied in connection therewith, to whitewash, cleanse, purify, or fumigate the same, as the case may require; and if the person to whom notice is so given shall fail to comply therewith within the time specified in the said notice, he or she shall be liable to a penalty not exceeding ten shillings for every day during which he or she continues to make default: Provided that no such penalties shall collectively amount to any greater sum than fifty pounds.

Sale or letting of infected premises or goods.

99. If any person shall sell, let, or cause to be sold or let any dwelling house or part thereof or premises occupied in connection therewith in the said Borough which then is or shall have been within thirty days prior to the date of such sale or letting occupied by any person suffering from any infectious or contagious disease, without giving due notice thereof to the person or persons purchasing, renting, or hiring any such house or premises, the person so selling, letting, or causing to be sold or let, shall be liable to a penalty not exceeding fifty pounds nor less than ten pounds. And any person who shall sell, let, or cause to be sold or let, in the said Borough any article of furniture, bedding, household, or personal effects, knowing the same to have been within three months prior to the date of such sale or letting, used by any person or persons suffering from any infectious or contagious disease, shall forfeit and pay a sum not exceeding fifty pounds nor less than ten pounds.

Exposing infected articles.

100. Any person who shall expose or cause to be exposed in any road, street, public place, or unenclosed land adjacent to any dwelling, road, street, or public place, any article whatsoever, knowing the same to have been in the use or occupation of any person suffering from any infectious or contagious disease within thirty days prior to the date of such exposure as aforesaid, shall forfeit and pay a sum not exceeding fifty pounds nor less than ten pounds.

Sewerage and Drainage.

No private sewers to be made to communicate with the public sewer without notice.

101. It shall not be lawful for any person, without permission from the Council, or otherwise than according to such plans and directions as such Council may make and give, to make or branch any private drain or sewer into any of the public drains or sewers, or into any drain or sewer communicating therewith; and in case any person or persons shall make or branch any private drain or sewer communicating or to communicate therewith without such permission, or otherwise than as aforesaid, every person so offending shall for every such offence forfeit and pay any sum not exceeding fifty pounds nor less than forty shillings, and shall, at his own expense, make good all roads, streets, kerbing, &c., which shall have been injured by or through any such work; and all such repairs shall be performed to the satisfaction of such officer as the Council shall appoint to superintend such work; and any person who shall do or perform anything contrary to this clause or shall neglect to make good all such damage as aforesaid, shall on conviction thereof forfeit and pay any sum not exceeding fifty pounds nor less than one pound.

Proprietors of private sewers, &c., to repair and cleanse same.

102. All drains or sewers communicating with any public drain or sewer shall from time to time be repaired and cleansed by the occupiers of the houses, buildings, lands, and premises to which the said private sewers or drains shall respectively belong; and in case any person shall neglect to repair and cleanse or cause any such private drain or sewer to be repaired and cleansed according to the direction of the said Council, he shall forfeit and pay for every such offence a sum not exceeding five pounds nor less than ten shillings.

Water from roofs, &c.

103. Every owner or occupier of any dwelling-house, shop, or other building who shall permit rainwater to fall down from any roof, spout, balcony, or other projection, upon or over any street, road, lane, or footway, or shall cause or permit any such roof or rainwater to be discharged by any pipe upon any such street, road, lane, or footway, shall, if such nuisance be not abated within seven days after written notice to abate the same shall have been given by the Council or its officer, forfeit and pay for every such offence a sum not exceeding five pounds nor less than one pound. Provided that any tenant of such premises who shall erect any spouting or pipe in accordance with any such notice may deduct the cost thereof from the rent of the said premises.

Drains in footpaths and slopes, &c.

104. No surface-drain shall be made in any footpath, nor any pipes laid under or across the same without the authority of the Council, and no such pipe or drain shall be used for the discharge into any street or roadway of any offensive liquid or matter of any kind whatsoever; and any person who shall so offend, or shall permit or suffer any slops or filth from his or her premises to flow over or on any footway or street, shall forfeit and pay any sum not exceeding twenty pounds nor less than one pound.

Drains for discharge of surface water from land.

105. Every owner or occupier of land so situated that surface or storm water from or upon the same shall overflow or shall tend naturally, if not otherwise discharged, to overflow any road, lane, or footway, shall, within fourteen days next after the service upon him of notice in writing by the Council or its officer, abate such nuisance; and in default of compliance with any such notice within the period aforesaid, such owner or occupier shall forfeit any sum not exceeding five pounds; and if within fourteen days after such conviction such owner or occupier shall still have failed to comply with such notice or be otherwise in default as aforesaid, he shall forfeit and pay any sum not less than one pound nor more than ten pounds, and for every further such offence he shall forfeit and pay any sum not less than two pounds nor more than twenty pounds: And every such owner or occupier who shall still have made default as aforesaid for more than fourteen days after such second or any further conviction shall be held guilty of a further offence within the meaning of this By-law.

Natural water-courses.

106. Any person who shall close or intercept any natural watercourse, by building or otherwise, shall provide another outlet for the surface-water with pipes or sewers of a size, and in a manner to be approved of by the Council, and any person closing or intercepting any such watercourse and failing to comply with the provisions of this By-law, shall forfeit and pay a sum not exceeding fifty pounds nor less than five pounds.

*Preventing and Extinguishing Fires.**Fire or combustible materials, &c.*

107. Every person who shall place or light, or knowingly permit to be placed or lit, in any house, yard, workshop, out-offices, or other premises, fire, gunpowder, or combustible or inflammable article of any kind, in such a manner as to endanger contiguous buildings, fences, or erections, shall on conviction for every offence forfeit and pay a penalty of not more than twenty pounds nor less than one pound; and shall forthwith remove or extinguish such fire, gunpowder, or combustible or inflammable article; and any person allowing such fire, gunpowder, or combustible or inflammable article to remain as aforesaid for twenty-four hours after any such conviction shall be deemed guilty of a further offence against this By-law.

Inflammable fences, &c.

108. Every person who shall erect any fence of brushwood, bushes, or other similar inflammable material, or shall make or place any stack of hay, corn, straw, or other produce, or place as or for the covering of any such stack, any inflammable material, or shall place, keep, or store any hay, straw, or other inflammable material in any building, so as to endanger contiguous buildings or properties, or any trees, shrubs, or other produce of such properties, or any chattels in or upon such buildings or properties, shall forfeit on conviction for every such offence a penalty of not more than five pounds, nor less than one pound, and also shall remove such fence, stack, covering, or inflammable material within forty-eight hours after such conviction; and any person failing to remove such fence, stack, covering, or inflammable material within forty-eight hours after any such conviction as aforesaid shall be deemed guilty of a further offence against this By-law.

Fires in yards.

109. Any person having or lighting any open or other fire in any yard or premises so close to the neighbouring premises as to be a nuisance or dangerous thereto shall be liable to a penalty of not less than twenty shillings nor more than twenty pounds.

Burning shavings, &c., in streets.

110. Any person burning any shavings, or other matters or things, in any street, road, or public place, shall forfeit and pay a sum not exceeding forty shillings nor less than five shillings.

Fireworks.

111. Every person who shall light any bon-fire open fire, tar barrel, or fire-work upon or within sixty feet of any building, public or private street, or any public place, or shall sell gunpowder, fireworks, or other combustible matter by any artificial light other than gas, shall forfeit a sum not exceeding five pounds nor less than five shillings.

Wilfully setting fire to chimneys.

112. Every person who wilfully sets or causes to be set on fire any chimney, flue, smoke-vent, or stove-pipe, herein called in common a "chimney," or if the chimney of any building or premises shall take fire by reason of the occupants having neglected to cause such chimney to be sufficiently swept or cleansed or from any other neglect of such occupant, then such person or occupant shall forfeit a sum not exceeding five pounds; and in every case the proof that such chimney did not take fire through the neglect of such occupant shall rest upon such occupant.

Manufacture of substances liable to sudden explosion.

113. It shall not be lawful for any person to establish or to carry on either in any building or vault or in the open air any business for the manufacture of gunpowder or detonating substances or of matches ignitable by friction or otherwise or other substances liable to sudden explosion, under a penalty not exceeding twenty pounds.

Manufacture of inflammable substances. Penalty.

114. It shall not be lawful for any person to establish or to carry on either in any building or vault or in the open air at a less distance than forty feet from any public way or than fifty feet from any other building or any vacant land belonging to any other person than the landlord any business for the manufacture of vitriol, or turpentine, or naphtha, or varnish, or fireworks, or oil, or oil-cloth, or other things dangerous on account of the liability of materials or substances employed therein to cause sudden fire or explosion; and if any person shall establish or carry on any such business contrary to this By-law he shall be liable, for every day during which such business shall be so carried on, to a penalty of a sum not exceeding twenty pounds nor less than ten pounds.

Subsidy reserves to Fire Brigades.

115. For the purpose of protecting life and property in the Borough, the Council may from time to time pay to the funds of any Fire Brigade established in the Borough, or to any other Brigade or person or persons as may assist in extinguishing any fire, such sum or sums of money as shall be determined by resolution of the Council. And further, the Council shall pay to any Fire Brigades as shall, with an engine, have first and second in order attended at any fire within the Borough, such sums of money by way of reward as the Council may, by similar resolutions have fixed, but no such rewards shall be paid for attendance at bush fires, unless the safety of buildings shall have been thereby endangered.

Appointment of Inspector.

116. For the better carrying out of the By-laws relating to the preventing and extinguishing of fires, the Council may appoint an Inspector of Fires, and shall if necessary, pay to such Inspector a salary.

Inspector's duties.

117. It shall be the duty of such Inspector to attend all fires, maintain order thereat, inspect and report upon the appliances of any Fire Brigade established in the Borough, and generally see to the proper carrying out of the By-laws relating to fires; and the Inspector shall have full power without any other authority than this By-law to enter and go upon any premises within the Borough to extinguish fire, and for the purpose of carrying into effect these By-laws, and any person hindering or molesting such Inspector in the discharge of his duties shall forfeit and pay a sum of not less than one pound or more than twenty pounds.

*Public Amusements.**Unlawful games.*

118. No games with dice or other games of chance for money, prize-fighting, or any dog-fighting, cock-fighting, or other exhibition or entertainment opposed to public morality, or involving cruelty to animals or likely to cause a breach of the peace, shall be established, held, or given within this Borough, and any person or persons who shall establish, hold, give, or cause to be established, held, or given, or be present at or concerned in any such game, exhibition, or entertainment shall for every such offence forfeit and pay a sum of not less than five pounds or more than fifty pounds.

Places of amusement to be licensed.

119. No dancing saloon, bowling, or skittle alley, shooting gallery, public billiard or bagatelle table, or similar place of amusement (other than entertainments requiring to be licensed by law) shall exist or be established within the Borough, unless and until such place of amusement shall have been licensed by the Council as hereinafter provided, and in the event of any such licensed place of amusement being improperly conducted or becoming a nuisance, or an annoyance to any inhabitant, or violating public decency, or endangering the public peace, the Mayor shall on representation to that effect being made forthwith suspend the said license, and the Council at its next meeting shall by resolution cause the said license to be cancelled or otherwise as may appear necessary or desirable, and any person or persons having already established such places of amusement, who shall not within thirty days after these By-laws come into force, apply for such license, or any person or persons who shall open, establish, or maintain any such place of amusement as aforesaid without having obtained such license, shall forfeit and pay a sum of not less than ten pounds and not more than fifty pounds.

Mode of granting licenses.

120. Applications for licenses as aforesaid must be in writing addressed to the Mayor and Aldermen, and must be endorsed by two responsible householders, testifying to the respectability of the applicant. The application must describe clearly the nature of the entertainment for which the license is sought, and the premises in which it is to be held.

License fees.

121. Licenses shall be granted by resolution of the Council upon payment of license fees as follows:—For every license granted between the 1st January and 1st July, one pound one shilling, and between the 1st July and 31st December, ten shillings and sixpence. All licenses shall expire on the 31st December in each year, and may be renewed by resolution of the Council upon written application, and on payment of the annual fee of one pound one shilling.

Water Supply.

Polluting water, reservoirs, &c.

122. Whosoever shall bathe in any stream, reservoir, conduit, aqueduct, or other waterworks belonging to or under the management or control of the Council, or shall wash, cleanse, throw, or cause to enter therein any animal, whether alive or dead, or any rubbish, filth, or thing of any kind whatsoever, or shall cause or permit to suffer to run, or to be brought therein, the water of any closet, sink, sewer, drain, engine or boiler, or other filth, unwholesome, or improper liquid, or shall wash any clothes, in or at any such stream, reservoir, conduit, aqueduct, or other waterworks as aforesaid, or shall do anything whatsoever whereby any water or waterworks belonging to the said Council or under their management or control, shall be fouled, obstructed, or damaged, shall for the first offence forfeit and pay any sum not exceeding five pounds; for a second offence, any sum not less than one pound nor more than ten pounds; and for a third and every subsequent offence, any sum not less than five pounds nor more than twenty pounds.

Wilful waste of water.

123. Whosoever, being supplied with water by the Council, from any waterworks, fountain, pump, well, tank, or reservoir, or of belonging to, or under the control or management of the said Council, or having access to any such waterworks, fountain, pump, well, tank, or reservoir, for the taking of water therefrom, shall wilfully or negligently suffer any water to run to waste from any pipe, pump, or conduit, from or by which he shall be so supplied, or to which he shall have such access, shall forfeit and pay for the first offence any sum not exceeding five pounds; for a second offence any sum not less than one pound nor more than twenty pounds; and for a third and every subsequent offence any sum not less than five pounds nor more than twenty pounds.

Damming up water without consent.

124. Whosoever shall, without the consent in writing of the Council, construct or place any dam or embankment in or across any river, creek, or natural water-course, shall forfeit and pay any sum not less than one pound nor more than twenty pounds, and shall remove such dam or embankment within a reasonable time after such conviction, or shall forfeit and pay any sum not less than five pounds nor more than fifty pounds; and if after such second conviction, such person shall fail to remove such dam or embankment within a further reasonable time, he shall forfeit and pay a sum of not less than twenty pounds nor more than fifty pounds; and if within a reasonable time, after a third or any further conviction, he shall fail to remove such dam or embankment, he shall for every such offence forfeit and pay a sum of fifty pounds.

223—B

Diverting water from reservoirs of Council in certain cases.

125. In any case in which the Council shall have the exclusive right of collecting for the supply of any reservoir or waterworks belonging to the said Council or under their management or control, the storm-water on any gathering ground, whosoever shall by any means whatsoever divert any such water from the course of its natural flow, so that the same shall tend to flow elsewhere than to such reservoir or waterworks or some watercourse leading thereto, or to flow to the same respectively in a foul state, shall forfeit and pay for the first offence any sum not less than one pound nor more than twenty pounds; for a second offence, any sum not less than two pounds nor more than forty pounds; and for a third and every subsequent offence, any sum not less than five pounds nor more than fifty pounds.

Supply of water in time of drought.

126. In time of drought or scarcity of water, the Council may, by resolution to that effect, cause water to be supplied to the inhabitants of this Borough by water-carts or otherwise, and shall, by such resolution as aforesaid, fix a price to be charged for water so supplied.

Public Jetties, &c.

Vessels not to make fast to jetties except to load or unload.

127. No ship, steamer, punt, or vessel of any kind, shall be allowed to be made fast to the Double Bay, Darling Point, or Rose Bay jetties or any other jetty or wharf under the control of the Council, by any lines, warps, or chains, or lie alongside thereof, except for the purposes of loading or unloading. Any person who in any way shall make fast or cause to be made fast, any vessel to the said jetties or any of them otherwise than for the purposes herein provided, shall for every such offence forfeit any sum not exceeding ten pounds.

Notice to be given to Council before goods placed on jetties.

128. No person shall place any goods or matter on any of the said jetties or wharves without first informing the Council Clerk or other officer of the Council in charge of such jetties of such intended placing of such goods. Any person committing a breach of this section shall for every such offence forfeit and pay any sum not exceeding ten pounds.

Jetty dues.

129. The master of every ship, steamer, punt, or vessel, which shall lie or be moored or laid at or alongside any of the said jetties or wharves for the purpose of loading or unloading goods, or which shall load or unload goods from or upon the said jetty or wharf, by means of lighters or otherwise, or for the loading or unloading of which the said jetty or wharf shall be in any way used, shall pay dues according to the scale set out in Schedule B, and the Council shall be entitled to demand and receive the tolls and dues set out in the said schedule from all persons using the said jetties or wharves or any other jetty or wharf under the control of the Council or any part thereof.

Master.

130. Every person who shall act or shall assume to act, as the master of any ship, steamer, punt, or vessel, or shall be apparently in charge thereof, shall for all the purposes of this "Part" of these By-laws be deemed and taken to be such master.

Drays only to remain on jetty while loading or unloading.

131. No dray, cart, or other vehicle shall be allowed to remain on the jetties or any of them, or on any jetty or wharf under the control of the Council longer than the time actually occupied in loading and unloading the same, and no such vehicle shall at any time be left upon any of the said jetties or wharves or entrance thereto, unless in charge of a person competent to manage the same. Any breach of this By-law shall be punishable by a penalty not exceeding ten pounds.

Goods not to remain on jetty.

132. No goods, merchandise, produce, live stock, or property of any kind shall be allowed on any of the said jetties or wharves for any longer time than may be necessary for ship or cart away the same, and shall only be deposited for such immediate removal upon such part of the jetty or wharf as shall be indicated by the Council or its officer. And any person allowing any such property so to remain in breach hereof, or shall otherwise break this By-law, shall be liable to a penalty not exceeding twenty pounds.

Chains, &c., not to remain on jetty.

133. No buoys, chains, anchors, ropes, gear, or boats shall be allowed to remain on any jetty or wharf except such as may be in immediate use. And any person committing a breach of this By-law shall be liable to a penalty not exceeding twenty pounds.

May be extended to any jetties, &c.

134. The provisions of these By-laws may, by resolution of the Council, be extended to any jetty or wharf now or hereafter to be under the control of the Council.

SCHEDULE B.

Charges on Double Bay, Darling Point, and Rose Bay jetties, and any other jetties now or hereafter under the control of the Council:—

	£	s.	d.
Bricks, tiles, and slates, per 1,000	0	2	6
Sawn timber and timber in logs, per 1,000	0	2	0
Laths and shingles, per 1,000	0	0	3
Hay, per ton	0	1	6
Coal, per ton	0	1	0
Firewood, per ton	0	1	0
Potatoes or other vegetables, per bushel or less quantity	0	1	0
Lime, charcoal, or ashes, per bushel or less quantity	0	0	1
Posts and rails, per 100	0	1	0
Palings, per 100	0	0	3
Blue metal, ballast, stone, or earth, per ton	0	1	0
All unmentioned articles, per ton	0	1	0

Recreation Grounds.

135. Parks or places of a like nature for the purpose of public recreation may be established by the Council either within the boundaries of the said Borough or in any public reserve adjacent thereto, which, or the use of which, may be granted to the Council for the purpose of public recreation, upon such terms as the Council shall by resolution approve; and the Council may make rules and regulations for the management and maintenance of such places of recreation, and any person breaking any of such rules and regulations shall be liable to a penalty not exceeding twenty pounds nor less than one pound.

Cricket, &c., only to be played by permission.

136. No person shall be permitted to play cricket, football, baseball, or any game in any public reserve or park in this Borough, except by and with the written consent of the Mayor or Council, and any person offending against this By-law shall be liable to a penalty not exceeding ten pounds.

Trees in Streets.

137. The Council shall have power to plant trees, shrubs, and plants in the streets, reserves, and public ways of this Borough, and any person wilfully injuring or destroying any of such trees or any railing, fence, or thing protecting the same, shall on conviction forfeit and pay a penalty of not more than ten pounds nor less than two pounds, in addition to the value of the trees, railing, fence, or thing so injured.

Penalties where no special penalty mentioned and for obstructing enforcement of By-laws.

138. Every person committing a breach of any of these By-laws, shall, where no penalty is mentioned for such offence, be liable to a penalty of a sum not exceeding twenty pounds. And any person obstructing any person in the discharge of any duty imposed, or in the exercise of any privilege conferred by any of these By-laws, shall be liable to a penalty of a sum not exceeding twenty pounds.

Passed by the Municipal Council of the Borough of Woollahra this twenty-third day of September, one thousand eight hundred and seventy-nine.

(L.S.) W. J. TRICKETT,
Mayor of Woollahra.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES.

(BOROUGH OF NORTH WILLOUGHBY—ADDITIONAL BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 30th December, 1879.

BOROUGH OF NORTH WILLOUGHBY.

ADDITIONAL BY-LAWS.

THE following additional By-laws, made by the Council of the Borough of North Willoughby, for the protection of public buildings, works, reserves, boundary marks, &c., and for the better control and management of the reserves, roads, &c., within the Municipality, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the "Municipalities Act of 1867."

HENRY PARKES.

BOROUGH OF NORTH WILLOUGHBY—BY-LAWS.

ADDITIONAL By-laws made by the Council of the Borough of North Willoughby, for the protection of public buildings, works, reserves, boundary marks, &c., and for the better control and management of the reserves, roads, &c., in the Borough.

Protection of public buildings, works, &c.

1. Any person who shall damage any public building, wall, parapet, fence, bridge, culvert, sewer, well, watercourse, pump, gate, or other public property within the Borough, shall pay the cost of repairing the same, and if the damage be wilfully done shall forfeit and pay not less than one pound and not exceeding twenty pounds.

Damaging, trees, shrubs, &c.

2. Any person who shall wilfully or without authority of the Council, cut, break, bark, or root up, or otherwise damage, destroy, or remove any tree, sapling, shrub, flower, hedge, or underwood, growing in or upon any reserve or enclosed place, road, or path, under the management of the Council, shall forfeit and pay not less than five shillings and not exceeding five pounds.

Not to cross fences of reserves.

3. Any person who shall cross or pass, or attempt to cross or pass, any fence, or hedge on or enclosing the reserves, or any of them, otherwise than by the gates or other openings intended for passage, shall forfeit and pay not less than five shillings and not exceeding two pounds.

Animals not to be put in the reserves.

4. Every person who shall wilfully let in, or knowingly suffer to enter upon the enclosed reserves or public recreation grounds any animals without due authority shall be deemed guilty of wilful trespass, and shall be liable for every such offence to a penalty of not less than two pounds and not exceeding twenty pounds.

Damaging or pulling up alignment marks or posts, &c.

5. Any person pulling down, or pulling up, destroying or injuring any alignment or other boundary marks, or stones, notice boards, public notices, or other erection on any reserve, public place, or road, without the authority of the Council, shall forfeit and pay any amount not less than one pound and not exceeding ten pounds.

Stop roads for repairs.

6. The Committee for Works may at any time cause the traffic on any roadway or portion of roadway to be stopped for the purpose of repairing the same, or for any other necessary purpose, and any person or persons wilfully travelling thereon, or removing or destroying any obstruction that may have been placed thereon for the purpose of suspending or diverting the traffic, shall forfeit and pay any sum not less than five shillings and not exceeding five pounds.

Unwholesome or offensive liquid not to flow over paths.

7. No person or persons shall allow any liquid which is unwholesome or offensive to flow from premises over any footpath to the water tables in the streets; any person offending against this By-law shall be liable to a penalty of not less than ten shillings and not exceeding ten pounds.

No culvert, bridge, crossing, &c., to be put across any water-table, without the consent of the Council.

8. No culvert, bridge, crossing, or drain, shall be constructed or commenced across any water-table, water-course, or footpath in this Borough until the consent of the Council has been obtained; and any person offending against this By-law shall forfeit and pay any sum not less than one pound and not exceeding five pounds.

Council may accept the minimum fine without instituting legal proceedings.

9. In all cases where, by any By-laws of this Borough, a minimum fine shall be stated for any offence, the Council may, before instituting legal proceedings, give notice of such intention to the person chargeable with such offence, and if such person shall pay to the Council Clerk or other officer on behalf of the Council, within twenty-four hours after receiving such notice, the minimum fine named in the said By-law, the Council may accept the same, and may refrain from taking further proceedings in respect of such offence.

Passed by the Borough Council of North Willoughby, on the 20th day of September, 1879.

(L.S.)
JAMES ANDERSON,
Council Clerk.

RICHARD SELDON,
Mayor.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES.

(BOROUGH OF PADDINGTON—AMENDED BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 6th May, 1880.

BOROUGH OF PADDINGTON.

AMENDED BY-LAWS.

THE following Amended By-laws, made by the Council of the Borough of Paddington, for regulating their own proceedings and the duties of their officers and servants; for determining the times and modes of collecting and enforcing payment of rates; for the care and management of streets; for regulating the blasting of rock; for regulating the use of public pumps; for the suppression of nuisances and the preservation of decency; for the suppression of houses of ill-fame, and generally for maintaining the good rule and government of the Municipality, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

PART I.

By-laws repealed.

1. The By-laws of the said Council of the Borough of Paddington, dated 14th June, 1870, and published in the Government Gazette of the 10th August, 1870, No. 188, are hereby repealed.

*Meetings of Council.**Ordinary Meetings.*

2. Unless otherwise ordered, the Council shall meet for the dispatch of business at the hour of half-past seven p.m., on every fourth Tuesday, unless such day shall happen to be a public holiday, in the latter case the meeting shall be held on such other day as the Mayor shall appoint.

Election of Chairman in the absence of the Mayor.—Adjournment for want of quorum.

3. If at any meeting of the Council the Mayor be absent at the expiration of fifteen minutes after the time appointed for holding such meeting, the Aldermen then present shall choose from among themselves a Chairman for such meeting. Whenever there shall be an adjournment of any such meeting for want of a quorum, the names of the members present shall be entered in the minute-book.

*Order of Business.**Course of procedure.*

4. The following shall be the order of business at all meetings of the Council, other than special meetings:—

- (1st.) The reading and confirmation of the minutes of previous meeting.
- (2nd.) The reading of correspondence.
- (3rd.) The presentation of Petitions.
- (4th.) Reports from Committees and minutes from the Mayor (if any) to be presented and ordered upon.

(5th.) Questions as to any matter under the jurisdiction or within the official cognizance of the Council to be put and replied to, and statements as to any facts, matters, or circumstances requiring attention by the Council or any of its Committees or officers to be made.

(6th.) Motions of which notice has been given.

(7th.) Orders of the day.

(8th.) The question for confirming the minutes of the previous meeting shall be put by the Mayor (or other Chairman) immediately upon their being read, and no discussion shall be allowed except upon the point of accuracy.

(9th.) Orders of the day shall comprise all business set down for the day by any previous meeting or necessarily arising out of the proceedings of a former meeting.

Business at Special Meetings.

5. At special meetings of the Council the business (after the minutes shall have been read and confirmed, which shall be done in the same manner as at an ordinary meeting) shall be taken in such order as the Mayor or Alderman at whose instance such special meeting shall have been called may have directed.

Business paper for Ordinary Meetings.

6. The business paper for every meeting of the Council other than a special meeting shall be made up by the Council Clerk not less than two days nor more than three days before the day appointed for such meeting. He shall enter on such business paper a copy or the substance of every notice of motion, and of every requisition or order as to business proposed to be transacted at such meeting, which he shall have received, or shall have been required or directed so to enter in due course of law and as hereinafter provided. Every such

entry shall be made (subject to the provisions of Section 4 of this part of the By-laws) in the same order as such notice, requisition, or direction shall have been received.

Business paper for Special Meeting.

7. The business paper for each special meeting shall contain only such matters as shall have been specially ordered to be entered thereon by the Mayor or Aldermen calling such meeting.

Summons to Members.

8. The summons to members of the Council for every meeting thereof shall be prepared from the business paper for such meeting, and shall embody the substance of such business paper and be served not less than twenty-four hours before the time for holding such meeting.

Notices of motion.

9. All notices of motion and all requisitions from Aldermen and directions from the Mayor as to the entry of any particular matter of business for the consideration of the Council at its then next or any future meeting shall be numbered by the Council Clerk as they are received, and each notice, requisition, and direction shall be preserved by such clerk until after the matter to which it relates shall have been disposed of, and the record in the minute-book of the manner in which such matter has been so disposed of shall have been duly verified as required by section 4 of this part of these By-laws. Provided, however, that the person giving or forwarding any such notice of motion, requisition, or direction to the Council Clerk, shall be at liberty to withdraw the same at any time before the making up of the business paper.

Withdrawal of motions and notices of motion.

10. After the business paper shall have been made up as aforesaid, all the said notices of motion, requisitions, and directions as to which entries have been made thereon shall be the property of the Council, and shall not be withdrawn, altered, or amended without leave having been first obtained from the Council for such withdrawal, alteration, or amendment.

Motions to be in writing.

11. No member shall make any motion (except when otherwise provided by the Act) but in pursuance of notice in writing delivered to the Council Clerk four days before the day of meeting for which such motion is intended with his signature thereto.

Order in which motions shall be moved.

12. Except by leave of the Council, motions shall be moved in the order in which they stand on the business paper, and if not so moved or postponed shall be struck from such business paper, and be considered to have lapsed.

Conditions under which motion shall be moved in the absence of Alderman giving notice, &c.

13. No motion of which notice shall have been entered on the business paper, shall, except as hereinafter provided, be proceeded with in the absence of the Aldermen by whom such notice shall have been given unless, by some other Alderman producing a written authority for that purpose from such first-named Alderman.

Motion to be seconded.

14. No motion in Council shall be discussed unless and until it be seconded.

Amendment may be moved.

15. When a motion in Council shall have been made and seconded, any Alderman shall be at liberty to move an amendment thereon, but no such amendment shall be discussed unless and until it be seconded.

Subsequent amendments.

16. No second or subsequent amendment shall be taken into consideration until the previous amendment shall have been disposed of.

Amended motions.

17. If an amendment be carried the question as amended thereby, shall become itself the question before the Council, whereupon any further amendment upon such question may be moved.

Amendments negatived, &c.

18. If any amendment either upon an original question or upon any question as amended as aforesaid shall be negatived, then a further amendment may be moved to the question to which such first-mentioned amendment was moved, and so on, provided that not more than one question and one proposed amendment thereof shall be before the Council at any one time.

Motion for Adjournment.

19. No discussion shall be permitted upon any motion for adjournment of the Council, and if upon the question being put on any such motion the same be negatived, the subject then under consideration, or the next in order on the business paper or any other on such paper that may be allowed precedence shall be discussed before any subsequent motion for adjournment shall be receivable.

Call of the Council to rescind, &c.

20. No motion, the effect of which if carried would be to rescind or be repugnant to any resolution which has been passed by the Council, shall be entertained during the same municipal year unless a call of the whole Council be made for that purpose, and no such motion if negatived shall be again entertained during the same municipal year.

Petitions.

Alderman presenting Petition.

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

Council may deal with Petitions.

22. The Council may at any meeting resolve, without previous notice, that any petition be received, and that the same or any correspondence read be referred to a Committee for report, or that the request therein contained be granted.

Reports from Committees and Minutes from the Mayor.

Reports, &c., to be written on foolscap, &c.

23. All reports from Committees shall be written on foolscap paper with a margin of at least one-fourth of the width of such paper, and shall be signed by the Chairman of such Committee, or in his absence by some other member of the same.

Upon Report being adopted, &c.

24. Upon any report being submitted to the Council for adoption any Alderman may claim to have the items taken *seriatim*.

Order of Debate.

Member to stand when speaking.

25. Every member shall stand when speaking, and shall address the Chair.

Times of speaking, &c.

26. Except in Committee no member shall speak more than once upon the same question unless in explanation when misrepresented or misunderstood. Provided, however, that the mover of every motion shall be allowed the right of reply, and provided further that any member shall be allowed to speak once on every amendment as well as on the original motion, but the right of reply shall not extend to the mover of an amendment.

Time allowed for speaking upon Motion, &c.

27. No member shall speak upon any motion or amendment for a longer period than fifteen minutes unless by permission of the Council.

Member not to digress from the subject, &c.

28. No member shall digress from the subject under discussion, nor make personal reflections on members, nor impute motives.

Member using offensive expression.

29. When any member shall use any expression which the Mayor shall think capable of being applied offensively to any other member the member so offending shall be required by the Mayor or other Chairman to withdraw the expression, and to make a satisfactory apology to the Council.

Questions of Order.

30. When any question of order arises it shall be taken into consideration immediately, and upon a member rising to order he shall be heard, and the member who was speaking shall sit down until the question of order has been decided.

Member may require question to be read, &c.

31. Any member may require the question under discussion to be read for his information at any time during a debate, but not so as to interrupt any other member when speaking.

Adjournment of Debate.

32. A debate may be adjourned to a later hour of the day, or to another day specified, and the member upon whose motion the debate is adjourned shall be entitled to pre-audience on the resumption of the debate.

Questions of Order.

Mayor to preserve order.

33. The Mayor or other Chairman shall preserve order, and his ruling upon disputed points shall be final.

Member how out of order.

34. Every member of the Council who shall commit a breach of any section of this part of these By-laws, or who shall move or attempt to move any motion or amendment embodying any matter as to which the Council has no legal jurisdiction, or who shall in any other way raise or attempt to raise any question, or shall address or attempt to address the Council upon any subject which the said Council has no legal right to entertain or

discuss, or who shall use any other language which, according to the common usage of gentlemen, would be held disorderly, or who shall say or do anything calculated to bring the Council into contempt, shall be out of order.

Mayor to call to order.

35. The Mayor or Chairman may without the interposition of any other member of the Council call any Alderman to order whenever in the opinion of such Mayor or Chairman there shall be a necessity for so doing.

Member may call the attention of the Mayor to irregularities.

36. Every member of the Council shall have the right of calling the attention of the Mayor or Chairman to any motion, amendment, statement, argument, or observation, moved, used, or made by any other member, which such first-named member may consider out of order.

Aldermen dissatisfied with the decision of the Mayor

37. Any Alderman who is dissatisfied with the decision of the Mayor or Chairman on any such question of order or of practice, may by motion on notice respectfully worded invite the Council to lay down a different rule or principle for the determination of any similar question of order or of practice which may thereafter arise, any rule or principle thus laid down shall be binding upon all parties unless and until it be rescinded, but shall have no retro-active operation. Provided however, that nothing herein contained shall be held to bind any Mayor or Chairman to put any motion to the Council which in his opinion is contrary to law.

Mode of voting.

Mayor to put questions, &c., as often as necessary, &c.

38. The Mayor or Chairman shall put to the Council all questions on which it shall be necessary that a vote be taken, and shall declare the sense of such Council thereon, and he shall be at liberty to put any such question as often as may be necessary to enable him to form and declare his opinion of the majority.

Divisions.

39. It shall be competent for any member to divide the Council upon any question put from the Chair, whether in Council or in Committee of the whole Council, and upon such division, those who are on the affirmative side shall place themselves upon the Mayor's or other Chairman's right hand, and those who are on the negative shall place themselves on his left hand, and shall so remain until the names of all the members then present shall be taken down by the Clerk then officiating.

Divisions to be entered on minutes, &c.

40. All divisions of the Council shall be entered on the minutes of proceedings.

In divisions member to vote.

41. In divisions every member present shall be compelled to vote.

Protests.

Member may protest.

42. Every member of the Council (the Mayor included) may protest against any resolution or vote by the Council. Notice of the intention so to protest must, however, be given at the meeting when such resolution is passed, or such vote is arrived at, and the protest itself must be handed or sent to the Council Clerk not later than seven days after such notice. The Council Clerk shall enter such protest in the minute-book.

Committees.

Committee of the whole, &c.

43. In a committee of the whole Council the general rules of the Council shall be observed with the exception of the rule limiting the number of times of speaking, and that motions shall be seconded.

Chairman of Committees.

44. Every Committee of which the Mayor is not an elected member shall choose its own Chairman. The Chairman of every Committee shall be the convener thereof, and may direct the Council Clerk to call meetings whenever he shall think fit.

Report of Committee.

45. When the report of a Committee is presented to the Council, the question as to its reception may be moved and put at once, but it shall not be adopted or taken into consideration without notice of motion as hereinbefore provided.

Standing Committee.

46. There shall be four standing Committees, to be called respectively the By-laws Committee, the Finance Committee, the Improvement Committee, and the Committee for General Purposes. These Committees shall be re-appointed every year at the first meeting of the Council which shall be holden after the election of the Mayor, any vacancies occurring therein during the year shall be filled up by the Council.

Committee for General Purposes.

47. The Committee for General Purposes shall consist of the Chairmen of the three said first named Committees.

By-laws Committee.

48. The By-laws Committee shall prepare for the consideration of the Council drafts of all such By-laws as may be required for the good government of the Borough, they shall also watch over the administration of the By-laws, and of any statute of which the operation has been or may be extended to the Borough, and shall take such steps as may be necessary for the prevention or punishment of offences against such By-law or statutes, and for the preservation of public health, order, and decency.

Finance Committee.

Mayor to be Chairman of the Finance Committee.

49. The Mayor of the Borough shall be *ex-officio* Chairman of the Finance Committee.

Accounts how disposed of.

50. No accounts shall be disposed of by the Council until they have been examined and reported upon by the Finance Committee.

Payments to be authorised by vote of Council, &c.

51. No payment out of the funds of the Corporation shall be made but such as are authorised by a vote of the Council: Provided always that the Finance Committee may at its own discretion authorise disbursements for current expenses to any amount not exceeding five pounds in any one week; and provided further that in case of emergency the Mayor, with the assent of any two Aldermen, may authorise the expenditure of any sum not exceeding twenty-five pounds in all during a recess, but all such discretionary payments, whether by the Finance Committee or by the Mayor, shall be reported to the Council at its next meeting.

Drafts to be signed by the Mayor, &c.

52. All drafts upon the funds of the Borough shall be signed by the Mayor and one or more Alderman or Aldermen authorised from time to time by the Council, and countersigned by the Council Clerk.

Improvement Committee.

Committee to report upon probable cost, &c.

53. No public works involving a probable expenditure of more than twenty-five pounds shall be undertaken until the Improvement Committee has reported to the Council an estimate of the probable cost thereof.

Improvement Committee to examine accounts for works, &c.

54. All accounts against the Corporation relating to works shall be examined by the Improvement Committee. Such as are found to be correct shall be certified and passed to the Finance Committee.

Committee for General Purposes.

Matters for consideration of Committee for General Purposes, &c.

55. The Committee for General Purposes shall take cognizance of every matter, subject, or question within the jurisdiction of the Council not coming within the province of one or other of the before-mentioned Standing Committees, and shall from time to time inquire into and report upon any such subject, matter, or question as they may think necessary, or as they may be directed by resolution of the Council to inquire into and report upon.

Special Committees.

Special Committees may be appointed, &c.

56. Special Committees may consist of any number of members, and may be appointed for the performance of any duty which may be lawfully entrusted to a Committee, and for which in the opinion of the Council a Special Committee ought to be appointed; and no Standing Committee shall interfere with the performance of any duty which may for the time have been entrusted to any such Special Committee. The appointment of every such Special Committee shall be made by resolution of the Council, and it shall be incumbent on the mover of such resolution to embody therein a statement of the duties proposed to be entrusted to such Special Committee. The mover of any such resolution may name therein such members as in his opinion ought to constitute such Committee, or he may propose that such Committee consist of a certain number of members to be appointed by the Council.

Calls of the Council.

Call of the Council may be ordered by resolution of Council, &c.

57. A call of the Council may be ordered by any resolution of which due notice shall have been given for the consideration of any motion or matter of business before such Council.

Call of the Council shall be made without special order, &c.

58. There shall, without any special order to that effect, be a call of the Council for the consideration of every motion which may be made under section 37 of this part of these By-laws, and of every motion for the rescission of any resolution, order, or decision of such Council.

Call of the Council to be made alphabetically, and members to answer their names, &c.

59. The call shall be made immediately before the motion or business for which such call has been ordered, or is required to be made by the last preceding section, shall be moved or considered. Such call shall be made as follows:—The Council Clerk shall call the names of all the members in their alphabetical order; each member present shall answer to his name as so called, and if any members are absent a record shall be made of such absence; but if leave of absence to any such member shall have previously been granted, or if such an excuse in writing shall have been forwarded to the Mayor or Council Clerk as a majority of the Council then present shall consider satisfactory such absent member shall stand excused, and a record shall be made of such excuse, and of the reasons for the same.

Miscellaneous.

Adjournment for want of quorum, &c.

60. Whenever the Council is adjourned for want of a quorum, the names of the members then present, and the hour at which the adjournment takes place shall be entered on the minutes.

Custody of Seal, &c.

61. The common seal, all charter deeds, muniments, and records of the Corporation, shall be kept in the office of the said Corporation, in custody of the Mayor and Council Clerk, unless for any special purpose the Council shall order otherwise.

Seal not to be affixed without the authority of the Council, &c.

62. The common seal shall not be affixed to any document without the express authority of the Council; and every impression thereof shall be verified by the signatures of the Mayor and Council Clerk.

Documents, &c., not to be shown, &c.

63. No member or officer of the Council shall be at liberty to show, lay open, or expose any of the books, papers, or records, of the Council to any person other than an Alderman without leave first had from the Council, except as provided by the Municipalities Act of 1867.

Security from officers how accepted, &c.

64. In cases where security is required by the Municipalities Act of 1867, no securities shall be accepted otherwise than by a vote of the Council; and it shall not be competent for the Council to accept as security any of its members or officers.

Bonds—care of, &c.

65. All bonds given by officers or servants of the Council for the faithful performance of their duties, shall be deposited with the Attorney or the Bankers of the Corporation as the Council may order, and not be withdrawn unless by an order signed by the Mayor and one other Alderman.

Leave of absence, &c.

66. No leave of absence shall be granted to the Mayor or any Alderman otherwise than by a resolution of the Council adopted after due notice.

By-laws may be suspended, &c.

67. Any one or more of this part of these By-laws may be suspended *pro tempore* in case of emergency if a majority of the Council then present shall deem such suspension necessary.

PART II.

Collection and enforcement of Rates.

Due dates for rates—Defaulters, &c.

1. All rates levied or imposed by the Council under the provisions of section 164 of the Municipalities Act of 1867, and for the purposes mentioned in the said section shall be held to be due and payable at the Council Chambers within thirty days after service of notice: Provided half the amount due by any ratepayer together with all arrears of rates (if any), be paid within the said period of thirty days after notice the same shall be received as payment on account, and a further period of three months shall be allowed for payment of the residue: Provided further that if any person shall fail to make such payment within the thirty days aforesaid or on account as aforesaid, legal proceedings be forthwith taken for the recovery of the whole amount due from such person, that is to say for the recovery of the present year's rates, and of all arrears (if any), and where a payment on account as aforesaid shall have been made within the period allowed for such payment, and a further period of three months shall have elapsed without payment of the balance, legal proceedings be forthwith taken for the recovery of the same.

Payments to be made at the Council Chambers, &c.

2. All persons liable to pay any rates as aforesaid, shall pay the amount thereof within the time or times prescribed in the foregoing By-law into the office of the Council Clerk during office hours, that is to say, on Mondays between the hours of nine (9) a.m. and one (1) p.m., and on Wednesdays, Thursdays, and Fridays, between the hours of 2 p.m. and 6 p.m.

Council Clerk to furnish list of defaulters, &c.

3. It shall be the duty of the Council Clerk to furnish the Mayor with a list of the names of all persons whose rates are unpaid at the expiration of the times fixed for payment of the same as aforesaid.

Distress warrants to be issued, &c.

4. It shall be the duty of the Mayor to issue distress warrants against all such persons, and to cause such warrants to be enforced, or cause such defaulters to be sued for the amount of such rates in a court of competent jurisdiction.

Enforcement by distress.

Bailiff, how appointed.

5. The Bailiff shall be appointed by resolution of the said Council, and shall be at any time removable by a like resolution.

Bailiff to find sureties.

6. The Bailiff shall find two sureties to the satisfaction of the Mayor to the extent of fifty pounds each for the faithful performance of his duties.

Bailiff to make levies.

7. It shall be the duty of the Bailiff to make all levies by distress for the recovery of the rates in the manner hereinafter provided.

Levies, &c., to be made under warrant.

8. All levies and distresses shall be made under warrant in the form of Schedule A hereto under the hand of the Mayor.

Bailiff to sell goods, &c.

9. If the sum for which any such distress shall have been made shall not be paid with costs as hereinafter provided on or before the expiration of five days, the Bailiff shall sell the goods so distrained, or a sufficient portion thereof, by public auction, either on the premises or at such other place within the said Borough as the Bailiff may think proper to remove them to for such purpose, and shall pay over the surplus (if any) that may remain after deducting the amount of the sum distrained for and costs as hereinafter provided to the owner of the goods so sold on demand of such surplus by the owner.

Bailiff to make written inventory, &c.

10. At the time of making a distress the Bailiff shall make out a written inventory in the form of Schedule B hereto, which inventory shall be delivered to the occupant of the land or premises or the owner of the goods so distrained, or to some person on his or her behalf, resident at the place where the distress shall be made, and in case there shall be no person at such place with whom such inventory can be left as aforesaid, then such inventory shall be posted on some conspicuous part of the land or premises on which the distress is made; and the Bailiff shall give a copy of the inventory to the ratepayer on demand at any time within one month after the making of such distress.

Bailiff to impound goods, &c.

11. The Bailiff in making a distress as aforesaid may impound or otherwise secure the goods or chattels so distrained, of what nature or kind soever, in such place or places or in such part of the land or premises chargeable with rates as shall be most fit and convenient for the purpose, and it shall be lawful for any person whomsoever after the expiration of five days hereinafter mentioned to come and go to and from such place or part of the said land or premises where such goods or chattels shall be impounded and secured as aforesaid, in order to view and buy, and in order to carry off and remove the same on account of the purchaser thereof.

Owner of goods distrained may appoint mode of sale.

12. The owner of any goods or chattels so distrained upon may, at his or her option, direct and specify the order in which they shall be successively sold, and the said goods or chattels shall in such case be put up for sale according to such direction.

Bailiff to hand proceeds to Council Clerk.

13. The Bailiff shall hand over to the Council Clerk all proceeds of every such distress within forty-eight hours after having received the same.

Payments to Bailiff.

14. There shall be payable to the Bailiff, for the use of the Council for every levy and distress made under these By-laws, the costs and charges hereto annexed, marked C.

SCHEDULE A.

Warrant of Distress.

I, _____, Mayor of the Borough of Paddington, do hereby authorize you, _____, the Bailiff of the said Borough, to distrain the goods and chattels in the dwelling-house or in and upon the land and premises of _____, situated at _____, for _____, being the amount of Municipal rates due to the said Borough to the day of _____, for the said dwelling-house (or land or premises, as the case may be), and to proceed thereon for the recovery of the rates according to law.—Dated this _____ day of _____, 18 _____.

Mayor.

SCHEDULE B.

Inventory.

I have this day, in virtue of the warrant under the hand of the Mayor of the Borough of Paddington, dated _____, distrained the following goods and chattels in the dwelling-house (or in upon the land and premises) of _____, situate at _____, within the said Borough, for _____, being the amount of rates due to the said Borough to the day of _____.—Dated this _____ day of _____, 18 _____.

Bailiff.

SCHEDULE C.

Fees to Bailiff.

	s.	d.
1st. For making every entry and inventory in the execution of warrant	5	0
2nd. If in possession more than five hours.....	5	0
3rd. For every other day and part of a day	5	0
And 5 per cent. on the net amount of sale.		

PART III.

Care and management of Streets.

Change of Street Levels.

1. Whenever it may be deemed necessary to alter the level of any street, road, or way, the Council shall cause a plan and section, showing the proposed cuttings and fillings to be exhibited at the Council Chamber for fourteen days, for the information and inspection of ratepayers, and shall notify by some newspaper circulating in the Borough that such plan is so open to inspection. At a subsequent meeting of the Council the said plan and section shall if adopted, be signed by the Mayor or Chairman and countersigned by the Council Clerk, and such plan so signed and countersigned shall be a record of the Council.

Persons not to open drain or remove soil, &c. without leave, &c.

2. Any person who shall form, dig, or open any drain or sewer, or remove or cause to be removed any turf, clay, sand, soil, gravel, stone, or other material, in or from any part of the carriage or foot way of any street or other public place within the said Borough without leave first had and obtained by a written order from the Mayor, or who shall wantonly break up or otherwise damage any such carriage or foot way, shall on conviction forfeit and pay for every such offence any sum not exceeding five pounds nor less than ten shillings.

Persons not to dig holes, &c.—Persons to enclose buildings and building material, &c.—Lights to be provided, &c.

3. Any person or persons who shall dig or make or cause to be dug or made any hole, or leave or cause to be left any hole adjoining or near to any street or public place within the said Borough for the purpose of making any vault or vaults, or the foundations of any house or other building or for any other purpose whatsoever, or shall erect or pull down any building, and shall not forthwith enclose the same and keep the same enclosed in a good and sufficient manner to the satisfaction of the Council of the said Borough, or who shall keep up or cause to be kept up and continued, any such enclosure for any time which shall be longer than shall be absolutely necessary in the opinion of the said Council, and shall not place lights upon each side of the said enclosure, and keep the same constantly burning from sunset to sunrise during the continuance of such enclosure shall forfeit and pay for every such refusal or neglect any sum not being less than forty shillings nor more than five pounds.

Persons not to leave dangerous openings exposed or obstructions on public ways, &c.

4. Every owner or occupier of any house, building, premises, or land within the said Borough having any entrance, area, garden, or other open space, or any vacant building lot, water-hole or excavated space adjoining the footway of any street or public place in such Borough shall protect and guard the same by good and sufficient rails, fences, or other enclosures so as to prevent danger to persons passing and repassing; and every

such owner or occupier of any such house, building, premises, or land having any steps adjoining the footway of any such street or public place, shall in like manner protect and guard the same by fences, rails, or other enclosures, so as to prevent the like danger to persons passing and repassing, and on failure thereof every such owner or occupier shall as often as he shall be convicted of such offence forfeit and pay any sum not being less than forty shillings nor more than five pounds; and every such owner or occupier as aforesaid who shall fail to erect such rails, fences, or other enclosures as aforesaid within fourteen days after any such conviction as aforesaid, shall be deemed guilty of a further offence against this By-law.

Improvement Committee may cause thoroughfares to be stopped, &c.

5. The Improvement Committee or any officer or person acting under the authority of such Committee, may at any time cause the traffic of any street, lane, or thoroughfare, or any portion thereof to be stopped for the purpose of repairing the same or for any necessary purpose, and any person or persons offending against this By-law either by travelling on such street, lane, or thoroughfare, or by removing or destroying any obstruction that may be placed thereon for the purpose of suspending the traffic, shall forfeit and pay a penalty of any sum not exceeding five pounds or less than one pound for every such offence.

Careless riding or driving.

6. Any person who shall ride or drive through or upon any street or public place within the said Borough, so negligently carelessly, or furiously that the safety of any other person shall or may be endangered shall on conviction forfeit and pay a sum not exceeding one pound nor less than five shillings.

Riding and driving round corners, &c.

7. Any person who shall ride or drive round the corner of any road, street, or lane, within the said Borough, at a faster pace than a walk, shall on conviction forfeit and pay any sum not exceeding ten shillings nor less than five shillings.

Rolling and driving on footways, &c.

8. Any person who shall run, roll, drive, draw, place, or cause, permit, or suffer to be run, rolled, driven, drawn, or placed upon any footway any waggon, omnibus, cart, dray, stage, bicycle, carriage, wheelbarrow, truck, cask, wheel, or vehicle of any kind, or shall lead, drive, ride, or place any horse, cattle, or other beast upon any footway shall forfeit and pay a penalty not exceeding five pounds nor less than one pound.

Placing obstructions on footways, &c.

9. If any person shall set or cause or permit to be set or placed any stall, show-board, sign-board, basket, or goods of any kind whatsoever, or shall hoop, place, wash, or cleanse, or shall cause to be hooped, placed, washed, or cleansed, any cask or vessel in or upon or over any road, footway, or public place within the said Borough, or shall set out, lay, or place, or shall cause or procure, permit or suffer to be set out, laid, or placed, any coach, cart, dray, barrow, truck, or other carriage upon any footway; or shall allow any vehicle, goods, or property to remain in or obstruct any road, street, lane, or way; or if any person shall set or place or cause to be set or placed in, upon, or over any of the said carriage or foot ways, any timber, stones, bricks, lime, or other materials or things for building whatsoever (unless the same shall be enclosed as hereinafter directed), or any other goods or things whatsoever, or shall hang out or expose, or shall cause or permit to be hung out or exposed, any meat or offal or other commodity or thing whatsoever from any house or premises, over any part of such footways or carriage ways, or over any area of any house or premises over or next to any such street, road, or public place,—in every such case every person so offending shall forfeit and pay a sum not exceeding forty shillings nor less than ten shillings.

PART IV.

Blasting rock.

Persons blasting rock to give notice, &c.

1. Any person who shall be desirous of blasting any rock within one hundred yards of any street or public place within the said Borough shall give notice in writing previously to the Council Clerk, who shall appoint a time when the same shall take place, and give such other directions as he may deem necessary for the public safety; and if any person shall blast or cause to be blasted any rock within the limits aforesaid without giving such notice, or shall not conform to the directions given to him by the said Council Clerk, he or she shall on conviction forfeit and pay for every such offence any sum not less than five pounds nor more than twenty pounds.

Careless use of gunpowder, &c.

2. Every person who shall place or knowingly permit to be placed in any house, yard, workshop, outoffices, or other premises, fire, gunpowder, or combustible, or other inflammable material of any kind, in such manner as to endanger contiguous buildings, shall on conviction of such offence forfeit and pay a

penalty of not more than five pounds nor less than one pound, and shall forthwith remove such fire, gunpowder, or combustible or inflammable material, and every such person who shall suffer any fire, gunpowder, or combustible or inflammable materials to remain as aforesaid for seven days after any such conviction shall be deemed guilty of a further offence against this By-law.

PART V.

Public Pumps.

Negligent use of public pumps and water, &c.

1. Whosoever, having access to any or either of the public pumps within the said Borough belonging to the said Council for the taking of water therefrom or otherwise, who shall wilfully or negligently suffer any water to run to waste from any pump, from or by which he or she shall be supplied, or to which he or she has access, or shall by himself or herself, or by any of his or her employées, supply water in any quantity to contractors or others for building purposes, or shall use the said water from said pumps for the purpose of washing horses or carriages, or shall use the said water for any purpose excepting for household purposes, or who shall in any way injure any or either of the said pumps, shall on conviction forfeit and pay for every such offence a sum not exceeding forty shillings nor less than ten shillings, in addition to the amount of damage that might be occasioned.

PART VI.

Nuisances.

Casting filth or rubbish into streets, &c.

1. Any person who shall cast or cause to be cast any filth, rubbish, or any dead animal into any street, lane, public watercourse, sewer, or waterhole, or who shall suffer any dead animal to remain upon his or her land or premises to become a nuisance or otherwise offensive, or who shall permit any filth to flow from his or her premises, or shall permit or cause by means of pipes, channels, or other contrivances filth from closets to flow into any street, lane, public watercourse, sewer, or waterhole, or shall obstruct or divert from its channel any such sewer or watercourse, shall forfeit any sum not exceeding five pounds nor less than one pound, and shall pay the cost of removing such filth or obstruction, or of restoring such sewer or watercourse to its proper channel.

Keeping swine and straying animals, &c.

2. Any person who shall breed, feed, or keep any kind of swine in any building, yard, garden, or other hereditament situate and being in or within 120 feet of any street or public place in the said Borough, or shall suffer any kind of swine, or any horse, ass, mule, sheep, goat, or other cattle belonging to him or her, or under his or her charge, to stray or go about, or to be tethered or depastured in any street or public place, shall on conviction forfeit and pay for such offence a sum not exceeding forty shillings nor less than two shillings and sixpence.

Premises and private avenues to be kept clean, &c.

3. Any owner or occupier of any house or place within the said Borough who shall neglect to keep clean all private avenues, passages, yards, and ways within the said premises, so as by such neglect to cause a nuisance by offensive smell or otherwise, shall on conviction forfeit and pay a sum not exceeding forty shillings nor less than ten shillings for every such offence.

Inspector of Nuisances to visit and inspect butchering establishments, &c.

4. For preserving the cleanliness of the said Borough and the health of the inhabitants thereof, it shall be lawful for the Inspector of Nuisances or for any other officer or officers appointed by the Council from time to time, and when and as often as he or either of them shall see occasion to visit and inspect the butchers' premises, boiling-down establishments, tanneries, and fellmongering establishments in the said Borough, and to give such directions concerning the cleansing of the said premises, tanneries, and establishments both within and without, as to him shall seem needful; and any butcher, or the owner or occupier of any such tannery or establishment who shall refuse or neglect to comply with such directions within forty-eight hours, shall forfeit and pay a sum not exceeding ten pounds nor less than ten shillings.

Premises to be inspected upon the complaint of any householder, &c.

5. Upon the reasonable complaint of any householder, that the house, premises, yards, closets, or drains of the neighbouring or adjoining premises are a nuisance or offensive, the Inspector of Nuisances or any other person appointed by the Council shall make an inspection of the premises complained of, and the officer of the Council shall have full power without any other authority than this By-law, to go upon the said premises for such purpose.

Persons committing offences, &c.

6. Every person who in any street or other public place or passage within the said Borough to the obstruction, annoyance, or danger of the residents or passengers, shall commit any of the following offences, shall on conviction for any and every such offence forfeit and pay a penalty of not more than five pounds nor less than ten shillings:—

Hoisting goods, &c.

(1.) Every person who shall hoist or cause to be hoisted, or lower, or cause to be lowered, goods of any description from any opening in any house fronting any street or public place and close to the footway thereof without sufficient and proper ropes and tackling.

Conveyance of meat.

(2.) Every person who shall carry or convey or cause to be carried or conveyed in any street or public place, the carcase or any part of the carcase of any newly-slaughtered animal without a sufficient and proper clean cloth covering the same for the concealment from public view, or shall hawk or carry about butcher's meat for sale without covering the same as aforesaid.

Placing lines across the streets, &c.

(3.) Every person who shall place any line, cord, or pole across any street, lane, or passage, or hang or place clothes thereon, to the danger or annoyance of any person.

(4.) Every person who shall place any flower-pot in any upper window near to any street or public place without sufficiently guarding the same from being thrown down.

Casting building material from roofs, &c.

(5.) Every person who shall throw or cast from the roof or any part of any house or other building, any slate, brick, part of a brick, wood, rubbish, or other material or thing (unless within a hoard or enclosure), when any house or building is being erected, pulled down, or repaired.

Blacksmiths, &c., to close establishments after sunset, &c.

(6.) Every blacksmith, whitesmith, anchor smith, nail-maker, metal-founder, limeburner, brickmaker, potter, or other person using a forge, furnace, or kiln, and having a door, window, or aperture fronting or opening into or towards any street, lane, or passage, and not closing such door, or not fastening the shutters or other fastenings of such window and closing such aperture or placing a screen before the same every evening within one hour after sunset, so as to effectually prevent the light from shining through the doorway, window, or aperture next or upon such street, lane, or passage.

Persons burning bones, or rags, &c.

(7.) Every person who shall within the distance of one hundred yards from any dwelling-house, burn any rags, bones, corks, or other offensive substance to the annoyance of any inhabitant.

Carrying goods on frames, &c.

(8.) Any person who shall carry goods on any frame to the annoyance of any person upon the footway of any street or other public footway.

Keeping ferocious animals, &c.

(9.) Every person who shall be the keeper of or have any dog or other animal which shall attack or endanger the life or limb of any person who may have the right of way or the use of any private road, yard, alley, street, or other place within the said Borough.

Filthy premises injurious to public health.

7. If upon the certificate of any two duly qualified medical practitioners, it appear to the Council that any house or part thereof, or the premises occupied in connection therewith within the limits of the said Borough, is in such a filthy or unwholesome condition that the health of any person is or may be affected or liable to be affected or endangered thereby, and that the whitewashing, cleansing, or purifying of any house or part thereof, or the premises occupied in connection therewith, would tend to prevent or check any infectious or contagious disease, the said Council shall give notice in writing to the owner or occupier of such house or part thereof, or the premises occupied in connection therewith, to whitewash, cleanse, or purify the same, as the case may require; and if the person to whom notice is so given shall fail to comply therewith within such time as shall be specified in the said notice, he or she shall be liable to a penalty not exceeding ten shillings for every day during which he or she continues to make default. Provided that no such penalty shall collectively amount to any greater

sum than twenty pounds; and the said Council shall, if they shall think fit, cause such house, building, or part thereof, or the premises occupied in connection therewith, to be white-washed, cleansed, or purified, and for such purpose the proper officers, servants, and workmen of the said Council shall have power to enter the same, and the expense incurred by the Council in so doing shall be paid by the owner or occupier.

Bathing in public places.

8. Any person who shall bathe near to or within view of any public wharf, quay, bridge, street, road, or other place of public resort within the limits of the said Borough between the hours of six o'clock in the morning and eight in the evening, shall on conviction forfeit and pay a sum not exceeding one pound for every such offence.

Offending against decency.

9. Any individual who shall offend against decency by the exposure of his or her person in any street or public place within the said Borough, or in the view thereof, shall on conviction forfeit and pay for every such offence a sum not exceeding five pounds nor less than one pound.

Persons keeping cows to provide sufficient space, &c.

10. Any person who shall keep cows on any premises within the said Borough, and shall not provide a space for each cow of seven feet by five feet, shall on conviction forfeit and pay any sum not less than ten shillings nor more than forty shillings for each offence.

Connecting drains with sewers, &c., without permission.

11. Any person who shall connect any pipe or drain with any sewer belonging to the said Council without permission first obtained from the said Council, shall on conviction forfeit and pay any sum not exceeding twenty pounds nor less than five pounds.

PART VII.

Houses of ill-fame.

By-laws Committee to deal with houses of ill-fame.

Upon representation by any respectable ratepayer that any house or premises within the Borough, and near to the residence of such ratepayer, is of ill-fame, it shall be lawful for the

By-law Committee to cause the residents of such house or premises to furnish to the Council a list of names, ages, sexes, and occupation of all the inmates of the said house or premises, and upon non-compliance with such request, or if upon consideration the said Committee consider the house to be one of ill-fame, they shall, with the sanction of the Council, declare the same to be a nuisance, and shall cause a notice in writing to be served upon the holder of such house or premises or any person resident or being therein to discontinue or abate the said nuisance within forty-eight hours after the receipt of such notice, and if such nuisance be not so abated the holder of such house or premises or other person residing or being therein and acting as such holder shall be liable to be proceeded against for such nuisance, and shall on conviction thereof forfeit and pay any sum not less than two pounds nor more than twenty pounds; and if such nuisance shall not be abated within forty-eight hours after conviction such holder of such house or such other person residing or being therein as aforesaid shall forfeit and pay for such second offence a sum not less than five pounds nor more than fifty pounds; and if a further period of forty-eight hours shall elapse after such second conviction without the abatement of such nuisance such holder of such house or other person residing therein as aforesaid shall for such third offence forfeit and pay any sum not less than ten pounds nor more than fifty pounds.

Penalties where no special penalty mentioned, and for obstructing enforcement of By-laws.

Every person committing a breach of any of these By-laws shall, where no penalty is mentioned for such offence, be liable to a penalty of a sum not exceeding twenty pounds; and any person obstructing any person in the discharge of any duty imposed, or in the exercise of any privilege conferred by any of these By-laws, shall be liable to a penalty of a sum not exceeding twenty pounds.

Passed by the Municipal Council of the Borough of Paddington, this sixth day of January, one thousand eight hundred and eighty.

(L.S.) W. TAYLOR,
Mayor.

CHARLES HELLMRICH, Council Clerk.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES.

(BOROUGH OF ALEXANDRIA—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 24th June, 1880.

BOROUGH OF ALEXANDRIA—BY-LAWS.

THE following By-laws, made by the Council of the Borough of Alexandria, for the establishment of a Toll-gate on the Henderson Road, and the collection of Tolls thereat, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

BY-LAWS for the establishment of a Toll-bar on the Henderson Road and the collection of Tolls thereat, passed by the Municipal Council of Alexandria, on the 7th day of April, 1880.

WHEREAS it has been deemed expedient by the Municipal Council of Alexandria to place a Toll-gate on the Henderson Road, for the purpose of collecting tolls for the maintenance and repairs of the said road, they, the said Municipal Council, have agreed to the following By-laws for establishing and regulating the same, for the scale of tolls to be levied, and for the collection of said tolls :—

- 1st. That a gate be created on the Henderson Road.
 - 2nd. That the following scale of tolls be levied on every vehicle or animal passing through the said gate each time, the said vehicles being allowed to return without such toll being demanded :—
- | | s. | d. |
|--|----|----|
| For every sheep, goat, or pig | 0 | 0½ |
| For every ox or head of neat cattle | 0 | 1 |
| For every horse, mare, gelding, ass, or mule | 0 | 1 |
| For every cart, dray, or other such vehicle with two wheels, drawn by one horse or other animal..... | 0 | 2 |
| If drawn by two horses or other animals | 0 | 3 |
| And for every additional horse or other animal | 0 | 1 |
| And for every wain, waggon, or other such carriage with four wheels drawn by two horses or other animals | 0 | 4 |
| And for every additional horse or other animal drawing such carriage..... | 0 | 1 |

- | | s. | d. |
|---|----|----|
| For every gig, chaise, or other such carriage with two wheels, drawn by one horse or other animal | 0 | 3 |
| If drawn by two horses or other animals | 0 | 4 |
| For every coach, chariot, or other such carriage with four wheels, and drawn by one horse or other animal | 0 | 5 |
| If drawn by two horses or other animals | 0 | 6 |
| And for every additional horse or other animal | 0 | 1 |

3rd. That for every vehicle with four wheels, usually drawn by two or more horses, affixed, tied, or secured to any other vehicle, there shall be paid for such vehicle the same rate of toll as if drawn by two horses.

And for every vehicle with two wheels the same rate of toll as if drawn by one horse.

Provided always that if any such vehicle so tied or secured to any other vehicle, shall contain any goods other than the harness thereto belonging, and such articles of package as may be necessary for the protection of such carriage or passengers, the same shall be liable to double the toll hereby imposed.

4th. The said Toll-gate, with the power of levying tolls, shall be sold by auction on the first day of July in every year, but the Council will reserve the right of disposing of the said Toll-gate in any manner they shall deem expedient

(L.S.) CHARLES B. HENDERSON,
Mayor.

JAS. JONES, Council Clerk.

Council Chambers, Alexandria,
3rd May, 1880

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES.
(MUNICIPAL DISTRICT OF YASS—BY-LAW.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 10th September, 1879.

MUNICIPAL DISTRICT OF YASS.

BY-LAW.

THE following By-law made by the Council of the Municipal District of Yass, in substitution for the first of the existing By-laws of that Municipality, to alter the time of meeting of the Council, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

1. The Council shall meet at the Chambers on every alternate Friday, at 7-30 p.m., unless such day shall be a public holiday, in which case the Council shall appoint some other day for the meeting.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES.

(MUNICIPAL DISTRICT OF TENTERFIELD—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 28th July, 1879.

MUNICIPAL DISTRICT OF TENTERFIELD.

BY-LAWS.

THE following By-laws, made by the Council of the Municipal District of Tenterfield, for the preventing of fires, having been confirmed by His Excellency the Lieutenant-Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

TENTERFIELD MUNICIPAL BY-LAWS.

1. Every person who shall erect or repair or knowingly permit to be erected or repaired within the said Municipality any building or portion of a building, any portion of which shall be constructed of bark or other dangerously inflammable materials, shall on conviction of every such offence pay a penalty of not more than twenty pounds; and every person who shall suffer any such building or portion of a building to remain as aforesaid for twenty-four hours after such conviction shall be guilty of a further offence against this By-law: Provided that this By-law shall only be enforced within that portion of the said Municipality, bounded on the west by the Tenterfield Creek, on the north by Naas-street, on the east by Wood-street, and on the south by Douglas-street.

2. Every person who shall, within that portion of the Municipality named in the preceding By-law, erect any fence of brushwood, bushes, or other inflammable material, or shall make or place or cause to be made or placed any stack of hay, corn, straw, or other produce, or place as or for the covering of any such stack any inflammable material, so as to endanger contiguous buildings or properties, or any trees, shrubs, or other produce thereof, or any chattels therein, shall on conviction of every such offence pay a penalty of not more than ten pounds; and shall also remove such fence, stack, or covering within seven days after such conviction; and any person failing to remove such fence, stack, or covering within the time specified after such conviction as aforesaid shall be deemed guilty of a further offence against this By-law.

Made and passed by the Municipal Council of the Municipal District of Tenterfield, on the 5th day of May, 1879.

(L.S.) EDWARD B. WHEREAT,
Mayor.

GEO. KENNEDY, Council Clerk.

1879.

NEW SOUTH WALES.

MUNICIPALITIES.

(MUNICIPAL DISTRICT OF MOLONG—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 31st July, 1879.

MUNICIPAL DISTRICT OF MOLONG.

BY-LAWS.

THE following By-laws, made by the Council of the Municipal District of Molong, for regulating the proceedings of the Council, the collection of rates, for the prevention and abatement of nuisances and other matters, and for the general good rule and government of the Municipality, having been confirmed by His Excellency the Lieutenant-Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

MUNICIPALITY OF MOLONG.

BY-LAWS to regulate by means of Standing Orders the proceedings of the Municipal Council of Molong for the general good rule and government of the Municipality, and for the collection of rates, the prevention and abatement of nuisances and other matters.

The following shall be the By-laws of the Municipality of Molong:—

Meetings of Municipal Council, and duties of Mayor and Aldermen.

1. The Council shall meet at the School of Arts or other place that may hereafter be appointed within the Municipality of Molong, at half-past seven o'clock p.m. on every alternate Tuesday, for the transaction of business, unless otherwise adjourned, subject however to the provisions of the Municipalities Act of 1867.

2. There shall be two half-yearly meetings of the Council, in the months of March and September in each Municipal year, for the purpose of making up the accounts of the Municipality for the half-years respectively expiring in the preceding months of February and August in such year.

3. The Mayor or presiding Alderman shall preserve order, and his decision on disputed points of order shall be final.

4. The Mayor or presiding Alderman may take part in all the proceedings of the Council.

5. When the Mayor or presiding Alderman is called upon to decide upon a point of order or practice, he is to state the rules applicable to the case without argument or comment.

6. The Mayor or presiding Alderman shall put all questions and declare the sense of the Council thereon.

7. If two or more members rise to speak at the same time the Mayor or presiding Alderman shall decide which member is entitled to pre-audience.

8. The Mayor or presiding Alderman may, without waiting for the interposition of any member of the Council, call to order any member proceeding to speak a second time on the same subject, except in the way of explanation only or of reply by the mover of any motion then under consideration.

9. The Mayor or presiding Alderman shall on every motion made put the question first in the affirmative and then in the negative, and he may do so as often as may be necessary to enable him to form and declare his opinion from the show of hands as to which party has the majority.

10. Every Alderman shall enter his name and address in a book kept by the Council Clerk, where summonses and other papers may be left for him.

11. Every Alderman present shall record his vote openly upon all subjects.

Order of Business.

12. The business of the Council shall be taken in the following order:—

1. Reading and signing minutes of last meeting.
2. Reading of copies of letters sent by authority of Council.
3. Reading of letters received, and considering and ordering thereon.
4. Reception and reading of petitions and memorials, but without discussion.
5. Reception and reading of reports from Permanent and Select Committees, and ordering thereon.
6. Order of the day and adjourned motions.
7. Motions according to notice.
8. Payment of accounts and special payments.
9. All motions shall be made, and petitions presented by Aldermen in their places, and every Alderman shall stand when speaking and address the Chair.

13. The order of the day shall include business, of which due notice has been given, and all matters arising out of former meetings of the Council.

14. Any motion entered on notice paper, and the Alderman having given notice of the same being absent, and no other Alderman having been deputed to bring forward such motion when the business is called on, shall be struck out.

15. Any number of amendments may be proposed on a motion before the Council, and when more than one amendment is moved the question shall first be put on the last amendment and then on the next, and so on in the reverse order in which they were moved, except when such motion or amendment shall relate to the acceptance of tenders, the fixing of salaries, or other matters of finance, in which case the lowest sum shall be put first, then the next lowest, and so on to the highest.

16. It shall not be necessary for any motion to be seconded.

17. Motions for adjournment shall be put without discussion, and if negatived it shall not be competent for any Alderman to make a similar motion until half-an-hour shall have elapsed.

18. Motions to rescind or to vary a former vote of the Council shall not be moved without express notice, and a call of the Council on a particular day to be named for the purpose.

Notices of Motion.

19. The Council Clerk shall enter in a book to be kept for that purpose, to be called the "Notice Book," all notices of motion in the order in which they are received.

Petitions.

20. No discussion shall take place on the presentation of any petition without notice of motion given after its reception.

21. It shall be incumbent on any Alderman presenting a petition to acquaint himself with the language thereof, and to report to the Council that he considers it unobjectionable in that respect.

22. All petitions shall be received only as the petitions of the parties signing the same.

Committees and their Reports.

23. No Committee shall consist of less than three members of the Council, which number shall form a quorum.

24. The mover of any motion for a Committee shall be a member thereof, and at all meetings of such Committee the Mayor, if a member, shall preside; or, if he be not a member, then such Alderman shall preside as a majority of the members of the Committee shall have appointed permanent Chairman thereof; and in the absence of the Mayor or permanent Chairman respectively, such Chairman as the members present shall appoint shall preside.

25. No report of any Committee shall be adopted unless due notice of motion for that purpose be given after its reception.

26. The rules of the Council shall be observed in a Committee of the whole Council except ruling limiting the number of times of speaking.

Order of Debate.

27. Any Alderman proposing a motion or amendment or discussing any matter shall not be interrupted unless by a call to order, when he shall sit down; the Alderman calling to order shall then be heard and the question of order decided before the subject is resumed or any other business proceeded with.

28. Any Alderman proposing a motion or any amendment must state the nature of it before addressing the Council.

29. Except in Committee no Alderman shall speak twice on the same question, unless in explanation when he has been misrepresented or misunderstood: Provided however that the mover shall be allowed to reply, and that every Alderman shall have the liberty of speaking once on every amendment as well as on the original motion.

30. No Alderman shall digress from the subject under discussion, nor shall he speak upon any motion or amendment for a longer period than fifteen minutes without the consent of the Council.

31. A debate may be adjourned to a later hour of the same evening, or to another day to be specified.

32. The Alderman upon whose motion any debate shall be adjourned by the Council shall be entitled to pre-audience on the resumption of the debate.

33. It shall be competent for any Alderman to divide the Council on any question both in full Council and Committee, and the Mayor or presiding Alderman shall take the division in the usual way by show of hands, and the names given by the Mayor or presiding Alderman to the Council Clerk shall be taken down by him and recorded.

34. All divisions of the Council shall be entered in the minute-book.

35. Any Alderman using offensive or abusive language towards any other Alderman, or persisting in speaking when requested by the Mayor or presiding Alderman to desist, or refusing to sit down when called to order by the Mayor or presiding Alderman shall forfeit and pay for every such offence a sum of money not being less than five shillings nor exceeding five pounds.

36. No work affecting the expenditure of the funds of the Municipality shall be undertaken until an estimate of the expense shall have been laid before the Finance Committee, reported thereon at the next meeting, and approved of by the Council.

37. A Committee or Surveyor shall in all cases be appointed to inspect the work performed as soon as completed, and on the written approval of such Committee or Surveyor the same shall be paid for.

38. It shall be lawful for any ratepayer at any time previous to any tender for work being accepted to petition the Council in support of or against the expenditure on account of such contract.

Officers.

39. The Council Clerk shall have the custody of the Common Seal, and of all books, charters, deeds, muniments, and records of the Corporation or relating to the property thereof.

40. The Treasurer's cash-book and the Banker's pass-book shall be laid before the Council at all its meetings.

By-laws.

41. That no new By-law shall be proposed at any meeting unless notice in writing has been duly given, and no new By-law, amendment, or repeal shall be finally passed at the meeting at which it is first proposed.

42. That no less than seven days shall intervene between the meeting at which the new By-law, amendment, or repeal shall be proposed and the meeting at which the same shall be passed by the Council.

43. That any proposed new or amended By-law or repeal of any existing law shall be filed in the Council Clerk's office, for the inspection of the Aldermen or inhabitants of the Borough, from the time at which it is proposed until the meeting at which it is to be finally adopted.

Miscellaneous Regulations.

44. All contracts for Municipal works shall be by tender or otherwise, as the Council may see fit.

45. No Alderman or officer of the Council shall be surety for any contractor or officer of the Municipality.

Collection of rates.

46. That if necessary a duly qualified person shall be appointed for the collection of the Municipal rates, and the remuneration shall be an agreed per-centage upon the actual amount collected by such officer from the ratepayers.

47. That such rates be collected by half-yearly instalments.

48. The Collector of such rates for the time being, if appointed, shall be the Bailiff for the Municipality, and in the meantime until such Collector be appointed a proper person shall be appointed as Bailiff.

49. The Collector if appointed shall, in accordance with the provisions of the Municipalities Act of 1867, collect the rates when made from the ratepayers, and shall from time to time report the result of his collection to the Council, and shall execute all warrants for distresses or take such proceedings for enforcing payment of the said rates if in arrear, as the Mayor or any person who may for the time being be duly authorized to perform the duties of that office, shall direct.

50. The Collector if appointed shall keep such books required for the collection of rates as shall be furnished him by the Council Clerk, and shall produce the same for the inspection of any ratepayer at any reasonable time.

51. All levies and distresses shall be made under warrant in the form of the Schedule hereunto annexed and marked with the letter "A," under the hand of the Mayor or any person who may for the time being be duly authorized to perform the duties of that office.

52. The Bailiff shall be paid for every levy made by him under these By-laws the fees mentioned in the Schedule hereunto annexed and marked "B."

SCHEDULE A.

I, _____, Mayor of the Borough of Molong, do hereby authorize you, _____, the Bailiff of the said Borough, to distrain the goods and chattels in the dwelling-house (or in and upon the land and premises) of _____, situate at _____, for _____, being the amount of rates due to the Corporation of the said Borough to the _____ day of _____, for the said dwelling-house (or premises, as the case may be), and to proceed thereon for the recovery of the said rates, according to law.

Dated this _____ day of _____, 187 .

Mayor.

SCHEDULE B.

Fees to Bailiff.

For making entry and inventory, three shillings; if in possession more than five hours, three shillings additional, and for every subsequent day whilst in possession, five shillings per day, and five per cent. upon the net proceeds of the sale.

By-laws for the care and management of the public roads and streets and the general good rule and government of the Municipality.

53. No cattle intended for slaughter and sale in the town shall be driven through any street or public thoroughfare of the Municipality between the hours of 8 in the morning and 6 in the evening, and every person who shall drive or cause to be driven, any such cattle through any street or public thoroughfare of the Municipality between such hours, shall on conviction forfeit and pay for every such offence a sum of money, not being less than five shillings nor exceeding five pounds.

54. That any person who shall drag any logs, stump, or any kind of rubbish on to any of the reserves within the Municipality, or take loam, sand, or stone from off of any of the streets within the said Municipality without the permission of the Mayor, shall on conviction for every such offence forfeit and pay a sum of money, not being less than five shillings and not exceeding five pounds.

(L.S.) W. TANNER, JNR., Mayor.

Made and passed by the Municipal Council of Molong this 25th day of March, A.D. 1879.

MICHAEL THOMAS PHILLIPS,
Council Clerk.

1879.

NEW SOUTH WALES.

MUNICIPALITIES.

(MUNICIPAL DISTRICT OF LAMBTON—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 1st August, 1879.

MUNICIPAL DISTRICT OF LAMBTON.

BY-LAWS.

THE following By-laws, made by the Council of the Municipal District of Lambton, for regulating the proceedings of the Council and the duties of its officers and servants; for preserving order at its meetings; for determining the times and modes of collecting and enforcing the payment of rates; for preventing and extinguishing fires; for suppressing nuisances; for compelling residents to keep their premises free from offensive or unwholesome matters; for restraining noisome and offensive trades; and for generally maintaining the good rule and government of the Municipality, having been confirmed by His Excellency the Lieutenant-Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

BY-LAWS OF MUNICIPAL DISTRICT OF LAMBTON.

PART I.

Proceedings of the Council and Committees—Duties of Officers and Servants, &c.

Ordinary Meetings.

1. The Council shall meet for the transaction of business on such days and at such hours as the Council may from time to time appoint.

Election of Chairman in the absence of the Mayor.

2. If at any meeting of the Council the Mayor be absent at the expiration of fifteen minutes after the time appointed for holding such meeting, the Alderman then present shall proceed to elect a Chairman from themselves for such meeting.

Business of Ordinary Meetings.

3. The following shall be the order of business at all meetings of the Council, other than special meetings:—

1. The minutes of the last preceding meeting to be read, corrected, if erroneous, and signed by the Mayor or other Chairman. No discussion to be permitted on such minutes, except as to whether they are correct.
2. Correspondence to be read, and order made thereon if expedient.
3. Petitions (if any) to be read and dealt with.
4. Reports from Committees and minutes from the Mayor (if any) to be presented and orders made thereon.
5. Questions as to any matters under the jurisdiction or within the official cognizance of the Council to be put and replied to, and statements as to any facts, matters, or circumstances requiring attention by the Council, or any of the Committees or officers to be made.
6. Motions of which notice has been given to be dealt with in the order in which they stand on the business paper.
7. Orders of the day to be disposed of as they stand on the business paper.

Business may be taken out of regular order.

Provided, that the Council may, by resolution without notice, entertain any particular motion or deal with any particular matter of business out of its regular order on the business paper without any formal suspension of this section, and may in like manner direct that any particular or matter of business may have precedence at a future meeting.

General duties of the Mayor or presiding Alderman.

Order.

4. The Mayor or presiding Alderman shall preserve order, and his decision on all disputed points shall be final, but he is to give his decision without argument or comment.

The Mayor may take part in proceedings.

5. The Mayor or presiding Alderman may take part in all proceedings of the Council.

Putting questions.

6. The Mayor or presiding Alderman shall put all questions and declare the sense of the Council thereon.

Pre-audience.

7. If two or more members rise to speak at the same time, the Mayor or presiding Alderman shall decide which Member is entitled to pre-audience.

Not to speak a second time.

8. The Mayor or presiding Alderman may, without waiting for the interposition of any member of the Council, call to order any member proceeding to speak a second time on the same question (except in explanation, and without introducing any new matter). The member introducing the motion to have the right of reply, and every member shall have the liberty of speaking once on every amendment as well as on the original motion.

Questions put by Mayor.

9. The Mayor or presiding Alderman shall on every motion made and seconded put the question first in the affirmative and then in the negative, and he may do so as often as may be necessary to enable him to form and declare his opinion from the show of hands as to which party has the majority.

Not speaking to question.

10. No member shall deviate from the subject under debate, or make personal reflections upon any other member.

Time for speaking.

11. No member shall speak on any motion or amendment longer than ten minutes.

Offensive expressions.

12. No member shall make use of any expression capable of being applied offensively to any other member.

Adjournment of debate.

13. A debate may be adjourned to a later hour of the same day or to another day specified.

Member entitled to pre-audience.

14. The member upon whose motion any debate shall be adjourned shall be entitled to pre-audience on the resumption of the debate.

Calls to order.

15. Any Alderman may at any time call the attention of the Mayor to any Alderman being out of order, or to any other point of order.

Motion for adjournment.

16. Any motion for adjournment if seconded shall be immediately put without discussion, but if such motion be negatived it shall not be competent for any member to make a like motion until the lapse of a quarter of an hour.

Motions must be seconded.

17. No notice shall be taken by the Mayor or presiding Alderman of any motion unless it be seconded.

Notices must be in writing.

18. All notices of motion shall be in writing, dated and signed by the Alderman proposing the same, previous to being handed to the Council Clerk, and shall not be withdrawn from the business paper unless a call of the whole Council has been duly made and granted for that purpose.

Call of the whole Council.

19. No motion, the effect of which if carried would be to rescind any motion which has already passed the Council, shall be entered on the business paper unless a call of the whole Council has been duly made and granted for that purpose.

How ordered.

20. A call of the Council may be ordered by any resolution of which due notice has been given for the consideration of any motion or matter of business before such Council.

How voting determined.

21. The Council shall vote by show of hands, but any Alderman may divide the Council on any question both in full Council or in Committee of the Whole, in which case every Alderman there present shall be compelled to vote, and divisions shall be entered in the minute book.

Questions to be read when required.

22. Any member may require the question under discussion to be read for his information at any time during the debate, but not so as to interrupt any other member whilst speaking.

How amendments to be put.

23. When a motion in Council shall have been made and seconded, any Alderman shall be at liberty to move an amendment thereon, but no such amendment shall be discussed unless and until it be seconded. No motion or amendment shall be discussed until it shall have been reduced to writing.

Council Clerk to give notice of Committee meetings.

24. The Council Clerk shall call a meeting of any Committee when requested to do so by the Chairman or any two members of such Committee.

Petitions—No debate.

25. On the presentation of a petition no debate shall take place until notice has been given in the usual manner, and the only question that can be entertained by the Council on the day of its presentation shall be that the petition be received, or that it be referred to a Committee.

Language of Petitions.

26. It shall be incumbent on any Alderman presenting a petition to acquaint himself with the language thereof, and to report to the Council that he considers it unobjectionable.

Petition of parties signing.

27. All petitions shall be received only as the petitions of the parties signing the same.

Committees.

28. Besides such special Committees as from time to time shall be found necessary, there shall be a standing Finance Committee, which shall examine and check all accounts, and shall watch generally over the collection and expenditure of the Municipal revenues. They shall enquire and report from time to time as to all matters which they may consider to affect or be likely to affect the finances of the Municipality, and as to such matters or subjects of the like nature as they may be directed by resolution of the Council to enquire and report upon. Such Committee shall be appointed by resolution of the Council within thirty days after the election of the Mayor for the Municipal year.

Chairman of Committees.

29. The Mayor shall be Chairman of all Committees of which he shall be a member, and every Committee of which the Mayor shall not be a member shall elect a permanent Chairman of such Committee; and such Chairman may direct the Council Clerk to call meetings whenever he shall think it expedient.

Report to be signed.

30. Every report of a Committee shall be signed by the Chairman thereof.

Funds of Municipality.

31. No work affecting the funds of the Municipality shall be undertaken until the probable expense be first ascertained by the Council, and all accounts to be paid by the Council shall be examined before any warrant shall be issued for the payment thereof. Provided that in cases of emergency the Mayor with the assent of any two Alderman may authorize the expenditure of any sum not exceeding five pounds, and such expenditure shall be reported to the Council at its next sitting.

Security.

32. In cases where security is required by the Municipalities Act of 1867, no security shall be accepted otherwise than by a vote of the Council.

Books and papers not to be shown.

33. No officer or servant appointed by the Council shall be at liberty to show, lay open, or expose any of the books, papers, or records of the Council to any person not a member of the Council without leave from the said Council, except as provided by law.

Common Seal.

34. The common seal shall not be affixed to any document without the express authority of the Council, and every impression thereof shall be verified by the signatures of the Mayor and Council Clerk.

Seal, Charter, &c., where kept.

35. The seal of the Municipality, and all charters, deeds, and records of the Council shall be kept in the custody of the Council Clerk, unless the Council shall otherwise order.

PART II.

Collection and enforcement of Rates.

Times and modes of collection.

36. All rates levied or imposed by the Council under the provisions of the Municipalities Act of 1867, and for the purposes mentioned in the said Act, shall be collected once a year, and such rate shall be held to be due and payable on and after such days as the Council may from time to time appoint.

Rates to be paid at office of Council Clerk.

37. All rates made and authorised by the Council, shall be paid within the time prescribed by the Act on such hours and days, and at such places as the Council may from time to time appoint.

Unpaid rates.

38. The Council Clerk shall prepare at such times as may be ordered by resolution of the Council or the Mayor, a list of the names of all persons whose rates are unpaid at the expiration of the time fixed for the payment of the same; and the Mayor may take immediate proceedings either by summons or by the issue of distress warrants against defaulters.

Bailiff.

39. The Bailiff shall be appointed by resolution of the Council, and shall be at any time removable by a like resolution, and shall give such security as the Council shall approve of for the faithful performance of the duties of the office.

Levies and distress.

40. The Bailiff shall make all levies and distresses for the recovery of rates under the warrant of the Mayor, such warrant to be made in accordance with the form in Schedule hereto annexed, marked A.

Entry and levy.

41. The Bailiff shall be paid for entry and levy made under these By-laws, according to the Schedule annexed, marked C.

Making a distress.

42. At the time of making a distress, the Bailiff shall forthwith make out a written inventory in the form, or to the effect of the Schedule annexed, marked B, which inventory shall be delivered to the occupant of the land or premises, or the owner of the goods so distrained, or to some person in his or her behalf resident in the place where the distress has been made, and in case there shall be no person at such place with whom such inventory can be left as aforesaid, then such inventory shall be posted in some conspicuous part of the land or premises on which the distress has been made, and the Bailiff shall deliver a copy of such inventory to the Council Clerk for the information of all parties concerned.

Bailiff to enter upon land.

43. It shall be lawful for the Bailiff, and such assistance as he may require, to enter into any part of the land, building, tenement or other property, in respect of which a warrant has been issued for the recovery of any rate or rates as aforesaid, and to distrain the goods therein or thereon, and to remain in such tenement, building, or other property in charge thereof; and if the sum for which such distress shall have been made or taken shall not be paid on or before the expiration of five days, it shall be lawful to sell the goods so distrained, or a sufficient portion thereof, by public auction either on the premises or at such places within the Municipal District as the said Bailiff may think fit to remove them to for such purpose; and the surplus (if any) that may remain after deducting the sum distrained for, together with the expenses attendant upon such distress, shall be paid over on demand to the owner of the goods so sold: Provided always that nothing herein contained as to the time of sale shall apply to any crops of cereals, fruit, or vegetables which may be growing at the time when such distress shall be made.

The Bailiff may impound.

44. The Bailiff, when making a distress as aforesaid, may impound or otherwise secure the distress so made of what nature or kind soever it may be in such places, or in such part of the land or premises chargeable with the rate as shall be most fit and convenient for that purpose; and it shall be lawful for any person whatsoever, after the expiration of the five days hereinbefore mentioned, to come and go to and from such place or part of the said land and premises where any distress shall be impounded and secured as aforesaid, in order to view and buy, and to carry off and remove the same on account of the purchases thereof.

Goods, how to be sold.

45. The owner of any goods so distrained upon may, by writing direct and specify the order in which they shall be successively sold, and the said goods and chattels shall in such case be put up for sale according to such direction.

Proceeds of sale to be paid to Council Clerk.

46. The Bailiff shall hand over to the Council Clerk all proceeds of such distresses within twenty-four hours after such sale, also the copy of every inventory and account of every such sale or sales.

Bailiff may appoint deputy.

47. The Bailiff, with the sanction of the Mayor, may authorize any person to act temporarily as his deputy, and the person thus authorized shall have and exercise for the time being, all the powers of the Bailiff himself; but the Bailiff and his sureties shall, in such case, be held responsible for the act of such deputy.

SCHEDULE A.

Warrant of Distress.

I, _____ Mayor of the Municipal District of Lambton, do hereby authorize you _____, Bailiff of the said Municipal District, to distrain the goods and chattels of _____, which are in the dwelling-house, or in and upon the land and premises of _____, situate at _____, for the sum of £ _____, being the amount of Municipal rates, due to the said Municipal District, for the Municipal year ending _____ 18 _____, for the said dwelling-house, land, or premises, as the case may be, and to proceed thereon for the recovery of the said rates according to law.

Dated this _____ day of _____ 187 _____ Mayor.

SCHEDULE B.

Inventory.

I have this day, in virtue of a warrant under the hand of the Mayor of the Municipal District of Lambton, dated _____, of which a copy is attached hereto, distrained the goods and chattels set forth at foot hereof, in the dwelling-house, or in and upon the land and premises of _____, situate at _____ within the said Municipal District, for the sum of £ _____, being the amount of rates due to the said Municipal District for the Municipal year ending _____ 18 _____.

Dated this _____ day of _____ 187 _____ Bailiff.

SCHEDULE C.

Costs.

	s.	d.
For every warrant of distress	2	0
For serving every warrant and making levy ...	2	0
For making and furnishing copy of inventory	2	0
For man in possession, each day or part of a day	6	0
For sale and delivery of goods, one shilling in the pound on the gross proceeds of the sale, in addition to the costs of advertisements, if any.		

PART III.

Preventing and extinguishing fires.

Fire or combustible materials, &c.

48. Every person who shall place, or knowingly permit to be placed, in any yard, house, workshop, out-offices, or other premises, fire, gunpowder, or combustible or inflammable materials of any kind, in such a manner as to endanger contiguous buildings, shall on conviction of every such offence forfeit and pay a penalty of not more than five pounds; and shall forthwith remove such fire, gunpowder, or other combustible and inflammable materials. And every such person who shall suffer any such fire, gunpowder, or combustible or inflammable materials to remain as aforesaid for forty-eight hours after such conviction, shall be deemed guilty of a further offence against this By-law.

Fireworks.

49. Every person who shall discharge any firearms without lawful cause, or who shall light any bonfire, tar-barrel, or fireworks, upon or within ten yards of any public or private street, or any public place, shall forfeit a sum not exceeding five pounds.

Negligently allowing Chimney to be on fire.

50. If any chimney accidentally catch or be on fire, or if a chimney emits sparks to endanger the property of persons within this Municipal District, the person occupying or using the premises in which such chimney is situated, shall forfeit a sum not less than five shillings nor more than forty shillings.

PART IV.

Suppression of Nuisances.

51. No householder or resident in the said Municipal District shall be allowed to permit his or her premises, yards, closets, or drains to be offensive or a nuisance to the adjoining householders or residents.

Offensive Trade.

52. No noisome or offensive trade shall be permitted to be carried on in any premises to the inconvenience of the residents of adjoining or other houses.

Notice to proprietor.

53. Upon complaint being lodged at the Council Chamber with the Council Clerk that the yards, closets, or drains of any premises is or are a nuisance or offensive, and after inspection such shall be found to be the case, notice shall be given in writing to the proprietor or tenant to remove or abate such nuisance within forty-eight hours after such notice, and if after such notice the nuisance shall not be removed or abated, the proprietor or tenant of the said premises shall be liable to a penalty not exceeding forty shillings nor less than ten shillings,

Wells to be covered over.

54. Every person who shall have a well situated between his or her dwelling-house or the appurtenances thereof and any road, street, or footway within the limits of the said Borough, or at the side of or in any yard or place open or exposed to such road, street, or footway, shall cause such well to be securely and permanently covered over, and if any person having any such well as aforesaid shall fail to cover and secure the same within twenty-four hours after notice in writing shall have been given to him or her by any officer of the said Council, or shall have been left for such person at his or her usual or last known place of abode, or on the said premises, shall on conviction forfeit

and pay not less than two shillings and sixpence nor more than twenty shillings, and for every twenty-four hours after such notice that such well shall remain open and uncovered contrary to the provisions hereof, such person shall be deemed guilty of a separate offence against this by-law.

Drawing or hauling timber.

55. Any person who shall haul or draw, or cause to be hauled or drawn, upon any part of any street or public place within the said Municipal District, any timber, stone, or other thing, otherwise than upon wheeled vehicles or barrows, or shall suffer any timber, stone, or other thing, which shall be carried principally or in part upon a wheeled vehicle or barrow, to drag or trail on any part of such street or public place to the injury thereof, shall upon conviction forfeit and pay for every such offence a sum of not more than forty shillings nor less than five shillings over and above the damages occasioned thereby.

Conveying animals slaughtered.

56. Every person who shall carry or convey, or cause to be carried or conveyed, in any vehicle, in any street or public place, the carcass or any part of the carcass of any newly-slaughtered animal without a sufficient and proper cloth covering the same for the concealment thereof from public view, or shall hawk or carry about butcher meat without covering the same as aforesaid, shall be liable on conviction to a penalty of any sum not exceeding two pounds for every such offence.

Rubbish not to be thrown on streets.

57. No person shall be allowed to throw rubbish sweepings, broken glass, dead animals, or other offensive matter or thing, or deposit of any kind whatever on the streets, pathways, or channels, or in any public place within this Municipal District.

Injury to curbstones, guttering, &c.

58. No driver, carter, or other person shall wilfully or negligently do or suffer, or cause to be done, any damage or injury to the curbstones, gutters, or pathways of any street or roadway; and no person shall be at liberty to ride on horseback or to drive a wheeled-vehicle of any kind on the footways.

Cattle straying.

59. It shall not be lawful for any person whomsoever to suffer any horses, cattle, swine, or goats belonging to him or under his charge to stray in any public road or thoroughfare within the said Municipal District.

Careless riding or driving.

60. No person shall ride or drive through or upon any street or public place so negligently, carelessly, or furiously, that the safety of any other person shall or may be endangered.

Destroying pathways or roads.

61. No person shall be allowed to alter, cut up, or destroy the pathways or roads, or to remove loam, sand, or gravel from any of the streets or roads of the Municipality without the authority of the Council, and for such authority a fee of one shilling shall be paid.

Placing material on streets or pathways.

62. No person shall be allowed to place on the streets or pathways building materials otherwise than is absolutely necessary, and by the sanction, in writing, of the Mayor or Council Clerk; and no person shall be allowed to have water-holes or excavations for cellars or other purposes in or adjoining any public place unfenced, or in such manner as to be dangerous to passers-by; and all places where buildings are being carried on, or where any obstruction to the danger of the passer-by exists, the person causing such obstruction shall be required to place lights on either side, and keep the same lighted from sunset to sunrise.

Damaging trees and shrubs.

63. No person shall destroy or damage any shrub or tree growing in any street or thoroughfare or other public place within this Municipality, or injure any hedge, fence, gate, or building in such street, thoroughfare, or public place; or to set fire to any shrubs or trees, or to cut or remove any timber from any such street, thoroughfare, or public place aforesaid; or to destroy, tear, deface, or otherwise injure any notice, proclamation, or other document purporting to be under the authority of the Council, or of any officer of the said Council, which shall be affixed in any public place.

Exposing goods for sale.

64. No person shall place or expose for sale on the pathways or streets, carts, goods, parcels, or produce of any kind whatever, to the obstruction of the public.

Made and passed at a meeting of the Municipal Council of the Municipality of Lambton, this 24th day of June, 1879.

THOMAS JOHNSON,
Council Clerk.

(L.S.) W. T. DENT,
Mayor.

1879.

NEW SOUTH WALES.

MUNICIPALITIES.

(MUNICIPAL DISTRICT OF GLEN INNES—BY-LAW.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 28th October, 1879.

MUNICIPAL DISTRICT OF GLEN INNES.

AMENDED BY-LAW.

THE following By-law, relating to the erection of Bark Buildings, made by the Council of the Municipal District of Glen Innes, in substitution of By-law No. 52 of part III of the By-laws of that Municipality, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

The following By-law being No. 52 Part 3 of the By-laws of the Municipal Council of Glen Innes was altered and amended by the said Municipal Council at a Regular Monthly Meeting, held on the 19th day of May, 1879, as hereinafter specified.

ERECTION OF BARK BUILDINGS.

All persons are prohibited from erecting buildings any portion of which shall be constructed of bark or other dangerously inflammable material; and any person or persons erecting such buildings shall forfeit on conviction of every such offence a penalty of not more than twenty pounds: Provided that this By-law shall only be enforced within the now populous portion of the Municipality, that is to say, within the following boundaries: Commencing on the west by Guy-street; on the north by Herbert-street; on the east by East-street; on the south by Oliver-street, inclusive of frontages by both sides of the streets named.

THE ALTERATIONS SPECIFIED ARE AS FOLLOWS.

After the words "All persons are prohibited from erecting." The following is the alteration specified "Or in any way making good or repairing."

Passed the Municipal Council at Glen Innes, 19th May, 1879.

JAMES EARLE MAUND,
Mayor.THOMAS M'DONALD, Council Clerk.
Glen Innes, 8th July, 1879.

Certified by,—

(L.S.) { JAMES EARLE MAUND, Mayor.
THOMAS M'DONALD, Council Clerk.

1879.

NEW SOUTH WALES.

MUNICIPALITIES.

(MUNICIPAL DISTRICT OF WENTWORTH—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 28th October, 1879.

MUNICIPAL DISTRICT OF WENTWORTH.

THE following By-laws made by the Council of the Municipal District of Wentworth for regulating their own proceedings and the duties of their officers and servants, and preserving order at meetings of the Council,—for determining the times and modes of collecting and enforcing payment of rates,—for restraining noisome and offensive trades,—for suppressing nuisances, &c.,—for compelling residents to keep their premises free from offensive and unwholesome matters,—opening new public roads and streets,—aligning and cleansing roads and streets,—the killing of cattle,—for preventing and extinguishing fires,—preserving trees and shrubs,—preserving public decency,—preventing or regulating and licensing exhibitions or places of amusement, and generally maintaining the good rule and government of the Municipality,—having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

BY-LAWS made by the Council of the Municipal District of Wentworth for regulating their own proceedings and the duties of their servants and officers,—for preserving order at Council meetings,—for determining the terms and modes of collecting and enforcing payment of rates,—for suppressing nuisances,—for compelling residents to keep their premises free from offensive and unwholesome matters,—the slaughter of cattle,—opening new public roads, ways, and streets,—aligning and cleansing roads and streets,—preserving trees and shrubs,—preserving public decency,—restraining noisome and offensive trades,—and generally maintaining the good rule and government of the Municipality.

Meetings of Council.

1. The Council shall meet at such place as a majority of the Council shall from time to time appoint for the dispatch of business at 7 p.m. on every alternate Tuesday unless such day shall happen to be a public holiday. In the latter case the meeting shall be held on such other day as the Mayor may appoint.

2. If at any meeting of the Council the Mayor be absent at the expiration of fifteen minutes after the time appointed for holding such meeting, the Aldermen then present shall proceed to elect from among themselves a Chairman for such meeting. Whenever there shall be an adjournment of any such meeting for want of a quorum, the names of the members present shall be taken down and shall be recorded in the minute book.

Order of Business.

3. The following shall be the order of business at all meetings of the Council other than special meetings:—

- (1.) The minutes of the last preceding meeting to be read, corrected (if erroneous), and to be signed by the Mayor or presiding Alderman. No discussion to be permitted on such minutes except as to whether they are correct.
 - (2.) Petitions (if any) to be presented and dealt with.
 - (3.) Correspondence to be read and (if necessary) ordered upon.
 - (4.) Reports from Committees and minutes from the Mayor (if any) to be presented and ordered upon.
 - (5.) Questions as to matters under the jurisdiction or within the official cognizance of the Council to be put and replied to, and statements as to any facts, matters, or circumstances requiring attention by the Council or any of its Committees or officers to be made.
 - (6.) Motions of which notice has been given to be dealt with in the order in which they stand on the business paper.
 - (7.) Orders of the day to be disposed of as they stand on the business paper: Provided that it shall be competent to the Council at any time by resolution without notice to entertain any particular motion or to deal with any particular matter of business out of its regular order on the business paper without any formal suspension of this section; also and in like manner to direct that any particular motion or matter of business shall have precedence at a future meeting.
4. At special meetings of the Council the business, after the minutes shall have been read and verified, which shall be done in the same manner as at an ordinary meeting, shall be taken in such order as the Mayor or the Alderman at whose instance such special meeting shall have been called may have directed.

5. The business paper for every meeting of the Council other than a special meeting shall be made up by the Council Clerk not less than one nor more than three days before the day appointed for such meeting. He shall enter on such business paper a copy of the substance of every notice of motion and of every requisition or order as to business proposed to be transacted at such meeting which he shall have received or shall have been required or directed so to enter in due course of law and as hereinafter provided. Every such entry shall be made (subject to the provisions of section 3 of this Part of these By-laws) in the same order as such notice, requisition, or direction shall have been received.

6. The business paper for each special meeting shall contain only such matters as shall have been specially ordered to be entered thereon by the Mayor or Alderman calling such meeting.

7. The summons to members of the Council for every meeting thereof shall be prepared from the business paper for such meeting, and shall embody the substance of such business paper.

8. All notices of motion and all requisitions from Aldermen and directions from the Mayor as to the entry of any particular matters of business for the consideration of the Council at its then next or any future meeting shall be numbered by the Council Clerk as they are received; and each such notice, requisition, and direction shall be preserved by such clerk until after the matter to which it relates shall have been disposed of, and the record in the Minute Book of the manner in which such matter has been disposed of shall have been duly verified as required by section 3 of this Part of these By-laws: Provided however that the person giving or forwarding any such notice of motion, requisition, or direction to the Council Clerk shall be at liberty to withdraw the same any time before the making up of the business paper.

9. After the business paper shall have been made up as aforesaid, all the said notices of motion, requisitions and directions as to which entries have been made thereon shall be the property of the Council, and shall not be withdrawn, altered, or amended without leave having been first obtained from the Council for such withdrawal, alteration, or amendment.

Motions and Amendments.

10. Except by leave of the Council motions shall be moved in the order in which they stand on the business paper, and if not so moved or postponed shall be struck from such business paper and be considered to have lapsed.

11. No motion of which notice shall have been entered on the business paper shall, except as hereinafter provided, be proceeded with in the absence of the Alderman by whom such notice shall have been given, unless by some other Alderman producing a written authority for that purpose from such first-named Alderman.

12. No motion in Council shall be discussed unless and until it be seconded.

13. When a motion in Council shall have been made and seconded, any Alderman shall be at liberty to move an amendment thereon, but no such amendment shall be discussed unless and until it be seconded.

14. No motion or amendment shall be discussed until it shall have been reduced into writing.

15. No second or subsequent amendment shall be taken into consideration until the previous amendment or amendments shall have been disposed of.

16. If any amendment be carried, the question as amended thereby shall become itself the question, and the Council shall to all intents and purposes be bound by such amendment as if it were the original question.

17. If any amendment—either upon the original question, or upon any question amended as aforesaid—shall be negatived, then a further amendment may be moved to the question to which such first-mentioned amendment was moved and so on: Provided that not more than one question and one proposed amendment thereof shall be before the Council at any one time.

18. No discussion shall be permitted upon any motion for adjournment of the Council; and if upon the question being put on any such motion the same be negatived, the subject then under consideration or the next in order on the business paper or any other on such paper that may be allowed precedence, shall be discussed before any subsequent motion for adjournment shall be receivable.

19. Every requisition by an Alderman that any particular matter of business be brought before the Council shall be regarded and treated as a notice of motion by such Alderman that such business be taken into consideration by the Council; and he shall be called upon in due order to move that such business be so considered, or to make any other motion which he may think fit in reference thereto, which shall be consistent with the notice of such business and with good order; and if such Alderman be absent, or if being present and so called upon he shall make no such motion, then it shall be open to any other Alderman to make such motion. And when any such motion shall have been made, it shall be dealt with in precisely the same manner as if notice thereof had been given, subject

however to any objection which may exist as to its not being in accordance with the notice actually given of such business or with good order. And if no motion shall be made in reference to such business, the entry relating thereto shall be struck from the business paper.

Orders of the day.

20. The orders of the day shall consist of any matter other than motions of notice which the Council shall at a previous meeting thereof have directed to be taken into consideration, or which the Mayor or any Committee of the Council shall have directed to be entered on the business paper for consideration.

21. Section 19 of this Part of these By-laws shall be considered applicable to orders of the day; and the Alderman who has the usual charge of, or who has previously moved in reference to the particular business to which any such order of the day relates shall be the person called upon to move: Provided that as to any order of the day entered as aforesaid by direction of the Mayor, such Mayor may arrange with any Alderman to move, and may in such case call upon the Alderman with whom he has so arranged.

Petitions.

22. It shall be incumbent on every Alderman presenting a petition to acquaint himself with the contents thereof, and to ascertain that it does not contain language disrespectful to the Council. The nature and prayer of every such petition shall be stated to the Council by the Alderman presenting the same.

23. All petitions shall be received only as the petitions of the parties signing the same.

24. No motion shall, unless as hereinafter provided, be permissible on the presentation of a petition except that the same be received, or that it be received or referred to one of the permanent Committees hereinafter mentioned, or that it be received and that its consideration stand an order of the day for some future meeting: Provided, however, that if any Alderman shall have given notice of a motion, in reference to any petition, and such petition shall have been presented before such Alderman shall have been called upon to move such motion, the said motion shall if otherwise unobjectionable, be considered in order.

Correspondence.

25. The Mayor shall have the same duty in reference to letters addressed to the Council before directing the same to be read as by section 22 of this Part of these By-laws is imposed upon Aldermen presenting petitions. The Mayor shall direct as to the order in which all correspondence shall be read, and no letter addressed to the Council shall be presented or read by any Alderman. If the Mayor be absent and shall not have examined any such letters addressed to the Council, or have given any such directions as aforesaid, then the duties imposed by this section shall devolve upon the presiding Aldermen.

26. Section 24 of this Part of these By-laws shall be considered as fully applicable to letters addressed to the Council as to petitions.

27. No discussion shall be permitted in reference to any letters which have been written and sent by the Mayor, or by any officer of the Council, and copies of which may be read to such Council: Provided, however, that any notice of motion consistent with good order may be entertained with reference to any such letters, whether read or not, or with reference to any letters addressed to the Council which the Mayor or presiding Alderman may not have ordered to be read as aforesaid.

Reports from Committees and Minutes from the Mayor.

28. All reports from Committees shall be written on foolscap paper, with a margin of at least one-fourth of the width of such paper, and shall be signed by the Chairman of such Committee, or in his absence by some other member of the same.

29. The Mayor shall have the right of directing the attention of the Council to any matter or subject within its jurisdiction or official cognizance by a minute in writing. Every such minute shall be written upon paper of the same kind and with the same margin as a report from a Committee, and shall be signed by such Mayor.

30. No motion shall (unless as hereinafter provided) be permissible on the presentation of a report from a Committee or a minute from the Mayor, except that the same be received, or that it be received and that its consideration stand an order of the day for some future meeting: Provided, however, that if any Alderman shall have given due notice in reference to any such report or minute, or if an order for the consideration of such report or minute shall have been entered among the orders of the day, such motion or order may, if otherwise unobjectionable, be moved or considered in due course. And whenever any such report or minute embodies any recommendation which cannot legally be carried out without due notice, and it is nevertheless desirable that such report or minute shall be definitely ordered upon during the meeting of the Council at which such report or minute is presented, it shall be the duty of the Chairman or member of such Committee signing such report, or of such Mayor, as the case may be, to give or transmit to the Council Clerk such a notice of motion, requisition, or direction as aforesaid as will enable such Council Clerk to make the necessary entry on the business paper and to give such due notice.

Questions and statements.

31. No question or statement shall be allowed to be put or made which is inconsistent with good order or is not in strict accordance with the requirements of section 3 of this Part of these By-laws.

32. Sufficient notice of every question shall be given to the person who is expected to reply thereto, to allow for the consideration of such reply, and if necessary for a reference to other persons or to documents.

33. It shall not be compulsory upon any person questioned as aforesaid to answer the question so put to him.

34. Every such question must be put categorically without any argument or statement of fact.

35. Every such statement must be made without argument.

36. No discussion shall be permitted as to any such question, or as to any reply or refusal to reply thereto, or as to any such statement, at the time when such question is put, or such reply or refusal to reply is given, or such statement is made: Provided, however, that nothing herein contained shall prevent the taking of any objections to any such question or statement being out of order, or shall prevent the discussion, after due notice, as hereinbefore provided, of any matters properly arising out of or relating to any such question or reply, or refusal to reply, or any such statement as aforesaid.

Order of debate.

37. Every Alderman who shall make or second any motion, or shall propose or second any amendment, or shall take any part in any debate or discussion, or shall put or reply to any question, or shall make any statement, or shall in any other way, or for any other purpose, address observations to the Council, shall while so doing stand up in his customary place (unless he shall be prevented from so doing by reason of some bodily infirmity) and shall address himself to the Mayor or other Chairman then presiding: Provided that in the case of a question, such question may, by permission of such Mayor or Chairman, be put directly to the Alderman or officer to be questioned, and may be replied to in like manner; but in every such case the question so put, and the answer thereto, shall be subject to every legal objection on the ground of disorder or irrelevancy. And all members of the Council shall on all occasions when in such Council address and speak of each other by their official designations, as Mayor, Chairman, or Alderman, as the case may be.

38. No Alderman shall be interrupted while thus speaking, unless for the purpose of calling him to order, as hereinafter provided.

39. Every mover of an original motion shall have a right of general reply to all observations which may have been made in reference to such motion, and to any amendments moved thereon, as well as a right to speak upon every such amendment. Every Alderman, other than the mover of such original motion, shall have a right to speak once upon such motion and on every amendment thereon. No Alderman shall speak oftener than once upon any question other than a question of order unless when misrepresented or misunderstood, in which case he shall be permitted to explain, without adding any further observations than may be necessary for the purposes of such explanation.

40. An Alderman who has moved any motion or amendment shall be considered to have spoken thereon; but an Alderman who shall have seconded any such motion or amendment without any further observation than that he seconded the same, shall be at liberty to speak on such motion or amendment.

41. No Alderman shall digress from the subject under discussion, or shall make personal reflections on nor impute improper motives to any other Alderman.

42. A debate may be adjourned to a later hour of the day or to any other day specified, and the Alderman upon whose motion such debate shall have been so adjourned shall be entitled to pre-audience on the resumption of the same.

43. If two or more Aldermen rise to speak at the same time the Mayor or Chairman shall decide which of such Aldermen shall be first heard.

44. Any Alderman may request the question or matter under discussion to be read or stated for his information, or may require the production of any records of the Council bearing upon such question or matter which are readily accessible: Provided however that no such request or requisition shall be so made as to interrupt any other Alderman when speaking, or materially to interrupt the discussion; also, that if such request or requisition shall appear to the Mayor or Chairman not to have been made *bona fide* it shall not be complied with.

45. The Mayor or Chairman shall not move nor second any motion or amendment, nor put any question as provided for by section 3 of this Part of these By-laws, except as is further provided for by section 37 of the same; but such Mayor or Chairman shall have the same right as any other Alderman to speak once upon every such subject or amendment. The Mayor or Chairman shall rise when so speaking (unless prevented by some bodily infirmity from so doing), but shall be considered as still presiding.

Questions of order.

46. The Mayor or Chairman shall preserve order, and his decision on disputed points of order or practice shall be final, except in so far as the same may be questioned as in the manner hereinafter provided.

47. Every member of the Council who shall commit a breach of any section of this Part of these By-laws, or who shall move or attempt to move any motion or amendment embodying any matter as to which the Council has no legal jurisdiction, or who shall in any other way raise or attempt to raise any question, or shall address or attempt to address the Council upon any subject which the said Council has no legal right to entertain or discuss, or who shall use any other language which, according to the common usage of gentlemen, would be held disorderly, or who shall say or do anything calculated to bring the Council into contempt, shall be out of order.

48. The Mayor or Chairman may, without the interposition of any other member of the Council, call any Alderman to order whenever in the opinion of such Mayor or Chairman there shall be a necessity for so doing.

49. Every member of the Council shall have the right of calling the attention of the Mayor or Chairman to any motion, amendment, statement, argument, or observation moved, used, or made by any other member which such first-named may consider out of order.

50. A member called to order shall withdraw while the question of order is being discussed and decided upon, unless specially permitted to offer an explanation, retraction, or apology; but on obtaining such special permission such member may explain, retract, or apologize for the matter or remark alleged to have been out of order: And if such explanation, retraction, or apology be deemed satisfactory, no further discussion on the question of order shall be permitted. If any member on being called to order shall ask such permission to explain, retract, or apologize as aforesaid, the Mayor or Chairman may of his own authority grant or refuse such permission as he may think fit, unless any member shall require the sense of the Council to be taken on this question. In such case it shall be the duty of the Mayor or Chairman to take the sense of the Council at once, and without discussion as to whether such permission shall be granted. And when any such explanation, retraction, or apology shall have been made or offered by permission of the Mayor or Chairman, the latter shall in like manner decide, or if required so to do, shall take the sense of the Council as to whether such explanation, retraction, or apology is considered sufficient. If such permission be refused, or if such explanation, retraction, or apology be considered insufficient, the question of order shall be considered and decided before any further business is proceeded with: Provided that if such Mayor or Chairman shall have decided the question of order before any member shall have required the sense of the Council to be taken in reference thereto, such question of order shall not be re-opened; and provided further that nothing herein contained shall be held to affect the right of such Mayor or Chairman to decide finally as hereinbefore provided upon any such point of order after the same shall have been discussed.

51. The Mayor or Chairman when called upon to decide points of order or practice shall state the provision, rule, or practice which he shall deem applicable to the case, without discussing or commenting upon the same.

52. Whenever it shall have been decided as aforesaid, that any motion or amendment or other matter before the Council is out of order, the same shall be rejected; and whenever anything said or done in Council by any Alderman shall be similarly decided to be out of order, such Alderman shall be called upon by the Mayor or Chairman to make such explanation, retraction or apology as the case may require.

53. Any member of the Council who shall have been called to order, and who shall, after having been twice directed to withdraw as aforesaid, refuse to do so, or who shall persist in any line of conduct or argument, or of observations, which shall have been decided as aforesaid to be disorderly, or who shall refuse to make such explanation, retraction, or apology as aforesaid, when required so to do, or who shall be guilty of any other act of disorder as defined in section 47 of this Part of these By-laws, and shall refuse to make such explanation, retraction, or apology, as a majority of the Aldermen then present shall consider satisfactory, shall be liable on conviction for the first offence to a penalty of not less than ten shillings nor more than five pounds; and on the second conviction for the like offence, he shall be liable to a penalty of not less than one pound nor more than ten pounds; and on a third conviction for the like offence, he shall be liable to a penalty of not less than two pounds nor more than twenty pounds.

54. Any Alderman who is dissatisfied with the decision of the Mayor or Chairman on any such question of order or of practice may, by motion on notice respectfully worded, invite the Council to lay down a different rule or principle for the determination of any similar questions of order or practice which may thereafter arise. Any rule or principle thus laid down shall be binding upon all parties, unless and until it be

rescinded, but shall have no retrospective operation: Provided, however, that nothing herein contained shall be held to bind any Mayor or Chairman to put any motion to the Council which in his opinion is contrary to law.

Mode of voting.

55. The Mayor or Chairman shall put to the Council all questions on which it shall be necessary that a vote be taken, and shall declare the sense of such Council thereon; and he shall be at liberty to put any such question as often as may be necessary to enable him to form and declare his opinion as to the opinion of the majority.

56. Any Alderman shall be at liberty to call for a division. In such case the question shall be put first in the affirmative, and then in the negative; and the Aldermen shall vote by show of hands, and the names and votes of the Aldermen present shall be recorded. Any Alderman who shall be present when a division is called for, and shall not vote in such division—not being disabled by law from so doing—shall be liable for every such offence to a penalty of not less than ten shillings nor more than five pounds.

Protests.

57. Every member of the Council (the Mayor included) may protest against any resolution or vote by the Council. Notice of the intention so to protest must, however, be given at the meeting when such resolution is passed or such vote is arrived at, and the protest itself must be handed or sent to the Council Clerk not later than seven days after such notice. The Council Clerk shall enter every such protest in the Minute Book; but if in the opinion of the Council it be inconsistent with the truth or disrespectfully worded it may, by resolution on notice, be ordered to be expunged. In such case the expunction shall be made by drawing a particular line with the pen through the entry of such protest, with a reference in the margin to the resolution ordering such expunction.

Committees of the whole Council.

58. The following sections of this Part of these By-laws shall (except as is herein excepted) be taken to apply to the conduct of business in Committee of the whole Council, namely:—Sections 13 (except that it shall not be necessary that any motion or amendment in Committee shall be seconded), 14, 15, 16, 17, 37, 38, 41, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 55, and 56.

59. Whenever any member of the Council shall, while the Council is in Committee of the whole, be considered guilty of an offence against good order within the meaning of section 53 of this Part of these By-laws, it shall be competent to any Alderman to move that the Council resume its sitting and that such matter be reported; and if such motion be carried, such matter shall be reported accordingly, and an entry of such report shall be made in the Minute Book. And whenever any Alderman shall have failed to vote on any occasion in Committee of the whole Council as required by section 56 of this Part of these By-laws, the facts shall be reported to the Council, and such report on such facts shall be duly recorded in the Minute Book: Provided that in the case of an Alderman failing to vote as aforesaid, no special motion that the Council resume its sitting shall be necessary; but it shall be the duty of the Chairman of such Committee of the whole, in making his report of the proceedings in such Committee, whenever such report may be made to include in such report a statement of such failure to vote as aforesaid, and of the question as to which such Alderman has so failed to vote.

60. Whenever a decision upon any question of order shall have been given by the Chairman of a Committee of the whole Council under the provision of section 46 of this Part of these By-laws, any Alderman may move that such decision be embodied in the report to the Council of the proceedings in such Committee; and if such motion be carried, such decision shall be so embodied in such report whenever the same shall be made.

61. Any Alderman may at any time during the sitting of the Committee of the whole Council move that the Chairman report "progress," (or "no progress" as the case may be), and that leave be asked to sit again at a later period of the same day, or on any future day, or that no leave be asked to sit again. And if any such motion be carried, the Council shall resume its sittings, and a report shall be made accordingly, but no discussion shall be permitted on any such motion; and if the same be negatived, the subject then under consideration shall be discussed before another such motion shall be receivable.

62. All reports of proceedings in Committee of the whole Council shall be made to the Council *visa voce* by the Chairman of such Committee, and a report of such proceedings shall be made in every case, except when it shall be found on counting the number of members during the sitting of any such Committee that there is not a quorum present. In the latter case the sitting of the Council shall be resumed without any motion for that purpose, and the proceedings in Committee shall be considered to have lapsed: Provided that, in making of any such report as aforesaid, it shall not be necessary to report any such proceedings *in extenso*, but only to state the result, general effect, or substance of such proceedings.

63. All such reports of proceedings in Committee of the whole Council shall be recorded in the minute book, but except as hereinafter mentioned, no such report shall be considered as adopted by the Council, nor shall any such application, as aforesaid, for leave to sit again be considered to have been granted by such Council, until a motion shall have been made and passed for such adoption, or for the granting of such leave. And every such motion for the adoption of a report, or for the granting of leave, as aforesaid, and the order of debate on such motion shall be subject to all the same rules as other motions in Council, and the order of debate on such other motions. Provided however, that where a report shall have been made under section 59 of this Part of these By-laws, of disorderly conduct in Committee, or, under section 56 of this Part of these By-laws, of failure to vote on division, or of any decision in Committee upon any question of order, such report shall, so far as it relates to such facts, be regarded and recorded as a statement thereof, and to that extent shall not, unless for the correction of a manifest error, be interfered with upon any pretext whatever.

Calls of the Council.

64. A Call of the Council may be ordered by any resolution, of which due notice shall have been given, for the consideration of any motion or matter of business before such Council.

65. There shall, without any special order to that effect, be a Call of the Council for the consideration of every motion which may be made under section 54 of this Part of these By-laws, and of every motion for the rescission of any resolution, order, or decision of such Council.

66. The Call shall be made immediately before the motion or business for which such call has been ordered or is required to be made, by the last preceding section, shall be moved or considered. Such Call shall be made as follows:—The Council Clerk shall call the names of all members in their alphabetical order; each member present shall answer to his name as so called, and if any members are absent a record shall be made of such absence. But if leave of absence to any such member shall have previously been granted, or if such an excuse in writing shall have been forwarded to the Mayor or Council Clerk as a majority of the Council then present shall consider satisfactory, such absent member shall stand excused, and a record shall be made of such excuse, and of the reasons for the same.

67. Any member of the Council who having had notice of such Call of the Council shall not answer to his name as aforesaid, or who being absent shall not be legally excused as aforesaid, or who if absent, and not so excused shall fail to show that, by reason of extreme illness, or any other sufficient cause, he has been unable to send a sufficient excuse in writing, as aforesaid, or who having answered to his name as aforesaid, shall not be present when a vote is taken on the motion or business as to which such call has been made as aforesaid, shall for every such offence be liable to a penalty of not less than ten shillings nor more than five pounds: Provided that if the consideration of every such motion or matter of business be adjourned to a future day, there shall be a further Call on the resumption of such consideration; and the provisions herein, as to penalties for absence, shall have reference to such further Call. And if there shall be more than one adjournment, this proviso shall be taken to extend to the resumption of the consideration of such motion or matter of business after every such adjournment.

Standing and Special Committees.

68. A Committee of the whole Council shall have the functions of a By-law Committee, a Committee for Works, a Finance Committee, and a Committee for general purposes, to be appointed every year, at the first meeting of the Council which shall be holden after the election of Mayor, and shall exercise the following powers—that is to say:—

- (1) The By-law Committee shall prepare for the consideration of the Council drafts of all such By-laws as may be required for the good government of the Municipality.
- (2) The Committee for Works shall have the direction of all works ordered and sanctioned by the Council, and the general inspection of all streets, roads, ways, bridges, public reserves, and other public places under the care and management of the Council.
- (3) The Finance Committee shall examine and check all accounts, and shall watch generally over the collection and expenditure of the municipal revenue, and may during the interval of regular meetings expend any sum not exceeding five pounds.
- (4) The Committee for general purposes shall take cognizance of every matter, subject, or question within the jurisdiction of the Council, and not hereinbefore reserved.

69. Special Committees may consist of any number of members, and may be appointed for the performance of any duty which may be lawfully entrusted to a Committee, and for which, in the opinion of the Council, a special Committee ought to be appointed.

Common seal and records of the Council.

70. The common seal shall be in custody of the Mayor, or if found more convenient it may, by resolution of the Council, be placed in charge of the Council Clerk, and shall be kept in such secure form as the Mayor may direct.

71. The common seal shall not be attached to any document without an express order of the Council. In every case where such common seal has been ordered to be attached to any document, such document shall also be signed by the Mayor; or, in case of the absence or illness of such Mayor, by two Aldermen, and countersigned by the Council Clerk.

72. The Treasurer shall keep such books of account and such records, statements, and memoranda of receipt and expenditure in such manner and form as the Council may from time to time direct. It shall be the duty of the Finance Committee to inspect all such books of account, records, statements, and memoranda from time to time, to ascertain that the same are properly kept, and to report at once to the Council any act of neglect or appearance of inefficiency which they may have discovered in the keeping of the same; also to report to the Council, from time to time, any changes which such Committee may think advisable in the mode of keeping the accounts.

73. The Minute-book, Letter-book, and all Rate and Assessment books, books of account, records, statements, and memoranda of receipts and expenditure, electoral rolls, and other records relating to elections, business papers, reports from Committees, minutes from the Mayor, petitions, letters on municipal business addressed to the Council or to the Mayor, or to any officer or servant of the Council, orders, reports, returns, and memoranda relating to municipal business, drawings, maps, plans, contracts, specifications, agreements, and all other books and papers connected with the business of the Council, shall be deemed records of the Council. All such records, other than the Minute-book and other books, and other than electoral rolls, and other records relating to elections, shall be numbered and filed in due order, and shall be duly registered by the Council Clerk in a book to be kept by him for that purpose. Upon the face of every document thus registered to which there is any reference in the Minute-book, there shall be a note of the page wherein it is so referred to. And when any order has been made by the Council, or a report has been brought up by any Committee thereof in reference to any document so registered as aforesaid, a note of such order or report shall be made upon such document. It shall be the duty of the By-law Committee to inspect the records from time to time, to ascertain that the same are properly kept as aforesaid, and to report at once to the Council any act of neglect or appearance of inefficiency which they may discover in the keeping of such records.

74. No member or officer of the Council shall be at liberty to take any impression of the corporate seal, or to show, lay open or expose any of the books or records of the Council to any person other than a member of the same without leave from such Council, except as otherwise provided by law. Any member or officer of the Council who shall be guilty of a breach of this section shall be liable, on conviction for the first offence, to a penalty of not less than five shillings nor more than two pounds; for a second offence, to a penalty of not less than one pound nor more than ten pounds; and for a third and every subsequent offence, to a penalty of not less than five pounds nor more than twenty-five pounds.

75. Any person removing any such book or other record of the Council as aforesaid from the Council Chamber, or the place where by direction of the Council such book or other record is usually kept, without leave for such removal having been first obtained from such Council, or without other lawful cause for such removal as hereinafter provided, shall for every such offence be liable to a penalty of not less than ten shillings nor more than ten pounds. And nothing herein contained shall be held to affect the further liability of any person who shall have removed such book or other record as aforesaid, and shall not have returned the same, to prosecution for stealing such book or record, or to an action at law, for detention of the same, as the circumstances of the case may warrant: Provided that leave for temporary removal of a book or other record may be granted to the Council Clerk or the Treasurer by the Mayor, in order that such Clerk or Treasurer may post up entries, prepare returns, or perform any other duty which it may be necessary that he should perform; also that the Mayor or the Chairman of any Committee, or any Alderman acting for any such Chairman, may temporarily remove any record necessary for the preparation of a minute or a report, or for the purpose of any prosecution or suit at law, by, against, or at the instance of the Council. But in all such cases such Clerk, Treasurer, Mayor, Chairman, or Alderman, as the case may be, shall give a receipt under his hand for every document so removed, and every such receipt shall be carefully preserved among the records until the book or other record to which it refers shall have been returned, when such receipt shall be destroyed; and provided also that the Mayor, Council Clerk, or other officer of the Council who may be subpoenaed to produce any book or other record of the Council in a Court of law, shall have the right to remove such book or other record for the purpose of obeying such summons, but shall return such book or

record as speedily as may be, and shall before removing the same leave at the Council Chamber a receipt for such book or other record as aforesaid. And every such person so temporarily removing any book or other record of the Council as aforesaid shall be legally responsible for the safe keeping and return of the same.

76. Any person destroying, defacing, or altering any record of the Council, shall for every such offence be liable to a penalty of not less than five pounds nor more than fifty pounds.

Officers and Servants.

77. No appointment to any permanent office at the disposal of the Council shall take place until public notice shall have been given, as hereinafter provided, inviting applications from qualified candidates for the same.

78. Every such appointment shall be made by ballot, in such mode as may at the time be determined on by the Council.

79. Nothing herein contained shall be held to prevent the appointment by the Council, without advertisement, of any salaried officer or servant of the Corporation to any other permanent office or employment at the disposal of such Council, to which no further salary is attached, or to prevent the appointment in like manner of any such officer or servant to any other office or employment of which the duties require only occasional attention, and are to be paid for by allowance proportionate to the extent of such duties, or to prevent any similar appointment or employment by the Mayor, or by any Committee or officer of the Council, or of any such officer or servant under the authority of any by-law, or to prevent the employment as may be from time to time found necessary and as may be ordered by the Council, of any workmen or labourers on the public works of the Municipality.

80. All bonds given by officers or servants of the Council for the faithful performance of their duties shall be deposited with the attorney or the bankers of the Corporation as the Council may order, and no officer or servant of the Council shall be received as surety for any other such officer or servant.

81. The Council Clerk, in addition to the duties which by the Municipalities Act of 1867 or by the present or any other by-law thereunder he may be required to perform, shall be the clerk of all Revision Courts held in the Municipality under the provisions of the said Municipalities Act. He shall also, under the direction of the Mayor, conduct all correspondence which may be necessary on the part of the Council. He shall likewise have charge of all the records of such Council, except such books or documents as may (as hereinafter provided) be entrusted to any such officer, and shall be responsible for the safe keeping of such records. He shall generally assist the Mayor in carrying out the orders of the Council and the duties of such Mayor.

82. The Treasurer shall have charge of such books of account and other records of the Council as are mentioned in section 72 of this "Part" of these By-laws, and shall be responsible for the safe keeping of the same. Any other officer of the Council may have any other records thereof committed to his charge by an order of the Council, and in such case shall be responsible for the safe keeping of such records.

83. The duties of all officers and servants of the Corporation other than the Council Clerk and Treasurer, shall be defined by such regulations as may from time to time and in accordance with law be made by the Council.

84. The Mayor shall exercise a general supervision over all officers and servants of the Corporation, and may order the preparation of any such return or statement, or the giving of any such explanation or information by any such officer or servant as he may think necessary, unless such return or statement shall have been already prepared or such explanation or information already given and such return statement explanation or information is on record as hereinbefore provided, or unless the Council shall have expressly forbidden or dispensed with the preparation of such return or statement or the giving of such explanation or information. All such returns or statements as aforesaid shall be in writing and shall be recorded. All such explanation or information may, except as hereinafter provided, be either rendered *vis à voce* or put into writing as the Mayor may direct.

85. All complaints against officers or servants of the Corporation must be in writing, and must in every case be signed by the person or persons complaining. And no notice whatever shall be taken of any complaint which is not in writing or is anonymous. All such complaints may be addressed to the Mayor, who immediately upon the receipt of any such complaint, and without laying the same before the Council, shall have power to investigate the same. And if any such complaint be made to the Council, or to any member or officer thereof, it shall be referred to and investigated by the Mayor before it shall be in any way (otherwise than by such reference) ordered upon or dealt with by such Council: Provided that every report, explanation, and information which may be made or rendered in reference to every such complaint shall be in writing. And such Mayor shall state in writing the result of every such investigation, and his opinion as to what order (if any) ought to be made in connection therewith. And such

complaint, with all reports, explanations, and information as aforesaid thereon, shall be laid before the Council at the next meeting thereof which shall be holden after the Mayor shall have made such statement and shall be duly recorded: Provided further that nothing herein contained shall be held to affect in any way the special powers conferred on the Mayor by section 152 of the Municipalities Act of 1867, or any other special power which now is or hereafter may be conferred by statute upon such Mayor.

Miscellaneous.

86. No leave of absence shall be granted to the Mayor or to any Alderman otherwise than by a resolution of the Council adopted after due notice.

87. Whenever it is decided that any work shall be executed or any materials supplied by contract, tenders for the execution of such work, or the supply of such materials, shall be called for by public notice, as hereinafter provided.

88. A draft of any future by-law shall be in the office of the Council for at least seven days before such draft shall be taken into consideration by such Council, and shall be open to the inspection of any ratepayer who may desire to inspect the same, and public notice shall be given, as hereinafter provided, that such draft is so lying for inspection.

89. Whenever a motion for the rescission of any order, resolution, or vote of the Council shall have been negatived no other motion to the same effect shall be permissible until a period of three months shall have elapsed from the time of negativing such first-mentioned motion: Provided that nothing herein contained shall be held to prohibit the reconsideration and amendment of any proposed by-law which may have been submitted to the Governor for confirmation, and may have been remitted to the Council with suggested amendments of the same, or the passage after due notice as hereinbefore provided, and in due course of law by any by-law for the repeal or amendment of any other by-law.

90. Whenever the consideration of any motion or matter of business shall have been interrupted by reason of a quorum not having been present, the resumption of such consideration may be ordered by resolution of the Council after due notice, and such consideration shall in such case be resumed at the point where it was so interrupted as aforesaid.

91. Such suits or informations for the enforcements of penalties for or in respect of breaches of the Municipalities Act of 1867, or of any by-law made thereunder, or of any statute, the operation of which may have been extended to the municipality, as may have been directed by the Council, or by the by-law committee, or by the Mayor, to be commenced or laid, shall be so commenced or laid as follows, namely:—When against a member of the Council, or an Auditor, or any officer of the Corporation, by the Council Clerk, unless such Council Clerk shall be the officer to be proceeded against, and in such case by any other officer named by the Council for that purpose. When against any other person, by the officer to whom the carrying out of the statutory provision or by-law imposing the penalty sought to be enforced has been entrusted, and if there shall be no such officer then by any such officer or person as shall be appointed for that purpose by the Council or the By-law Committee, or the Mayor, as the case may be, on directing such suit or information as aforesaid. And no such suit shall be brought or information laid as aforesaid against any member of the Council or Auditor, except by order of such Council, nor any similar proceeding be taken against any officer of the Council, except on the order of such Council or of the Mayor, nor against any other person, except upon the order of the Council or of the Mayor or of the By-law Committee. And no such suit shall be directed to be brought, nor shall any information be directed to be laid as aforesaid, except on an express resolution of the Council in any case when the bringing of such suit or the laying of such information will be adverse to any previous direction by such Council or where on the trial or hearing of any such suit or information the same shall have been dismissed on the merits: Provided that in any such case the conduct or prosecution of any such suit or information may on the order of the Council be entrusted to an attorney.

92. In all cases where public notice is or shall be required to be given by any by-law of any appointment, resolution, act, order, or regulation done, made, or passed, or proposed to be made, done, or passed by the Council, or by any Committee thereof, or by the Mayor or any officer of the said Council, such notice shall be given and published by posting the same on or near the outer door of the Council Chambers for the space of seven days, and by advertising the same in some newspaper circulating in the Municipality.

Collection and enforcement of rates.

93. All rates levied or imposed by the Council under the provisions of section 164 of the Municipalities Act of 1867, and for the purposes mentioned in the said section, shall be collected by half-yearly instalments. Each such instalment shall as to every such rate and every such instalment thereof be held to be due and payable on and after such days as the Council shall by resolution appoint at the time of making or imposing such

94. All rates levied or imposed by the Council under sections 165, 166, and 167 of the said Municipalities Act of 1867, and for the purposes mentioned in the said sections, or under the provisions of any of the said sections, or for any of the purposes mentioned therein, shall be collected in such manner, and shall be held to be due and payable on and after such day or days as the Council may by resolution at the time of making or imposing such rates or any of them, have appointed.

95. All persons liable to pay any rates as aforesaid shall pay the amount thereof, within the time prescribed by the Act, into the office of the Council Clerk during office hours, or to any person that may be appointed to collect the said rates.

96. It shall be the duty of the Council Clerk to furnish the Mayor with a list of the names of all persons whose rates are unpaid at the expiration of the time fixed for payment of the same as aforesaid.

97. It shall be the duty of the Mayor to issue distress warrants against all such persons, and to cause such warrants to be enforced, or to cause such defaulters to be sued for the amount of such rates in a Court of competent jurisdiction.

Enforcement by distress.

98. The Bailiff shall be appointed by resolution of the said Council, and shall be at any time removable by a like resolution.

99. The Bailiff shall find two sureties to the satisfaction of the Mayor to the extent of fifty pounds each for the faithful performance of his duty.

100. It shall be the duty of the Bailiff to make all levies by distress for the recovery of rates in the manner hereinafter provided.

101. All levies and distresses shall be made under warrant in form of Schedule A, under the hand of the Mayor or any Alderman who may for the time being be duly authorized to perform the duties of that office.

102. If the sum for which any such distress shall have been made shall not be paid with costs as hereinafter provided on or before the expiration of five days, the Bailiff shall sell the goods so distrained, or a sufficient portion thereof, by public auction, either on the premises or at such other place within the said Municipality as the said Bailiff may think proper to remove them to for such purpose, and shall pay over the surplus (if any) that may remain after deducting the amount of the sum distrained for and costs as hereinafter provided to the owner of the goods so sold on demand of such surplus by such owner.

103. At the time of making a distress the Bailiff shall make out a written inventory in the form of Schedule B hereto, which inventory shall be delivered to the occupant of the land or premises, or the owner of the goods so distrained, or to some person on his or her behalf resident at the place where the distress shall be made, and in case there shall be no person at such place with whom such inventory can be left as aforesaid, then such inventory shall be posted on some conspicuous part of the land or premises on which the distress is made, and the Bailiff shall give a copy of the inventory to the ratepayer on demand at any time within one month after the making such distress.

104. The Bailiff, on making a distress as aforesaid, may impound or otherwise secure the goods or chattels so distrained of what nature or kind soever, in such place or places, or in such part of the land or premises chargeable with rates as shall be most fit and convenient for this purpose; and it shall be lawful for any person whomsoever, after the expiration of the five days hereinbefore-mentioned, to come and go to and from such place or part of the said land or premises where such goods or chattels shall be impounded and secured as aforesaid, in order to view and buy, and in order to carry off and remove the same on account of the purchaser thereof.

105. The owner of any goods or chattels so distrained upon may at his or her option direct and specify the order in which they shall be successively sold, and the said goods or chattels shall in such case be put up for sale according to such direction.

106. The Bailiff shall hand over to the Council Clerk all proceeds of every such distress within forty-eight hours after having received the same.

107. There shall be payable to the Bailiff for the use of the Council for every levy and distress made under this By-law, the costs and charges in the Schedule hereunto annexed marked C.

SCHEDULE A.

Warrant of Distress.

I, _____, Mayor of the Municipal District of Wentworth, do hereby authorize you _____, the Bailiff of the said Municipality, to distrain the goods and chattels in the dwelling-house, (or in and upon the land and premises) of situate at _____, for _____, being the amount of rates due to the said Municipality to the day of _____, for the said dwelling-house (or land or premises), and to proceed thereon for the recovery of the said rates according to law.

Dated this _____ day of _____ 18 _____

Mayor.

SCHEDULE B.

Inventory.

I have this day, by virtue of the warrant under the hand of the Mayor of the Municipal District of Wentworth, dated _____, distrained the following goods and chattels in the dwelling-house, (or in and upon the land and premises) of _____, situated at _____ within the said Municipality, for £ _____, being the amount of the rates due the said Municipality to the _____ day of _____ Dated this _____ day of _____ 18 _____ Bailiff.

SCHEDULE C.

Bailiff's fees.

	s.	d.
1. For making entry into or upon the premises on executing a warrant with or without inventory	2	6
2. If more than one hour in possession (additional)	2	6
3. For every other day or part of a day	2	6
4. Five per cent. on the net proceeds of sale.		

Suppression of nuisances.

108. It shall be lawful for any Inspector of Nuisances or other officer appointed by the Council in cases where he has reasonable grounds for believing that any nuisance exists to enter upon and inspect any premises within the Municipality between sunrise and sunset, and upon the reasonable complaint of any householder or occupier of land or premises that the house or premises, yards, closets, or drains of the neighbouring or adjoining premises, are a nuisance, or are kept in an offensive condition, such inspector or other officer as aforesaid shall and is hereby empowered to enter upon and inspect the same; and if upon any such inspection as aforesaid, the said Inspector of Nuisances or other officer as aforesaid shall be of opinion that a nuisance exists on any such premises as aforesaid, or that the said complaint is well founded, notice shall be given in writing to the owner or occupier; of such premises to abate or remove such nuisance within ten days after service of such notice upon such owner or occupier; and if such nuisance shall not be abated or removed within the time aforesaid, such owner or occupier shall be liable to a penalty of not more than ten pounds nor less than one pound.

109. No offensive trades or occupations shall be carried on within the limits of the Municipality so as to be a nuisance to the residents of adjoining or neighbouring premises, or to the public in general, under a penalty of not more than twenty pounds nor less than two pounds.

110. Any officer appointed by the Council to inspect nuisances shall be the person to whom any complaint as to nuisances shall be made in the first instance; and such officer shall have power to enter and inspect the premises complained of, and to order the same to be abated; and any person hindering such officer in the discharge of his duty shall be subject to a penalty of not more than ten pounds nor less than one pound.

111. Any person casting filth, rubbish, or any dead animal into any public watercourse, sewer, waterhole, drain, or reservoir, or who shall suffer any dead animal to remain on his, her, or their land or premises so as to be or become a nuisance, or who shall suffer filth of any kind whatever to flow from their premises over the foot-ways of the streets or roads within the Municipality, shall be subject to a penalty of not more than ten pounds nor less than two pounds.

112. Upon the representation of any respectable resident or owner of property within the Municipality that any house near to or adjoining his premises is a house of ill-fame, it shall be lawful for the Mayor and any two Aldermen to take such legal steps for the removal of the same as may be found necessary; and upon conviction the owner of such establishment shall be liable to a penalty of not more than twenty pounds nor less than five pounds.

113. Any individual who shall offend against decency by the exposure of his or her person in any street or public place within the said Municipality shall on conviction forfeit and pay for every such offence a sum not exceeding ten pounds nor less than five pounds.

Public roads and streets.

114. No new road, street, lane, or park, or other place, to be dedicated to the public, shall be taken under the control or management of the Council until after it shall have been examined and reported upon to the Council by the Committee of Works.

115. Whenever it shall become necessary to alter the levels of any street, road, or lane above or below the depth or height of six inches, the Council shall cause a plan and sections of such alterations which shall be exhibited at the Council Chambers during the period of twenty-one days or on inspection of rate-payers, and notification of such plan and section shall be given by advertisement in some newspaper circulating in the locality, and by notice written in a plain hand in front of the Council Chambers. If during the said period of twenty-one days no

valid objection against such alterations of levels is made, the Council may alter or adopt the same as they see fit, but such alterations (if any) shall in no case increase the depth or height as marked on such plan, and when adopted it shall be signed by the Mayor and countersigned by the Council Clerk, and be a record of the Council.

116. The Works Committee, or the Surveyor (if any), or any person acting for him, shall when necessary mark out any roads, streets or lanes in actual public use, or such as have been dedicated to the public by any plan of sale or lease of land within the boundaries of the district. And it shall be lawful for the Council, or any of its officers appointed for that purpose, to have recourse to any such plans or correct copies thereof for the purpose of defining the point of entrance and point of exit of such road, street or lane.

117. When any street, road or lane has been definitely marked off, the Works Committee or the Surveyor shall cause posts to be placed at the corners of the intersection thereof, leaving for every street of one chain wide a carriage-way of forty-two feet, and for every road or street other than sixty-six feet wide such width of carriage-way to be in the same proportion.

118. Any person who shall open any drain or sewer, or remove or cause to be removed any turf, clay, sand, soil, gravel, stone, or other material in or from any part of any road or footway, or other public place within the municipality without leave from the Council, or who shall in any way wantonly damage any such road or footway, shall forfeit and pay for every such offence a sum not exceeding ten pounds, nor less than five shillings.

119. If any person after the publication of these By-laws shall erect or cause to be erected any building or other structure on any part of any road, street, or way, such person or persons shall be compelled to remove such building or structure or any part of the same, which may be found to obstruct or prevent the even alignment of such street, road, or way. And if the same be not removed within seven days after notification from the Council, the person or persons to whom such obstructions belong shall pay all costs and charges incurred by the Council in removing the same, in addition to a penalty of not more than ten pounds, nor less than five pounds.

120. The Works Committee, or any person acting under their authority, may at any time stop the traffic on any road, street, or lane, for the purpose of repairing, or making the same or any part thereof, or for any necessary purpose, and any person who shall offend against this By-law either by riding or driving thereon, or by removing or destroying any fence or other obstruction which may be placed thereon for the purpose of suspending the traffic, shall forfeit and pay a penalty not exceeding ten pounds.

121. Any driver or rider who shall negligently or wilfully injure or cause to be injured any kerb, whether of wood or stone, or any properly aligned pathway, or lead, ride, or drive any horse or other animal, or permit any horse or other animal to stand on any pathway, or cause, permit, or suffer to be run, drawn, driven, or placed upon any of the said pathways any waggon, cart, dray, sledge, or other vehicle, shall forfeit and pay a penalty not exceeding two pounds, nor less than one shilling. Provided always that the provisions of this By-law shall not apply to any person's right of ingress and egress to premises occupied by them.

122. Any person damaging any road, street, or lane, or any portion thereof, by trailing stone or timber thereon, or who shall suffer any timber or stone to trail over the sides of any wheeled vehicle, so as to occupy a greater space than the breadth of the cart or dray upon which it may be drawn, shall forfeit and pay a sum not exceeding two pounds, nor less than one shilling.

123. Any person riding on the shaft of any waggon, dray, or other carriage whatsoever, or the driver of any waggon, cart, dray, or other carriage whatsoever meeting any other waggon, cart, dray, or carriage whatsoever, and not keeping his waggon, cart, dray, or any other carriage whatsoever on the left or near side of the road, or any person in any manner wilfully preventing any other person from passing him, or any carriage, waggon, dray, or cart under his care upon any street, road, public place, or by negligence or misbehaviour preventing, hindering, or interrupting the free passage of any carriage, waggon, dray, or cart whatsoever, or any person in, or upon the same, shall be subject to a penalty of not less than ten shillings, nor more than two pounds.

124. Any person driving any waggon, dray, cart, or other carriage whatsoever, in any water-table of any street or road, or in any other way damaging such street or road, shall be liable to a penalty of not less than ten shillings nor more than two pounds.

125. When any road, street, or lane has been formed, and the pathways put in order, the owners of all houses or other structures abutting thereon shall so arrange the roofs of such structures by spouting or otherwise, as shall prevent the rain from flowing therefrom on to such pathway, and any owner or occupant who shall refuse or neglect to carry out the provisions of this By-law, shall forfeit and pay for every such offence after due notice given, any sum not exceeding five pounds.

126. Nothing contained in any of these By-laws shall be taken to refer or be applied to the driving of any travelling flocks or herds of cattle or other animal, provided the same be not negligently driven.

127. Whenever the word "Mayor" occurs in these By-laws as directing to be done or as being directed to do any matter or thing, the same shall apply to and be understood to mean any Alderman appointed by the Council to act as Mayor for the time being.

128. All fines and penalties for any breach of these by-laws shall be recoverable only by process as directed by section 193 of the Municipalities Act of 1867.

129. All drains or sewers communicating with any public drains or sewers shall from time to time be repaired and cleansed under the inspection and direction of the Council, at the costs and charges of the occupiers of houses, buildings, lauds, and premises, to which the said private sewers or drains shall respectively belong, and in case any person shall neglect to repair and cleanse or cause any such private drain or sewer to be repaired or cleansed according to the directions of the said Council, he shall forfeit and pay for every such offence any sum not exceeding five pounds.

130. Any person who shall wilfully, and without the authority of the Council, cut, break, bark, root-up, or otherwise damage or destroy the whole or any part of any tree, sapling, shrub, or underwood, growing in or upon any street, footpath, or other place, under the management of the Council, shall forfeit any sum not exceeding ten pounds, nor less than one pound.

Slaughter-houses.

131. Every person who may from time to time be in that behalf appointed by the said Council shall be the inspector of Slaughter-houses and of animals intended to be slaughtered within the said Municipality: Provided that if any such inspector shall have been appointed by the Governor for the said municipality, or for any district including the same under the provisions of the Act Fifth, William the Fourth, number One, such last-named inspector shall be considered as the Inspector of Slaughter-houses and of animals intended to be slaughtered within the municipality, for all the purposes of these by-laws.

132. The inspector shall only inspect animals for slaughter in the yards adjoining licensed slaughter-houses.

133. Such inspector shall from time to time enter into and examine all such slaughter-houses, and shall examine the milks or spleens, and lungs, and carcasses of all animals slaughtered, or any animals intended to be slaughtered therein.

134. The owner or occupier of any or every such slaughter-house used for the slaughter of animals intended for human food shall keep the milks or spleens and lungs of all animals slaughtered in the said slaughter-house, for a period of six hours after the animals have been slaughtered, unless the Inspector of Slaughter-houses shall have previously examined the milks or spleens and lungs of such slaughtered animals. And any such owner or occupier as aforesaid who shall neglect or refuse so to do shall forfeit and pay a penalty of not less than forty shillings nor more than twenty pounds.

135. If the owner or occupier of any such slaughter-house shall knowingly cause, permit, or suffer any animal infected with any disease affecting the milt, or spleen, or lungs, to be slaughtered in any such slaughter-house, or if after the slaughter of any animal it shall be found to be diseased, and such owner or occupier as soon as the animal is inspected and condemned shall not immediately thereupon cause the entire carcass to be destroyed by fire in the presence of the inspector, such owner or occupier shall for every such offence forfeit and pay any sum not exceeding fifty pounds nor less than ten pounds: Provided however that should the owner of any animal which may be condemned by the inspector, object to the decision of that officer, such owner shall be at liberty to appoint some veterinary surgeon or other competent person as arbitrator in his behalf, and in the event of the inspector and such veterinary surgeon or other competent person not agreeing, it shall be lawful and incumbent upon them under a penalty of ten pounds each, to appoint an umpire whose decision shall be final.

136. The blood, offal, and filth of all such animals as may be slaughtered in any such slaughter-house, shall be removed at least once in every twelve hours, and any owner and occupier of any such slaughter-house who shall fail, neglect, or refuse to comply with this By-law shall for every such offence forfeit and pay a penalty not less than forty shillings nor more than ten pounds.

137. Nothing herein contained shall extend to or affect any person or persons slaughtering at his, her, or their own residences within the said municipality, animals for his, or her, or their family, servants, or labourers.

138. The word "animal" shall for the purpose of this part of these by-laws be held to include cattle, sheep, pigs, calves, lambs, and goats; and the words "slaughter-house" shall be held to mean any building or place wherein or whereat animals are slaughtered.

Preventing and extinguishing fires.

139. Every person who shall place, or knowingly permit to be placed, in any house, yard, workshop, out-offices, or other premises, fire, gunpowder, or combustible, or inflammable materials of any kind, in such a manner as to endanger contiguous buildings, shall, on conviction for every such offence, forfeit and pay a penalty of not more than five pounds, and shall forthwith remove such fire, gunpowder, or combustible or inflammable materials. And every such person who shall suffer any such fire, gunpowder, or combustible or inflammable materials to remain as aforesaid, for three days after any such conviction, shall be deemed guilty of a further offence against this by-law.

140. Every person who shall erect any fence of brushwood, bushes, or other inflammable material, or shall make or place any stack of hay, corn, straw, or other produce, or place as or for the covering of any such stack any inflammable material, so as to endanger contiguous buildings or properties, or any trees, shrubs, or other produce thereof, or any chattels therein, shall forfeit, on conviction, for every such offence, a penalty of not more than five pounds, and shall also remove such fence, stack, or covering, within a reasonable time after such conviction. And any person failing to remove such fence, stack, or covering within a reasonable time after any such conviction as aforesaid, shall be deemed guilty of a further offence against this by-law.

141. Every person who shall wilfully set fire to any inflammable matter whatsoever in the open air without having given notice in writing to the occupiers of the land adjoining to the land upon which such matter shall be, and also to the Council Clerk, of his intention so to do, or within twenty-four hours after giving the last given of such notices, or between the hours of four in the afternoon of any day and eight in the morning of the following day, shall forfeit a sum not exceeding five pounds.

142. Every person who shall light any bonfire, tar-barrel, or firework upon or within sixty yards of any public or private street, or any public place shall forfeit a sum not exceeding five pounds.

143. Every person who wilfully sets, or causes to be set on fire any chimney-flue, smoke-vent, or stove-pipe, herein called in common "chimney," shall forfeit a sum not exceeding five pounds: Provided always that nothing herein contained shall exempt the person so setting or causing to be set on fire any chimney from liability to be informed against, or prosecuted before any Criminal Court for such act as for an indictable offence.

144. If any chimney accidentally catch or be on fire, the person occupying or using the premises in which such chimney is situated, shall forfeit a sum not exceeding forty shillings.

Public Exhibitions, &c.

145. No exhibition—other than exhibitions licensed by the Colonial Secretary, under the provisions of the Act 14th Victoria No. 23, or exhibitions of a temporary character hereinafter specially provided for—shall be held, or kept for hire or profit, within the said municipality, nor shall any bowling alley or other place of public amusement—other than a place licensed as aforesaid, or a place for temporary amusement hereinafter specially provided for—be used as such for hire or profit within the said municipality, unless and until the same shall be duly registered as hereinafter prescribed.

146. It shall be lawful for the Mayor by writing under his hand, and without charge to permit any such exhibition as aforesaid, other than an exhibition requiring to be licensed by the Colonial Secretary under the said Act, and which shall not be held or kept for more than seven days, and in like manner, to allow any place within the said municipality to be used for purposes of public amusement, other than entertainments requiring to be licensed as aforesaid, for not more than seven days: Provided that it shall be incumbent upon such Mayor to inquire strictly as to the nature of such proposed exhibition or amusement, before granting such permission, and to refuse such permission if it shall appear that such proposed exhibition or amusement is of such a nature as to require to be licensed by the Colonial Secretary, as aforesaid, or if there shall be reasonable cause for believing that such such exhibition or amusement will be likely to entail any violation of public decency, to endanger the public peace, or to be a nuisance to any inhabitant of the municipality. Every person holding or keeping any such exhibition, or using any place within the said municipality for public amusement as aforesaid, or causing or permitting such place to be so used without the permission of such Mayor, shall forfeit and pay a sum of not less than five shillings nor more than forty shillings for every day that such exhibition shall be so held or kept, or such place shall be so used for public amusement as aforesaid.

147. Every occupier of any building or ground in which any exhibition is held or kept, or any public amusement conducted as aforesaid, shall, in each year, register at the office of the Council, such building or ground, together with the situation and description thereof, and of the exhibition proposed to be held or kept, or the public amusement proposed to be conducted as aforesaid in or upon such building or ground, and the name of such occupier. And every person who causes, and every occupier of any such building or land who permits any such exhibition to be held or kept, or any public amusement to be conducted, for a longer period than seven days, in or on any

such building or land not being registered for the purpose, or without such certificate of registration as hereinafter mentioned having been obtained for the same, shall forfeit for every such offence any sum not less than one pound nor more than twenty pounds.

148. The Council upon the written application of any such occupier as aforesaid stating the particulars aforesaid, and if upon inspection by the proper officer, the building or land shall have been found to be secure and proper for the purpose stated, and if the proposed exhibition or amusement shall not be such as to require a license from the Colonial Secretary, as aforesaid, and shall not be thought likely to entail any violation of public decency, or to endanger the public peace, or to be a nuisance to any inhabitants of the said municipality, the said Council shall cause the aforesaid penalties to be registered in a registry book to be kept for that purpose; and shall thereupon grant to the applicant a certificate of such registration of such premises. And the said Council may at any time and for any of the causes hereafter mentioned, suspend for a stated period the effect of, or cancel any such registration, and shall forthwith give notice of such suspension or cancellation to the occupier of the registered building or land; and during such suspension, or after such cancellation, such premises shall be deemed to be unregistered in respect of the purpose mentioned in the certificate of registration, and such certificate shall be of no force or virtue.

149. The proper officer of the Council may, at all reasonable times, enter into or upon, and inspect any such registered building or land.

150. No such exhibition or place of public amusement as aforesaid, shall be held or kept open or used for the purpose of such public amusement on Sunday, Christmas Day, or Good Friday. And every person offending against this By-law in this behalf shall on conviction forfeit and pay a sum not exceeding five pounds nor less than two pounds for every such offence.

151. For every such registration as aforesaid, the occupier of the building or land so registered, shall pay to the Council Clerk, for the benefit of the said Municipality, a fee of one pound; and every such registration, whenever the same may be made, shall be in force until the thirty-first day of December, then next ensuing, and no longer.

152. The certificate of registration aforesaid shall be regarded as a license from the Council for the holding or keeping of the exhibition, or for carrying on of the public amusements therein mentioned, but for none other. Any occupier of such building or land who shall hold or keep therein or thereon any exhibition, or shall use such building or land for any public amusements other than such exhibition or amusements mentioned in such certificate or license shall, for every such offence, forfeit and pay any sum not less than ten shillings nor more than ten pounds.

153. No license shall be granted as aforesaid to or for any building or land wherein or whereon any games with dice, or other games of chance for money, or any bull-baiting, dog-fighting, cock-fighting, or other exhibitions or amusements, opposed to public morality, or involving cruelty to animals, or likely to cause any breach of the peace, are proposed to be had, held, or carried on. And the occupier of any building or land so registered as aforesaid, who shall permit any such game of chance or exhibition, or amusement, as are in the section before mentioned, to be had, held, or carried on, in or upon such building, shall, for every such offence forfeit and pay a sum of not less than ten shillings nor more than ten pounds.

154. The effect of any such registration as aforesaid may be suspended, or such registration may be cancelled, as the Council shall think fit for any of the following causes, namely;— Whenever the occupier of the registered building or land, or the manager of any such exhibition or amusement as aforesaid, held, kept, conducted, or carried on in or upon such building or ground, shall have been twice convicted of offences against these by-laws within a period of twelve months, or whenever it shall be shown to the satisfaction of the said Council that the superintendent, director, manager, or other person in charge of any such exhibition or amusement is a confirmed drunkard, or that any such exhibition or amusement is being conducted in such a manner as to violate public decency, to endanger the public peace, or to become a nuisance to any inhabitants of the said municipality: Provided that before any such suspension or cancellation as aforesaid, the occupier of such registered building or land shall have notice of the fact that the said Council is about to consider whether there shall be any such suspension or cancellation, and of the causes for this proceeding; and shall be allowed to show cause against such suspension or cancellation before the same shall be ordered.

155. Any person who shall superintend, direct, or manage, or shall be otherwise in charge of any such exhibition or public amusement as aforesaid; or who shall reside in or upon any such building or land wherein or whereon any such exhibition or public amusement shall be held, kept, or carried on; or who, being the owner, lessee, or tenant of any such building or land, shall permit the same to be used for the purpose of any such exhibition or public amusement, shall be deemed the "occupier" of such building or land for all the purposes of these by-laws. And the said by-laws shall be held to be as applicable in every case to any number of such occupiers as to any single occupier. And every such occupier whose name shall have been so registered as aforesaid, shall be deemed and taken to be and continue such occupier for all the purposes of these By-laws: Provided that in the event of any change in the occupancy of any such building or ground as aforesaid, it shall be competent for the parties concerned to notify the same, by writing under their hands, to the said Council Clerk, who shall lay such notification before the Council at its next meeting; and if, after such enquiry as such Council may deem necessary, there shall seem to be no valid objection to such change of occupancy, a corresponding entry shall be made in the register aforesaid, and a new certificate shall be issued, which shall be in force until the then next ensuing 31st day of December, and no longer. And for every such new certificate a fee of five shillings shall be paid to the said Council Clerk for the benefit of the said municipality. And any person who shall make any false statement in any such application or notice as aforesaid as to any of the facts or particulars required by these By-laws to be stated in such application or notice shall for every such offence forfeit and pay any sum not less than one pound nor more than twenty pounds.

Made and passed at a meeting of the Municipal Council of
the Municipal District of Wentworth, this 12th day of
August, 1879.

(L.S.) WILLIAM GUNN,
Mayor.
JOSEPH HIGGINS,
Council Clerk.

1879.

NEW SOUTH WALES.

MUNICIPALITIES.

(MUNICIPAL DISTRICT OF MUSCLEBROOK—BY-LAW.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 11th December, 1879.

MUNICIPAL DISTRICT OF MUSCLEBROOK—AMENDED BY-LAW.

THE following Amended By-law, made by the Council of the Municipal District of Musclebrook, relating to Swine, &c., wandering about the Streets, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

MUNICIPAL DISTRICT OF MUSCLEBROOK.

AT a meeting of the Council of the above district, held on Wednesday, the 23rd of July, 1879, a resolution was adopted for amending section 27, Part 6, of the Municipal By-laws, by inserting after the words "shall forfeit and pay," in respect of every such animal, and after the words "for every such offence," a sum not exceeding twenty shillings nor less than two shillings and six pence.

Swine, &c., not to wander about Streets.

37. Any person who shall breed, feed, or keep any kind of swine in any house, yard, or enclosure, situate and being in or within forty yards of any street or public place in the Municipality, or who shall suffer any kind of swine, or any horse, ass, cattle, mule, sheep, goat, or any other animal of like nature, belonging to him or her, or under his or her charge, to stray or to go about, or to be tethered or depastured in any street, road, or public place within the said Municipal District, shall forfeit and pay in respect of every such animal for every such offence, a sum not exceeding twenty shillings nor less than two shillings and sixpence.

(L.S.) ROBT. GEO. D. FITZGERALD,
Mayor.J. STAFFORD, Council Clerk,
Municipal Council Chamber, Musclebrook,
4th November, 1879.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES.

(MUNICIPAL DISTRICT OF WELLINGTON—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 2nd January, 1880.

MUNICIPAL DISTRICT OF WELLINGTON.

BY-LAWS.

THE following By-laws, made by the Council of the Municipal District of Wellington, for regulating the proceedings of the Council and the duties of the officers and servants thereof; for determining the times and modes of collecting and enforcing payment of rates; for preventing and extinguishing fires; for licensing public vehicles; for suppressing nuisances and houses of ill-fame; and generally for maintaining the good rule and government of the Municipality, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

BY-LAWS FOR THE MUNICIPAL DISTRICT OF WELLINGTON.

PART I.

Ordinary and Special Meetings.

1. The Council shall meet for the transaction of ordinary business on every alternate Thursday, at 7 o'clock p.m., unless such day shall happen to be a public holiday. In the latter case the meeting shall be held on such other day as the Mayor may appoint. Special meetings may be called by the Mayor, or, in his absence, by any two Aldermen.

Election of Chairman in absence of Mayor.

2. If at any meeting of the Council the Mayor be absent, at the expiration of fifteen minutes after the time appointed for holding such meeting, the Aldermen then present (being a quorum) shall proceed to elect for themselves a Chairman for such meeting.

Business of Ordinary Meetings.

The following shall be the order of business of all meetings of the Council, other than Special Meetings:—

1. The minutes of the last preceding meeting to be read, corrected, if erroneous, and signed by the Mayor or other Chairman. No discussion to be permitted except as to whether the minutes are correct.
2. Correspondence to be read and orders made thereon, if expedient.
3. Petitions, if any, to be read and dealt with.
4. Reports from Committees and minutes from the Mayor to be presented, and orders made thereon.
5. Questions as to matters under the jurisdiction or within the official cognizance of the Council to be put and replied to, and statements as to any facts, matters, or circumstances requiring attention by the Council or any of the Committees or officers to be made. Sufficient notice of questions to be given. Answers not compulsory.

6. Motions of which notice has been given to be dealt with in the order in which they stand on the business paper.

7. Orders of the day to be disposed of as they stand on the business paper.

Provided that the Council may, by resolution without notice, entertain any particular motion out of its regular order on the business paper, and may in like manner direct that any particular motion or matter of business shall have precedence at future meetings.

Business at Special Meetings.

3. At special general meetings of the Council, the business—after the minutes shall have been read and signed, which shall be done in the same manner as at ordinary meetings—shall be taken in such order as the Mayor, or the Aldermen at whose instance such special meeting shall have been called, may have directed; and no other business shall be transacted.

Business paper for Ordinary Meetings.

4. The business paper for every meeting of the Council, other than special meeting, shall be made up by the Council Clerk not less than one nor more than three days before the day appointed for such meeting.

He shall enter on such business paper a copy or the substance of every notice of motion, and of every requisition or order as to business proposed to be transacted at such meeting, which he may have received or shall have been required or directed so to enter, in due course of law, and as hereinafter provided. Every such entry shall be made (subject to the provisions in section 3 of this "Part" of these By-laws) in the same order as such notice, requisition, or direction shall have been received, and a copy of such business paper shall be served or posted to all members of the Council.

Business paper for Special Meeting.

5. The business paper for each special meeting shall contain only such matters as shall have been specially ordered to be entered thereon by the Mayor or Aldermen calling such meeting.

How business paper to be disposed of.

6. The business paper for each meeting of the Council shall at such meeting be laid before the Mayor or Chairman, who shall make a note upon such business paper of the mode in which each matter entered thereon has been dealt with, and such business paper so noted shall be a record of the Council.

Notices, &c., to be the property of the Council.

7. After the business paper shall have been made up as aforesaid, all notices of motion, requisitions, and directions to which entries have been made thereon, shall be the property of the Council, and shall not be withdrawn, altered, or amended without leave having been first obtained from the Council for such withdrawal, alteration, or amendment.

Motions—how to be made.

8. Except by leave of the Council, motions shall be moved in the order in which they stand on the business paper, and if not so moved or postponed, shall be struck from such business paper, and shall be considered to have lapsed.

Absence of mover.

9. No motion of which notice shall be entered on the business paper shall be proceeded with in the absence of the Alderman by whom such notice shall have been given, unless by some other Alderman producing a written authority for that purpose from such first mentioned Alderman.

Motion to be seconded.

10. No motion in Council shall be discussed unless and until it be seconded.

Amendment may be moved.

11. When a motion or amendment shall have been made or seconded, any Alderman shall be at liberty to move an amendment thereon, but no such amendment shall be discussed unless and until it be seconded.

Motions and amendments to be in writing.

12. No motion or amendment shall be discussed until it shall have been reduced into writing.

Only one amendment at a time.

13. No second amendment shall be taken into consideration until the first amendment shall have been disposed of.

Amended questions—further amendment may be moved thereon.

14. If an amendment be carried, the question amended thereby shall become itself the question before the Council, whereupon any further amendment upon such question may be moved.

How subsequent amendments may be moved.

15. If an amendment either upon an original question or upon any question amended as aforesaid, shall be negatived, then a further amendment may be moved, and so on: Provided that not more than one question and one proposed amendment thereof shall be before the Council at any one time.

Motions for adjournment.

16. Any motion for adjournment, shall, if seconded, be put at once without discussion. If negatived, a similar motion shall not be made until half an hour has elapsed after moving the one that has been negatived.

Orders of the day.

17. The orders of the day shall consist of any matters other than motions on notice which the Council shall at a previous meeting thereof have directed to be taken into consideration, or which the Mayor shall have directed to be entered on the business paper for consideration.

How they are to be dealt with.

18. The Alderman who has the usual charge of, or who has previously moved in reference to the particular business to which any such order of the day relates, shall be the person called upon to move: Provided that the Mayor may, as to any order of the day entered by his direction, move the same.

Petitions to be respectfully worded.

19. It shall be incumbent on every Alderman presenting a petition to acquaint himself with the contents thereof, and to ascertain that it does not contain language disrespectful to the Council; the nature and prayer of every such petition shall be stated to the Council by the Alderman presenting the same.

Petitions—How received.

20. All petitions shall be received only as the petitions of the parties signing the same.

Petitions—No debate.

21. On the presentation of a petition no debate shall take place until notice has been given in the usual manner, and the only question that can be entertained by the Council on the day of its presentation shall be that the petition be received, or that it be referred to a Committee.

Correspondence.

22. The Mayor shall have the same duty in reference to letters addressed to the Council before directing the same to be read, as by section 19 of this "Part" of these By-laws is imposed upon Aldermen presenting petitions—if not read to be returned to the writer and reported to the Council. The Mayor shall direct as to the order in which all correspondence shall be read, and no letters addressed to the Council, or any of its officers, shall be presented or read by any Alderman. If the Mayor be absent, and shall not have examined any such letters, or have given any such directions, or have given any such directions as aforesaid, then the duties imposed by this section shall devolve upon the presiding Alderman.

Section 19 to apply to letters.

23. Section 19 of this "Part" of these By-laws shall be considered as fully applicable to letters addressed to the Council or any of its officers as to petitions.

Reports from Committees.

24. Every report from a Committee shall be in writing, and signed by the Chairman of such Committee, or in his absence by some other member of the same.

Mayor's Minutes.

25. The Mayor shall have the right of directing the attention of the Council to any matter or subject within its jurisdiction or official cognizance, by minute in writing, signed by him.

How reports, &c., are to be dealt with.

26. No motion shall, unless as hereinafter provided, be permissible on the presentation of a report from a Committee or a minute from the Mayor, except that the same be received, or that it be received and its consideration stand an order of the day for some future day: Provided that if any Alderman shall have given due notice in reference to any such report or minute, or if the consideration of any such report or minute shall have been entered among the orders of the day, such order of the day or such motion, if otherwise unobjectionable, may be moved and considered in due course; and whenever any such report or minute embodies any recommendation which cannot legally be carried out without due notice, and it is desirable that such report or minute should be ordered upon during the meeting of the Council at which such report or minute is presented, it shall be the duty of the Chairman, or member of such Committee signing such report, or of the Mayor, as the case may be, to give or transmit to the Council Clerk such a notice of motion, as will enable the Council Clerk to make the necessary entry on the business paper, and to give such due notice.

Questions and statements.

27. No question or statement shall be allowed to be put or made which is inconsistent with good order.

Questions to be put without argument.

28. Every question must be put categorically, without any argument or statement of fact.

Mode of addressing the Council.

29. Every Alderman who shall make or second any motion, or shall take part in any debate or discussion, or shall put or reply to any question, or shall make any statement, or shall in any other way or for any other purpose address observations to the Council, shall, while doing so, stand up in his customary place, unless he shall be prevented from so doing by reason of some bodily infirmity, and shall address himself to the Mayor or other Chairman then presiding: Provided that in the case of a question, such question may by permission of such Mayor or Chairman be put directly to the Alderman or officer to be questioned, and may be replied to in like manner. But in every such case, the question so put and the answer thereto, shall be subject to every legal objection on the ground of disorder or irrelevancy. And all members of the Council shall on all occasions, when in such Council, address and speak of each other by their official designations, as Mayor, Chairman, or Alderman, as the case may be.

Speaker not to be interrupted

30. No Alderman shall be interrupted while thus speaking, unless for the purpose of calling him to order, as hereinafter provided.

Limitation as to number of speakers.

31. Every mover of an original motion shall have a right of general reply to all observations which may have been made in reference to such motion, and to any amendments moved thereon, as well as a right to speak upon every such amendment. Every Alderman, other than the mover of such original motion, shall have a right to speak once upon such motion and once upon every amendment thereon. No Alderman shall speak oftener than once upon any question other than a question of order, unless when misrepresented or misunderstood, in which case he shall be permitted to explain without adding any further observation than may be necessary for the purpose of such explanation.

Mover and Seconder.

32. An Alderman who has moved any motion or amendment shall be considered to have spoken thereon, but an Alderman who shall have seconded any such motion or amendment without any further observations than that he seconded the same, shall be at liberty to speak once again on such motion or amendment.

Speaker not to digress, &c.

33. No Alderman shall digress from the subject under discussion, or shall make personal reflections on, or impute improper motives to, any other Alderman.

Adjournment of debate.

34. A debate may be adjourned to a later hour in the day, or to any other day specified, and the Alderman upon whose motion such debate shall have been so adjourned shall be entitled to pre-audience on the resumption of the same.

Mayor to decide as to pre-audience.

35. If two or more Aldermen shall rise to speak at the same time, the Mayor or Chairman shall decide which of such Aldermen shall be first heard.

Mayor to decide points of order.

36. The Mayor or Chairman shall preserve order, and his decision upon points of order or practice shall be final.

Mayor may address the Council.

37. The Mayor shall have the same right as any other Alderman to speak upon every subject or amendment.

Mayor may call a member to order.

38. The Mayor or Chairman may, without the interposition of any other member of the Council, call any Alderman to order whenever in opinion of such Mayor or Chairman there shall be a necessity for so doing.

Decision of points of order.

39. The Mayor or Chairman when called upon to decide points of order or practice shall state the provision, rule or practice which he shall deem applicable to the case, without discussing or commenting on the same.

Motions out of order to be rejected.

40. Whenever it shall have been decided as aforesaid that any motion, amendment, or other matter before the Council is out of order the same shall be rejected.

How questions to be put.

41. The Mayor or Chairman shall put to the Council all questions on which it shall be necessary that a vote be taken, and shall declare the sense of the Council thereon.

Divisions—Penalty for refusing to vote.

42. Any Alderman may call for a division and the vote shall be taken by a show of hands, and the names and votes of the Aldermen present shall be recorded. Any Alderman present when a division is called for who shall not give vote on such division, not being disabled by law from so voting, shall be liable for every such offence to a penalty of not less than five shillings nor more than two pounds.

How call of Council to be made.

43. A call may be made by any resolution of which due notice has been given, for the consideration of any motion or matter of business before the Council.

Such call to be compulsory in certain cases.

44. No motion, the effect of which if carried would be to rescind any resolution, order, or decision of the Council, shall be entered on the business paper unless a call of the Council has been duly made and granted for such purpose.

Mode of proceeding.

45. The call shall be made immediately before the motion, or business for which such call has been ordered, shall be moved or considered. The Council Clerk shall call the names of all the members in alphabetical order; and if any members are absent, a record shall be made of such absence; but if leave of absence to any such member shall have been previously granted, or if such an excuse shall have been received in writing by the Mayor or Council Clerk as the majority of the Council then present shall consider satisfactory, such absent member shall stand excused, and a record shall be made of such excuse and of the reason for the same.

Penalty for absence.

46. Any member of the Council who, having had notice of the call, shall be absent without having been legally excused as aforesaid, and shall fail to show that, by reason of illness or other sufficient cause, he was unable to send an excuse in writing as aforesaid, or, who, having answered to his name, shall not be present when a vote is taken on the motion or business as to which such call was made, shall for every such offence be liable to a penalty of not less than five shillings nor more than two pounds.

Standing and Special Committees.

Standing Committee.

47. Besides such special Committees as may from time to time be found necessary there shall be three standing Committees of the Council, each consisting of not less than three members, namely:—A Finance Committee, an Improvement (or Works) Committee, and a General Committee.

Finance Committee.

48. The Finance Committee shall examine and check all accounts, and shall watch generally over the collection and expenditure of the municipal revenues. They shall inquire and report from time to time as to all matters which they may consider to affect the finances of the said Municipality, and as to such matters or subjects of the like nature as they may be directed by resolution of the Council to inquire and report upon.

Improvement Committee.

49. The Improvement Committee shall have the general direction of all works ordered or sanctioned by the Council, and the general inspection of all streets, roads, ways, and other public places under the care and management of the Council. They shall also inquire and report from time to time as to such improvements or repairs as they may think necessary or as they may be directed by resolution of the Council to inquire and report upon.

Chairman of Committees.

50. Every Committee of which the Mayor shall not be a member shall elect a permanent Chairman of such Committee, who may direct the Council Clerk to call meetings whenever he shall think it desirable.

Cost of works to be estimated before undertaken.

51. No works affecting the funds of the Municipality, except as hereinafter is mentioned, shall be undertaken until the probable expense thereof shall have been first ascertained by the Council.

Cases of emergency and current expenses.

52. For emergent matters and for necessary current expenses during the intervals which may elapse between the meetings of the Council, outlays to the following extent may be incurred:—

1. By order of the Improvement Committee, or of Mayor and one member of such Committee, for repairs or emergent works, to the extent of three pounds.
2. By order of the Mayor for necessary current expenses, to the extent of two pounds.

Completion of works to be reported by Improvement Committee.

53. No works undertaken by the Council shall be deemed to have been completed, and no order shall be made for the payment in full of the same, except upon a report or certificate to that effect from the Improvement Committee, except for emergent works as provided for in section 52 of this "Part" of these By-laws.

Common Seal—how secured.

54. The Seal shall be secured by a cover or box, which shall be kept at the Council Clerk's Office in the custody of the Council Clerk. There shall be duplicate keys to the lock of this cover or box, of which keys one shall be kept by the Mayor, and the other by the Council Clerk.

When and how Common Seal to be used.

55. The Seal of the Council shall not be affixed to any document without the express authority of the Council, and every impression thereof so authorized shall be verified by the signature of the Mayor, or in case of illness or absence of the Mayor, by two Aldermen, and countersigned by the Council Clerk.

How books of account, &c., are to be kept.

56. All books, deeds, memorials, letters, documents, and other records of the Council, except as hereinafter mentioned, shall be kept at the Council Clerk's Office in the custody and care of the Council Clerk, who shall be responsible for the safe custody of the same; but the Mayor may for any special purpose, authorize their removal.

Books, &c., not to be shown or exposed without leave.

57. No member or officer of the Council shall be at liberty to show, lay open, or expose any of the books, papers, or records of the Council to any person not a member of the Council, without the written permission of the Mayor, unless as otherwise provided by law. Any member or officer who shall commit a breach of this section shall be liable on conviction to a penalty of not less than five shillings nor more than two pounds.

Records not to be removed.

58. Any person removing any such book, paper, or record from the Council Clerk's Office without leave of the Mayor in writing first obtained, shall be subject to a penalty of not less than ten shillings or more than ten pounds. And nothing

herein contained shall be held to affect the further liability of any person who shall have removed such book, paper, or record, and shall not have returned the same, to any action at law for the detention of such book, paper, or record, or to prosecution for stealing the same, as the case may warrant.

Penalty for defacing or destroying records.

59. Any person destroying, defacing, or wilfully or improperly altering any book, paper, or record, shall for every such offence be liable to a penalty of not less than five pounds nor more than twenty pounds.

Bonds for good conduct.

60. All bonds given by officers or servants of the Council for the faithful performance of their duties, shall be deposited in such custody as the Council may order; and no member, officer, or servant of the Council shall be received as a surety for any officer or servant.

Duties of the Council Clerk.

61. The Council Clerk shall perform all duties which, by the Municipalities Act of 1867, or by the present or any other By-laws hereunder he may be required to perform. He shall be Clerk of all Revision Courts held in the Municipal District under the provisions of the Municipalities Act. He shall also under the direction of the Mayor conduct all correspondence which may be necessary on part of the Council, and shall generally assist the Mayor in carrying out the orders of the Council, and the duties of such Mayor.

Special powers of Mayor.

62. The Mayor may from time to time define the duties of all officers and servants of the Council, and shall exercise a general supervision over all such officers and servants; and may order the preparation of any such return or statement, or the giving of any such explanation or information, by any such officer or servant as he may think necessary; unless the Council shall have expressly forbidden or dispensed with the preparation of such return or statement or the giving of such explanation or information.

Drafts of intended By-laws.

63. A draft of any intended By-law shall lie in the office of the Council at least seven days before such draft shall be taken into consideration by the Council and shall be open to the inspection of any ratepayer who may desire to inspect the same.

Motions for rescission of previous orders.

64. Whenever a motion, the effect of which, if carried, would be to rescind any order, resolution, or vote of the Council shall have been negatived, no other motion to the same effect shall be permissible until a period of three months shall have elapsed from the time of negativing such first mentioned motion.

Suits and prosecutions for penalties.

65. Suits or informations for the enforcement of penalties for or in respect of breaches of the Municipalities Act of 1867, or of any By-law made thereunder, or of any Statute, the operation of which may have been extended to the Municipality, shall be commenced or laid as follows, viz.:—When against a member of the Council or any Auditor or any officer of the Corporation, by such officer as shall be named for that purpose by the Council; when against any other person, by the officer to whom the carrying out of the statutory provision or By-law imposing the penalty sought to be enforced has been entrusted; and if there shall be no such officer, then by such officer or person as shall be appointed for that purpose by the Council or the Mayor as the case may be, on directing such information as aforesaid. And no such suit shall be brought or information laid as aforesaid against any member of the Council or Auditor, except by order of such Council; nor shall any similar proceeding be taken against any officer of the Council, except on the order of the Council or of the Mayor. And the conduct or prosecution of any suit or information may, on the order of the Council, or of the Mayor, be entrusted to an attorney.

Power to suspend temporarily, any portion of these By-laws.

66. Any of the foregoing By-laws which relate to or affect the proceedings at meetings of the Council may be suspended *pro tempore* without notice in a case of emergency, if all the members of the Council then present shall deem such suspension necessary.

PART II.

Collection and enforcement of Rates.

Rate when due and payable.

1. All rates levied and imposed by the Council shall be held to be due and payable on and after such day or days as the Council shall by resolution from time to time appoint.

Time and place of payment.

2. All such rates shall be paid at the Council Clerk's office during the hours appointed by the Council for that purpose.

Defaulters.

3. Every person not paying his or her rates as aforesaid, within thirty days after the day so appointed for payment thereof, shall be deemed a defaulter, and it shall be the duty of the Council Clerk to furnish the Mayor from time to time with a list of the names of all persons so in default.

Mayor to enforce payment.

4. It shall be the duty of the Mayor to take proceedings to enforce the payment of all rates in default, either by action at law or by issuing warrants of distress upon the goods and chattels of the defaulter.

Bailiff how appointed.

5. The Bailiff of the Municipal District shall be appointed by the Council, and may from time to time be removed by them.

Bailiff to find sureties.

6. The Bailiff shall find two sureties to the satisfaction of the Mayor, to the extent of (£50) fifty pounds each for the faithful performance of his duty.

Duties of Bailiff.

7. It shall be the duty of the Bailiff to make levies by distraint for the recovery of rates in the manner hereinafter provided.

Warrant of distress.

8. All levies and distresses shall be made under warrant under the hand of the Mayor or any Alderman who may for the time being be authorized to perform the duties of that office, such warrant to be in the form or to the effect of the Schedule hereunto annexed and marked A.

Inventory.

9. At the time of making a distress warrant the Bailiff shall make a written inventory in the form or to the effect of the Schedule marked B, which inventory shall be delivered to the occupant of the land or premises or the owner of the goods so distrained, or to some person resident in the place where the distress shall be made; and in case there shall be no person at such place with whom such inventory can be left as aforesaid, then such inventory shall be posted in some conspicuous part of the land or premises on which the distress is made; and the Bailiff shall deliver a copy of such inventory to the Council Clerk.

Distress and sale, &c.

10. It shall be lawful for the Bailiff or his deputy and such assistants as he may take with him to enter into any part of the land, building, tenement, or other property in respect of which such rate or rates shall have been made as aforesaid, and to distrain the goods therein or thereon, and to remain in such building, tenement, or other property in charge thereof. And if the sum for which any such distress shall have been made or taken, together with the costs of such distraint, shall not have been paid on or before the expiration of two clear days, the Bailiff or his deputy may, between the hours of eleven in the morning and two in the afternoon, on the next day thereafter, cause the goods so distrained, or a sufficient portion thereof, to be sold by public auction, either on the premises or at such other place within the Municipal District as the Bailiff may think proper to remove them for such purpose, and shall pay over the surplus (if any) that may remain after deducting the amount of the sum distrained for and costs of such distraint, to the owner of the goods so sold on demand by such owner.

Goods may be impounded.

11. The bailiff on making a distress as aforesaid may impound or otherwise secure the goods and chattels so distrained of what nature and kind soever, in such part of the land or premises chargeable with rate, or in such other place as shall be most fit and convenient for that purpose; and it shall be lawful for any person whomsoever, after the expiration of the clear days as hereinbefore mentioned, to come and go to and from such part of the said land and premises where such goods or chattels shall be impounded and secured as aforesaid in order to view and buy, and in order to carry off and remove the same on account of the purchaser thereof.

Owner to direct order of sale.

12. The owner of any goods or chattels so distrained upon may, at his or her option, direct and specify the order in which they shall be successively sold, and the said goods or chattels shall in such cases be put up for sale according to such directions.

Proceeds of distress.

13. The Bailiff shall hand over to the Council Clerk all proceeds of every such distress within twenty-four hours after having received the same.

Deputy.

14. The Bailiff may, with the sanction in writing of the Mayor, or in his absence with the sanction of any two Aldermen of the Municipal District, authorize by writing under his hand any person to act temporarily as his deputy; and the person so authorized shall have and exercise all the powers of the Bailiff himself, but the Bailiff and his sureties shall in every such case be responsible for the acts of such deputy.

Costs.

15. There shall be payable to the Bailiff for every levy and distress made under these By-laws, the costs and charges in the Schedule hereunto annexed, marked C.

SCHEDULE A.

Warrant of Distress.

I, _____, Mayor of the Municipal District of Wellington, do hereby authorize you, _____, the Bailiff of the said Municipality, or your deputy, to distrain the goods and chattels in the dwelling-house or in or upon the land or premises of _____, situate at _____, for _____, being the amount of rates due to the said Municipality to the _____ day of _____, for the said dwelling-house, land, or premises (as the case may be), together with the costs of this distraint, and to proceed thereon for the recovery of the said rates and costs according to law.—Dated this _____ day of _____, 18 _____.

Mayor.

SCHEDULE B.

Inventory.

I have this day, by virtue of the warrant under the hand of the Mayor of the Municipal District of Wellington, date _____, 18 _____, of which a copy is attached hereto, distrained the following goods and chattels, in the dwelling-house or in or upon the land or premises of _____, situate at _____, within the said Municipality for _____, being the amount of rates due to the said Municipality to the day of _____, and also the costs of this levy.—Dated this day of _____, 18 _____.

Bailiff.

(List to be appended.)

SCHEDULE C.

Costs.

	s.	d.
For making an entry and inventory.....	2	6
For man in possession for period of not longer than two hours	5	0
For man in possession for every other day or part of day	5	0
For sale and delivery of goods one shilling in the pound on the gross proceeds of the sale, in addition to cost of advertisements (if any).		

PART III.

Preventing and extinguishing fires.

Fire or combustible material.

1. Every person who shall place, or knowingly permit to be placed, in any house, yard, workshop, out-office, or other premises within the said Municipality, fire, gunpowder, or combustible or inflammable materials of any kind, in such a manner as to endanger any buildings, shall, on conviction thereof, for every such offence forfeit and pay a penalty of not more than five pounds, and shall forthwith remove such fire, gunpowder, or combustible or inflammable materials; and for each and every period of twenty-four hours after such conviction, that such person shall suffer fire, gunpowder, or combustible or inflammable materials to remain as aforesaid, such person shall be deemed guilty of a further offence against this By-law.

Setting fire to matter without notice.

2. Any person who shall wilfully set fire to any inflammable matter whatever in the open air, within five yards of any dwelling house or other building or boundary or dividing fence within the said Municipality, without having given notice in writing to the occupiers of the land adjoining the land upon which such matter shall be of his intention so to do, or between the hours of six in the afternoon of any day and six in the morning of the following day, shall, for every such offence, forfeit a sum not exceeding five pounds.

Erecting brushwood fences, &c.

3. Every person who shall erect any fence of brushwood, bushes, or other inflammable material, or shall make or place any stack of hay, corn, straw, or other produce, or place as or for the covering any such stack any inflammable materials, so as to endanger any contiguous buildings or properties, or any trees, shrubs, or other produce thereof, or any chattels therein, shall forfeit, on conviction for every such offence, a penalty of not more than five pounds, and shall remove such fence, stack, or covering within a reasonable time after such conviction, and

any person failing to remove such fence, stack, or covering within a reasonable time after any such conviction as aforesaid, shall be deemed guilty of a further offence against this By-law.

Burs, &c.

4. The Council shall have power in the Municipal District where the land is for the most part under cultivation to order and compel the extirpation of the Bathurst burr and other noisome weeds, and generally to make By-laws for preventing the growth of weeds detrimental to good husbandry.

Wilfully setting fire to chimneys.

5. Any person who shall wilfully set or caused to be set on fire any chimney, flue, smoke-vent, or stove-pipe, herein called in common "chimney" within the said Municipality, shall forfeit a sum not exceeding five pounds: Provided always, that nothing herein contained shall exempt the person so setting or causing to be set on fire any chimney from liability to be proceeded against or prosecuted before any Criminal Court for such act as for an indictable offence.

Negligently suffering chimneys to be set on fire.

6. If any chimney accidentally catch or be on fire, the person occupying or using the premises in which such chimneys are situated, shall forfeit a sum not exceeding forty shillings: Provided always that such forfeiture shall not be incurred if such person prove to the satisfaction of the Justices before whom the case be heard that such fire was in nowise owing to the omission, neglect, or carelessness, whether with respect to cleansing such chimneys or otherwise, of himself or his servants.

Water-carts attending fires.

7. There shall be paid out of the funds of the said Municipality to the owner of every licensed water-cart, who shall have attended with any water at the place of any fire as herein provided, and deliver the same as required for the extinguishing such fire, such reasonable compensation as the Council shall by resolution have appointed in that behalf; and also to such owners of such carts as shall have first and second in order attended with loads of water, such further sums by way of reward as the Council may by similar resolution have fixed.

PART IV.

Licensing public vehicles.

1. From and after the 1st day of July, one thousand eight hundred and seventy-nine, no vehicle shall ply for hire, nor shall any person act as driver or conductor of any such vehicle within the Municipal District of Wellington until and unless licensed for such purpose in the manner hereinafter mentioned, nor during the suspension or after cancellation of such license as hereinafter provided.

2. Before any license for plying any vehicle or for driving or conducting the same shall be granted, the party requiring such license shall obtain from the Council Clerk, free of charge, a requisition in the form of Schedule A hereto, or to the like effect, and shall duly fill up and sign the same and deliver it to the Council Clerk, and shall also insert in such requisition, in addition to the particulars set forth in Schedule A hereto, tables of rates and fares proposed to be charged by such party for any such vehicle.

3. The Mayor for the said District for the time being shall be and is hereby authorized to issue all such licenses in the name and on behalf of the said District Council, and the Mayor shall, by indorsement on such license, signify his approval of the scale of rates proposed to be charged for the hire of any such vehicle so licensed.

4. Licenses for proprietors, drivers, or conductors of vehicles shall be in the form of Schedule B hereto, or to the like effect, and shall be made out, numbered, and registered by the Council Clerk.

5. Every license granted by the Mayor shall be signed by the Mayor and countersigned by the Council Clerk, and shall be in force until the thirty-first day of December next ensuing the date thereof, and no such license shall include more than one vehicle, and shall state the number of passengers such vehicle shall be permitted to carry.

6. For every vehicle license, and for every renewal thereof, there shall be paid to the said District Council the sum of two pounds annually if the license be granted on or after the 1st day of January and on or before the thirty-first day of March in every year, and if after that day then in the following proportions:—If on or before the thirtieth day of June, the sum of thirty (30) shillings; if on or before the thirtieth day of September, the sum of twenty (20) shillings; and if after that date, the sum of ten (10) shillings.

7. For every conductor's or driver's license, and for every renewal thereof, there shall be paid to the said District Council the sum of five shillings annually.

8. The person or persons in whose name or names a license shall have been obtained shall be deemed the proprietor of the vehicle in respect of which such license shall have been taken out.

9. No license shall be granted to any person to drive any vehicle unless he be above seventeen years of age, nor to act as conductor unless he be fourteen years of age.

10. Any proprietor transferring or selling his licensed vehicle shall immediately give notice thereof to the Council Clerk, and the transferee or purchaser shall thereupon apply to have the license transferred to him, and shall sign his name in the books of the said District Council and on the license, and until this By-law shall have been complied with the transferor or seller shall remain liable as owner for breach of any of these By-laws, and no transferee or purchaser shall use such vehicle or allow it to ply for hire until the By-law shall have been so complied with.

11. No driver or conductor of any licensed vehicle shall lend or part with his license, nor shall the proprietor of any such vehicle employ an unlicensed person as the driver or conductor thereof.

12. Every proprietor, driver, or conductor of any vehicle, and every vehicle shall be deemed to be licensed under these By-laws on the production by the Inspector of the License Register Book containing a copy of any such license; and it shall not be necessary to call upon the person prosecuted to produce the original license to enable the prosecutor to give secondary evidence of its contents.

13. The license of the proprietor, driver, or conductor of any vehicle may be cancelled or suspended by the Mayor for the time being of the said District Council as he shall deem right (after three days notice in writing signed by the Council Clerk and served upon such proprietor, driver, or conductor, or left at his usual place of abode, calling upon him to show cause why such license should not be cancelled or suspended, and opportunity given such proprietor, driver, or conductor, to show such cause), in case either the proprietor, driver, or conductor shall have been convicted of two offences against these By-laws committed within a period of six months next preceding.

14. Such person or persons as may from time to time be appointed by the said District Council shall be the Inspector or Sub-Inspector of all licensed vehicles plying for hire within the said District, and such Inspector or Sub-Inspector shall as often as he or they may deem necessary inspect all licensed vehicles, and also the harness and horse or horses or other animal or animals used in drawing the same; and if such vehicles, horse or harness, animal or animals shall in his or their opinion be unfit for public use he shall report the same in writing to the Mayor who shall have power to suspend the license of such vehicle until such vehicle, harness, horse or horses, or other animal or animals used in or drawing the same shall be in a fit state for public use, and it shall be the special duty of such Inspector at all times to see that as far as possible these By-laws are duly observed and enforced.

15. No proprietor, driver, or conductor of any vehicle, nor any other person, shall hinder or obstruct such Inspector or Sub-Inspectors in the execution of any of his or their duties.

16. The number of the license granted for every omnibus or car in figures not less than four inches in height, and for every hackney carriage, cab, or buggy, in figures not less than two inches in height, and of proportionate breadth, white upon a ground of black, shall be printed or painted outside on the panel of the door or doors of such vehicles, or on a plate or plates fixed thereon, and also upon each lamp used upon such vehicle as the Inspector may direct, and the proprietor of such omnibus or car, hackney carriage, cab, or buggy shall keep such number on such panel of the door or doors or on such place or places as aforesaid legible and undefaced during the time such vehicle shall ply or be used for hire.

SCHEDULE A.

Requisition for License.

To the Municipal Council of Wellington.

I, _____, residing in _____ street, do hereby request that a license may be granted to me to _____ No. _____ within the said Municipality.

Dated _____, 18 _____.

SCHEDULE B.

Licenses.

This is to certify that _____ is hereby licensed to a certain No. _____ within the Municipality of Wellington, from the date hereof to the thirty-first day of December next, subject nevertheless to all and every the By-laws, Rules, and Regulations in force relating thereto.

Given under the Common Seal of the Municipal Council of Wellington, this _____ day of _____, 18 _____.

(L.S.) _____ Mayor.

Council Clerk.

Carters, &c.—Licenses for carts.

1. The Council may, from time to time, license to ply for hire within the said Municipality, carts approved of by the By-law Committee for any or either of the following purposes, namely: drawing wood, water, wash-dirt, quartz, earth, stone, gravel, timber, bricks, or for any other purpose, whether hired by the day or by the load, and whether driven by the owner or by any person in the owner's employ. Licenses may also be granted for the drivers of such to such persons as may be approved of by the By-law Committee, such licenses to be personal to the guarantee and not transferable, but the license for the cart may be transferred with the cart to any person upon approval as aforesaid, and for every such license, &c.

Application for license.

2. Every such license shall be granted on the written application for the same of the owner, or if there be more owners than one, of some one owner of the cart to be licensed; and in every such application shall be set forth truly the name and surname and place of abode of the applicant, and the like shall be set forth in the license when granted, which should be in the form of Schedule D hereto, or to the like effect; and any person who shall wilfully omit from any such application any particular hereby required to be stated therein, or shall wilfully state anything falsely touching any such particular, shall forfeit a sum not exceeding five pounds.

Numbering, &c., of license and carts.

3. Every such license for cart shall be numbered and registered by the Council Clerk, and shall be in force from the date thereof until the 31st day of December then next ensuing; and the owner named in any such license shall cause to be painted or marked, and to be kept so painted or marked, on some conspicuous place on the right or left side of the cart thereby licensed, the name of the Municipality, with the number of such license, in legible letters and figures one inch in length and of a proportionate depth, and the words "Licensed cart" in the like letters; and every such owner who shall omit or fail to comply with the provisions of this section shall forfeit a sum not exceeding forty shillings; and every such license for a driver shall be made out in the form of Schedule E, and shall be exhibited on demand to any person authorized for that purpose by the Council.

Plying for hire, &c., without license, &c.

4. If any owner of any cart permit the same to stand or ply for hire within the Municipality without having a license in force for such cart, licensing or authorizing such standing, plying for hire or use respectively within such Municipality, or if any person be found within such Municipality standing or plying for hire with any cart for which no such license is in force, or without having the name of the Municipality and the number of such license and the words "Licensed cart" displayed upon such cart openly and in manner herein provided; and every person acting as driver of any licensed cart so plying as aforesaid without holding a driver's license,—every such person so offending shall, on conviction, forfeit a sum not exceeding forty shillings.

Leaving carts unattended, &c.

5. If the driver of any cart shall leave the same unattended in any street, whether public or private, or shall go for a distance of more than two yards from the side of such cart, being in any such street, without passing through the rear wheel or wheels thereof a suitable chain or chains so as effectually to prevent the rotation of such wheel or wheels, whether in any such case such cart be hired or not, such driver shall in every such case forfeit a sum not exceeding forty shillings for such offence.

Lights for carts.

6. The driver of every cart which shall, during the hours after sunset of any day and before sunrise of the following day, be in any street or public place within the said Municipality, shall keep a light attached to or suspended from the off or right side of such cart so as to be plainly visible to the driver of any carriage proceeding along or through such street or place in a contrary direction to that in which such first-mentioned cart shall be directed; and every driver who shall fail to comply with this section shall forfeit a sum not exceeding forty shillings.

Interpretation.

7. The word "cart" shall for the purpose of this "Part" of these By-laws include every waggon, dray, or other carriage, whatever be its construction, drawn by horses or other animals, used for any of the purposes hereinbefore described in section 1 of this Part.

SCHEDULE C.

Table of Charges for Carters' Licenses.

	s.	d.
For cart	5	0
For driver	1	0

SCHEDULE D.

Municipality of Wellington—Cart License, No.

Issued to _____, subject nevertheless to all the By-laws, Rules, and Regulations in force relating thereto.

Given under the Common Seal of the Municipal Council of Wellington, this _____ day of _____, 18____ (L.S.) Mayor.

Council Clerk.

SCHEDULE E.

Municipality of Wellington—Driver's License.

Issued to _____, subject nevertheless to all the By-laws, Rules, and Regulations in force relating thereto.

Given under the Common Seal of the Municipal Council of Wellington, this _____ day of _____, 18____ (L.S.) Mayor.

Council Clerk.

PART V.

*Suppression of Nuisances.**Careless riding or driving.*

1. No person shall ride or drive through or upon the streets or any public place so negligently, carelessly, or furiously, that the safety of any other person shall or may be endangered.

Riding on drays, careless driving, &c.

2. If the driver of any waggon, cart, or dray of any kind shall ride upon any such carriage in any such street as aforesaid, not having some person on foot to guide the same (such carts as are drawn by one horse and driven or guided with reins only excepted), or if the driver of any carriage whatsoever shall wilfully be at such a distance from such carriage, or in such a situation, whilst it shall be passing upon such street, that he cannot have the direction and government of the horse or horses or cattle drawing the same, or if the driver of any waggon, cart, dray, or coach, or other carriage whatsoever meeting any other carriage shall not keep his vehicle on the left or near side of the road, or if any person shall in any manner wilfully prevent any other person or persons from passing him or her or any carriage under his or her care upon such street, or by negligence or misbehaviour prevent, hinder, or interrupt the free passage of any carriage or person in or upon the same, every such driver or person so offending shall upon conviction forfeit and pay any sum not exceeding forty shillings.

Washing vehicles or animals.

3. Any person who shall wash any description of vehicle, horse, or other animal, in any public water or in any way pollute the same shall forfeit and pay for the first offence not more than twenty shillings nor less than five shillings, and for every subsequent offence not more than forty nor less than ten shillings.

Nuisances.

4. Every person who, in any street or other public place or passage within the said District, to the obstruction, annoyance, or danger of the residents or passengers, shall commit any of the following offences, shall on conviction for any and every such offence forfeit and pay a penalty of not more than two pounds:—

Every person who shall hoist or cause to be hoisted, or lower or cause to be lowered, goods of any description from any opening in any house fronting any street or public place, and close to the footway thereof, without sufficient and proper ropes and tackling.

Every person who shall carry or convey, or cause to be carried or conveyed in any street or public place, the carcass, or any part of the carcass, of any newly slaughtered animal without a sufficient and proper cloth covering the same for its concealment from public view, or shall hawk or carry about butcher's meat for sale, without covering the same as aforesaid.

Every person who shall place any line, cord, or pole, across any street, lane, or passage, or hang or place clothes thereon to the danger or annoyance of any person.

Every person who shall place any flower-pot in any upper window near to any street or public place, without sufficiently guarding the same from being thrown down.

Every person who shall throw or cast from the roof or any part of any house or other building any slate, brick, part of a brick, wood, rubbish, or other material or thing (unless within a hoard or enclosure when any house or building is being erected, pulled down, or repaired.)

Every person who shall keep any kind of swine within forty yards of any street or public place in the said District, or shall suffer any swine, horse, ass, mule, sheep, goat, or other animal belonging to him or her, or under his or her charge, to stray or go about, or to be tethered or depastured in any street or public thoroughfare.

Every person who shall carry goods or any frame to the annoyance of any person upon the footway of any street or other public footway.

Every person who shall be the keeper of, or have any dog or other animal which shall attack or endanger the life or limb of any person who may have the right of way, or use of any private yard, alley, street, or any other place within the said District.

Persons bathing.

5. No person shall bathe within two hundred yards of any public road or place, unless in some enclosed place, or otherwise in such manner as not to offend against common decency.

Notice to Proprietor.

6. Upon complaint being lodged at the Council Clerk's office that the yard, closets, or drains of any premises is or are a nuisance or offensive, and after inspection, such shall be found to be the case, notice shall be given in writing to the proprietor or tenant of such premises to remove or abate such nuisance within 24 hours after such notice; and if, after such notice, the nuisance shall not be removed or abated the proprietor or tenant of the said premises shall be liable to a penalty not exceeding forty shillings nor less than five shillings.

Injury to curbstones, guttering, &c.

7. No driver, carter, or other person shall wilfully or negligently do or suffer, or cause to be done, any damage or injury to the curbstones, gutters, or pathways of any street or roadway.

Destroying pathways or roads.

8. No person shall be allowed to alter, cut up, or destroy the pathways or roads, or to remove loam, sand, or gravel, from any of the streets or roads of the Municipality without the authority of the Council, and for such authority a fee of one shilling shall be paid.

Placing materials on streets, &c.

9. No person shall be allowed to place on the streets or pathways building materials otherwise than is absolutely necessary, and by the sanction in writing of the Mayor or Council Clerk, and no person shall be allowed to have water-holes or excavations for cellars or other purposes in or adjoining any public place unfenced, or in such a manner as to be dangerous to passers by; and all places where buildings are being carried on, or where any obstruction, to the danger of passers by exist, the person causing such obstruction shall be required to provide lights on either side, and keep the same lighted from sunset to sunrise, under a penalty of not exceeding five pounds nor less than two pounds.

Damaging trees and shrubs, &c.

10. No person shall destroy or damage any shrub or tree growing in any street or thoroughfare, or other public place within this Municipality, or injure any hedge, fence, gate, or building in any such street, thoroughfare, or public place, or set fire to any shrubs or trees, or to cut or remove any timber from any such street, thoroughfare, or public place aforesaid, or to destroy, tear, deface, or otherwise injure any notice, proclamation, or other document purporting to be under the authority of the Council, or of any officer of the said Council, which shall be affixed in any public place, under a penalty of not more than two pounds nor less than five shillings.

Exposing goods for sale.

11. No person shall place or expose for sale on the pathways or streets, carts, goods, parcels, or produce of any kind whatever to the obstruction of the public.

Injuring or extinguishing lamps.

12. Any person who shall wantonly or maliciously break or injure any lamp or lamp-post, or extinguish any lamp set up for public convenience in the said Municipality, shall, over and above the necessary expense of repairing the injury committed, forfeit and pay for every such offence any sum not less than one pound nor more than five pounds.

Houses of ill-fame.

13. Upon representation by any respectable ratepayer that any house or premises within the Municipality and near to the residence of such ratepayer is of ill-fame, it shall be lawful for the By-law Committee to cause the residents of such house or premises to furnish to the Council a list of names, ages, sexes, and occupation of all the inmates of the said house or premises, and upon non-compliance with such request, or if upon consideration the said Committee consider the house to be one of ill-fame, they shall, with the sanction of the Council declare the same to be a nuisance, and shall cause a notice in writing to be served upon the holder of such house or premises or any person resident or being therein, to discontinue or abate the said nuisance within forty-eight hours after the receipt of such notice. And if such nuisance be not so abated, the holder of such house or premises, or other person residing or being therein and acting as such holder, shall be liable to be proceeded against for such nuisance, and shall on conviction thereof forfeit and pay any sum not less than two pounds nor more than twenty pounds.

And if such nuisance shall not be abated within forty-eight hours after such conviction, such holder of such house, or such other person residing or being therein as aforesaid, shall forfeit and pay for such second offence a sum of not less than five pounds nor more than fifty pounds. And if a further period of forty-eight hours shall elapse after such second conviction without the abatement of such nuisance, such holder of such house, or other person residing or being therein as aforesaid, shall for such third offence forfeit and pay any sum not less than ten pounds nor more than fifty pounds.

Deposit of refuse.

14. Any person who shall throw, cast, or lay any refuse or rubbish within the boundaries of the town, except at the depôts proclaimed for that purpose by the Council, shall forfeit and pay a sum not exceeding forty shillings nor less than five shillings.

Buildings not to be erected beyond the building line of any street.

15. Should any person erect any building, verandah, or fence, other than an awning, beyond or outside the building line of any street within the Municipality, without the consent of the Council, he or she shall be liable to a penalty of not less than one pound nor more than five pounds, and should he or she neglect to remove the same, upon receiving notice in writing from the Council so to do, the Council shall have power to remove the building, verandah, or fence, or other erection or obstruction, at the expense or charge of the person so offending.

Driving cattle, &c.

16. No cattle, except milkers, or working bullocks drawing a dray or other vehicle, shall be driven within the boundaries of the Town of Wellington, between the hours of 8 and 10 in the

morning and 4 and half-past 5 in the afternoon. And all cattle driven through the said town at any time shall be kept under proper control. For a breach of this law the driver or owner of the cattle shall be liable to a penalty not exceeding three pounds and not less than five shillings.

Offensive trades.

17. No noisome or offensive trade shall be permitted to be carried on in any premises to the inconvenience of the residents of adjoining or other houses.

Boiling down establishments, &c.

18. Every person who shall have a boiling down establishment, a slaughter-house, or other premises in such a state as to be a nuisance or injurious to health, or any pool, ditch, gutter, watercourse, privy, urinals, cesspool, drain, or ashpit, so foul as to be a nuisance or injurious to health, or any animal, or the carcase of any animal, or any part thereof, in such a state or so kept or left as to be a nuisance or injurious to health, or any accumulation or deposit which is a nuisance or injurious to health, shall, upon conviction of the same by any two Justices in Petty Sessions upon information or complaint made before them, be liable to a penalty not more than two pounds nor less than five shillings for the first offence, and for every subsequent offence not more than five pounds nor less than ten shillings.

The foregoing are the By-laws of the Municipal District of Wellington, passed at a meeting of the Municipal Council held the 25th September, 1879.

(L.S.) JOSEPH AARONS,
Mayor.

W. H. FORWOOD,
Council Clerk.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES.

(MUNICIPAL DISTRICT OF CARCOAR—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 30th January, 1880.

MUNICIPAL DISTRICT OF CARCOAR.

BY-LAWS.

THE following By-laws made by the Council of the Municipal District of Carcoar, for regulating the proceedings of the Council,—for the collection and enforcement of rates,—for the management of roads and streets,—for preventing fires, and for the suppression of nuisances,—having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

BY-LAWS for regulating the proceedings of the Council of the Municipal District of Carcoar, for the collection and enforcement of rates, for preventing and extinguishing fires, for the suppression of nuisances, and for the care and management of the public roads and streets.

General duties of the Mayor or presiding Alderman.

1. The Mayor, presiding Alderman, or Chairman at any Committee meeting, shall preserve order, and his ruling upon all matters shall be final, and no argument or discussion shall ensue thereon; but he shall state his reasons for such decision.

2. The Mayor, presiding Alderman, or Chairman shall put all questions, and declare the sense of the Council or Committee thereon.

3. The Mayor, presiding Alderman, or Chairman shall decide as to pre-audience of members where two or more desire to speak, and may call any member to order for refusing to comply with his decision, or speaking a second time upon the subject unless in explanation.

4. Every Alderman introducing a motion shall have the right of reply, and of speaking once on every amendment.

5. Every motion duly put and seconded shall be put first in the affirmative and then in the negative, and the Mayor, presiding Alderman, or Chairman may, if he thinks fit, call upon the members to divide, in order that the correct sense of the meeting may be ascertained.

Meetings of the Council.

6. The Council shall meet for the dispatch of business at seven o'clock p.m. on every alternate Tuesday; but when such day shall be a holiday the Mayor shall appoint such other day for holding the meeting as he may think fit, not exceeding four days earlier or later than the said holiday.

7. In the event of a quorum not being present within half-an-hour after the time appointed for such meeting of the Council, the names of the Aldermen present shall be taken down and entered into the minute-book by the Council Clerk.

8. Every Alderman being absent from three consecutive meetings of the Council shall be liable to a fine of five shillings sterling for every successive meeting thereafter until he resume his attendance; and all such fines and penalties so incurred shall be paid to the Council Clerk within ten days after the person so fined shall have received, or had left at his residence, a notice of such fine; and, in case of default, the Mayor shall enforce the payment thereof under the provisions of the Municipalities Act of 1867. All such fines to be carried to the credit of the Borough funds.

Order of Business.

9. The minutes of the last meeting shall be read, and if no objection be taken as to their correctness the Mayor or presiding Alderman shall thereupon sign the same; but if any objection be made as to their correctness, or any part thereof, the question shall be put to the Council, and if the Council shall so decide the alteration shall be made, and such alterations shall be signed in the margin by the Mayor or presiding Alderman and the Council Clerk.

10. After the confirmation of the minutes of the preceding meeting, the order of business shall be as follows:—

11. Reading of correspondence.

12. The presentation of petitions.

13. Reports of Committees.

14. Motions of which notices have been given.

15. Questions of which notice had been given at the last meeting of the Council.

Conduct of Business.

16. Every Alderman shall stand while speaking, and shall address the Mayor or Chairman.

17. Every Alderman shall confine his remarks to the subject before the Council.

18. No Alderman shall make any remarks of an offensive or personal nature upon any Alderman or officer of the Council.

19. No member shall speak longer than ten minutes on any subject under debate, except it be the mover of any motion; and he shall not speak for a longer period than twenty minutes, unless by consent of the Council previously obtained.

20. A debate, by motion, may be adjourned at any time.

21. All petitions shall be presented by an Alderman, and read by him to the Council; and no petition shall be received unless its reception be moved, seconded, and carried.

22. All notices of motion shall be in writing, signed by the mover, and delivered to the Council Clerk four clear days before the day of meeting.

23. The Council shall vote by show of hands, and every Alderman present shall be compelled to vote, excepting the Mayor or Chairman.

24. No member shall interrupt another while speaking, by any acclamation or other expressions of approval or dissent.

25. No motion in Council shall be discussed unless and until it be seconded.

26. When a motion in Council shall have been made and seconded, any Alderman shall be at liberty to move an amendment thereon; but no such amendment shall be discussed unless and until it be seconded. No motion or amendment shall be discussed until it shall have been reduced into writing. No second or subsequent amendment shall be taken into consideration until the previous amendment or amendments shall have been disposed of. If an amendment be carried, the question as amended thereby shall become itself the question before the Council; whereupon any further amendment upon such question may be moved. If any amendment, either upon an original question or upon any question amended as aforesaid, shall be negatived, then a further amendment may be moved to the question to which such first mentioned amendment was moved, and so on, provided that not more than one question and one proposed amendment thereof shall be before the Council at any one time.

27. No motion to rescind a resolution or to affect it in any way, shall be put upon the business paper, unless by consent of a majority at a call of the whole Council.

28. A call of the whole Council may be ordered by resolution of which due notice has been given.

29. Whenever any matter of order arises, it shall be taken into consideration immediately; and upon a member rising to order, he shall be heard, and the member who was speaking shall sit down until the question of order has been decided; but in case any Alderman called to order, or requested to sit down, refuses to obey the ruling of the Mayor or Chairman, he shall pay a fine of five shillings.

30. The Council Clerk shall make out a paper, to be called the Business Paper, which shall contain all matters to be considered, and all such papers shall be filed and become records of the Council.

31. All such business papers shall be indorsed in the margin by the Mayor or Chairman, specifying the manner in which each matter has been disposed of.

Committees.

32. There shall be four permanent Committees, viz.:—The Finance, the By-law, the Works, and the Committee for General Purposes, and all reports of Committees shall be signed by the Chairman.

33. No expenses shall be incurred until the probable cost is first ascertained.

34. The Mayor may in cases of emergency authorize the expenditure of any sum not exceeding five pounds, and by request of not less than three Aldermen given him in writing, under their signatures, may for a like reason authorize the expenditure of a sum not exceeding ten pounds; but no further expenditure shall be permitted until the Council shall have met and approved of the outlay.

Collection of Rates.

35. All rates made by the Council may be paid half-yearly—viz., within fourteen days after the expiration of the thirty days allowed by law, and the balance within six months thereafter in each year, and shall be paid to the Council Clerk at the Council Chambers during office hours.

36. The Council Clerk shall, at the expiration of the dates beforementioned, lay before the Council a list of all persons whose rates are in arrear.

37. The Mayor shall take immediate steps to enforce payment of all rates due as aforesaid, either by summons or distress warrant, by resolution of the Council.

38. The Council may appoint a Bailiff, who shall make all levies of distresses for the recovery of any rates, under the warrant of the Mayor, according to Schedule A hereto annexed.

39. The Bailiff shall be paid for all levies, entries, distresses, and warrants made under these By-laws, according to Schedule B hereto annexed.

40. The Bailiff shall, at the time of making any distress, make out an inventory of all goods, live stock, land, houses, or other property; and shall deliver a copy thereof to the owner of the property or goods so distrained thereon, or the occupier thereof, or to some person on his or her behalf; or in the absence of any such owner or occupier, then such inventory shall be posted on some part of the premises, and a like copy shall be delivered to the Council Clerk.

41. It shall be lawful for any Bailiff, and such assistants as he may require, to enter into and upon any land, buildings, or other property in respect of which a warrant has been issued, for the recovery of rates as aforesaid, and to distrain goods therein and thereon, and to remain in charge of such building or other property; and if the sum for which such distress shall have been made or taken be not paid on or before the expiration of five days, it shall be lawful to sell the said goods, or any part thereof, by public auction, either on the premises or at any other place within the Municipal District of Carcoar; and the surplus, if any, that may remain after deducting the costs, in addition to the sum distrained for, shall be paid over to the owner of the goods so sold.

42. The Bailiff shall, within forty-eight hours after such sale, deliver to the Council Clerk the proceeds thereof, as also the inventory of the effects so sold.

43. In the temporary absence of the Bailiff through illness or business, the Mayor may appoint a substitute.

Management of Roads and Streets.

44. No person shall erect any house or other building in any street, road, or lane in the Municipal District of Carcoar without giving notice thereof in writing to the Council Clerk, describing the nature and situation of the intended erection.

45. No person shall be permitted to encroach beyond the building-line in any road, street, or lane under the control of the Council, by the erection of houses, verandahs, steps, fences, or any other obstruction, under a penalty of one pound.

46. Any person erecting such obstruction as aforesaid, and not removing the same within fourteen days from the date of notice served on the premises or ground complained of, shall be liable to a penalty of not less than forty shillings, nor more than five pounds.

47. All houses within the Municipality, having frontages to a main thoroughfare, being kerbed and guttered, shall be sufficiently spouted with down piping, to be laid under the footpath and kerb into the gutter, under a penalty of five shillings.

48. No person shall throw or deposit any rubbish, dead fowls, or animals of any description, or offensive matter, into any road, street, lane, footpath, gutter, or any ground near to a public way, under a penalty of five shillings.

49. No driver or other person shall wilfully or negligently do, or cause to be done, any damage or injury to the kerbstones, gutters, or footpaths, or to drive any horses, cattle, or other animals, or wheeled vehicles of any description, on the footpaths, under a penalty of ten shillings.

50. No person shall be allowed to place any building materials on the footpaths, unless by the sanction of the Mayor in writing, countersigned by the Council Clerk; and any building materials so placed, or any open cutting or excavations, shall be protected by two lights, to be kept burning from dark until daylight; and for every such authority as aforesaid the sum of two shillings and sixpence shall be charged.

51. No person shall place on the footpath, or in the gutter, any cart, barrow, goods, or produce of any kind to the obstruction of the public, under a penalty of ten shillings.

Prevention of Fires.

52. No person shall place or permit to be placed in any house, workshop, or other building, fire, gunpowder, or combustible or inflammable material of any kind so as to endanger contiguous buildings.

53. The Inspector of Nuisances shall, upon receiving a representation in writing that fire is being used, or combustible matter stored, to the danger of adjoining buildings, proceed to the premises complained of, and shall, if he thinks necessary, cause the danger to be removed immediately.

Nuisances.

54. No person residing within the Municipality shall be allowed to permit his or her premises, closets, or drains to be offensive to the neighbours.

55. No offensive trade shall be permitted to the inconvenience or annoyance of any resident in the Municipality.

56. No person shall breed or keep swine in any house, yard, building, or enclosure of any description, situate within forty yards of any public road or thoroughfare, under a penalty of not less than forty shillings nor more than £5 for every offence.

SCHEDULE A.

I, **Mayor of the Municipal District of Carcoar**, do hereby authorize you, **Bailiff of the said Municipal District**, to distrain the goods and chattels in the dwelling-house, or in or upon the land and premises of situate at _____ for the sum of _____ being the amount of Municipal rates due to the said Municipality, to the _____ day of _____ for the said dwelling-house, land, or premises, and to proceed thereon for the recovery of the said rates according to law.

Dated this _____ day of _____ 18 _____ Mayor.

SCHEDULE B.

Fees of Bailiff.

	s.	d.
For every warrant	3	6
For making every entry and inventory in the execution of a warrant.....	3	0
If in possession five hours.....	5	0
For every other day or part of a day	6	0
And 5 per cent. on net amount of sale.		

Inventory.

I have this day, in virtue of a warrant under the hand of the Mayor of the Municipal District of Carcoar, dated _____ distrained the following goods and chattels in the dwelling-house, or in or upon the land and premises of _____ situate within the said Municipality, for the sum of _____ being the amount of rates due to the said Municipality, to the day of _____ 18 _____

Bailiff.

Made and passed by the Council of the Municipal District of Carcoar, this 15th day of April, 1879.

(L.S.) B. STIMPSON,
Mayor.

JOHN PARKS, Council Clerk.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES.

(MUNICIPAL DISTRICT OF GULGONG—AMENDED BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 13th February, 1880.

MUNICIPAL DISTRICT OF GULGONG.

AMENDED BY-LAW.

THE following By-law, made by the Council of the Municipal District of Gulgong, in substitution of clause 6 of Part I of the By-laws of that Municipality, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the requirements of the "Municipalities Act of 1867."

HENRY PARKES.

GULGONG MUNICIPALITY.

BY-LAW No. 6.

A Member called to order shall withdraw while the question of order is being discussed and decided upon, unless specially permitted to offer an explanation, retraction, or apology, but on obtaining such special permission such Member shall explain, retract, or apologise for the matter or remark alleged to have been out of order; and if such explanation, retraction, or apology be deemed satisfactory no further discussion on the question of order shall be permitted. If any Member on being called to order shall ask such permission to explain, retract, or apologise as aforesaid, the Mayor or Chairman may, of his own authority, grant or refuse such permission as he may think fit, unless any Member shall require the sense of the Council to be taken on this question; in such case it shall be the duty of the Mayor or Chairman to take the sense of the Council at once, and without discussion, as to whether such permission shall be granted; and when any such explanation, retraction, or apology shall have been made or offered by permission of the Mayor or Chairman, the latter shall in like manner decide, or, if required so to do, shall take the sense of the Council as to whether such explanation, retraction, or apology is considered sufficient; if such permission be refused, or if such explanation, retraction, or apology be considered insufficient, the question of

order shall be considered and decided before any other business is proceeded with. If any Member of the Council refuses to explain, retract, or apologise after being ruled out of order by the Mayor or Chairman, he shall be liable to a penalty of not less than ten shillings nor more than five pounds (£5): Provided that if such Mayor or Chairman shall have decided the question of order before any Member shall have required the sense of the Council to be taken in reference thereto, such question of order shall not be re-opened: And provided further, that nothing herein contained shall be held to affect the right of such Mayor or Chairman to decide finally, as hereinbefore provided, upon any such point of order after the same shall have been discussed.

This By-law, as amended, was duly passed at a general meeting of this Council held on Wednesday, 17th December, 1879,—a call of the Council having been made for that purpose.

(l.s.) WILLIAM SELFF,
Mayor.

W. M. HOPPER, Council Clerk.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES.

(MUNICIPAL DISTRICT OF LISMORE—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 16th April, 1880.

MUNICIPAL DISTRICT OF LISMORE.

THE following By-laws, made by the Council of the Municipal District of Lismore, for regulating their own proceedings and the duties of their officers and servants, and preserving order at Council meetings; for determining the times and modes of collecting and enforcing payment of rates; for preventing and extinguishing fires; for the regulation, management, and preservation of streets and public places, &c.; for promoting and preserving public health; preventing and suppressing nuisances and preserving public decency; for restraining noisome and offensive trades; for preventing or regulating and licensing exhibitions held or kept for hire or profit, bowling-alleys, and other places of amusement; and generally for maintaining the good rule and government of the Municipality, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

By-Laws made and adopted by the Council of the Municipal District of Lismore for regulating the proceedings of the said Council and of the Committees connected therewith, for the preservation of order and the conducting of business at all the meetings of such Council and Committees; for defining and regulating the powers and duties of the officers and servants of the said Council; for determining the times and modes of collecting and enforcing payment of rates; for preventing and extinguishing fires; the regulation, management, and preservation of the streets and public places; regulations for promoting and preserving public health; for the prevention and suppression of public nuisances, and for preserving public decency; for dealing with and abating public annoyances and obstructions; for preventing or regulating and licensing exhibitions, bowling-alleys, and other places of amusements held or kept for hire or profit, with miscellaneous regulations for generally maintaining the good rule and government of the said Municipality.

PART I.

PROCEEDINGS OF THE COUNCIL AND COMMITTEES—DUTIES OF OFFICERS AND SERVANTS.

Meetings of the Council.

Ordinary Meetings.

1. The Council shall meet for the transaction of business on every alternate Monday, at the hour of 7 o'clock p.m., unless such day shall happen to be a public holiday. In the latter case the meeting shall be held on such other day as the Mayor may appoint.

Election of Chairman.

2. If at any meeting of the Council the Mayor be absent at the expiration of twenty minutes after the time appointed for holding such meeting the Aldermen then present shall proceed to elect from among themselves a Chairman for such meeting.

Order of Business.

Business of Ordinary Meetings.

3. The following shall be the order of business at all meetings of the Council other than special meetings :—
1. The minutes of the last preceding meeting to be read, corrected if erroneous, and signed by the Mayor or other Chairman. No discussion to be permitted on such minutes, except as to whether they are correct.
 2. Petitions (if any) to be presented and dealt with.
 3. Correspondence to be read and orders made thereon, if expedient.
 4. Reports from Committees and minutes from the Mayor (if any) to be presented, and orders made thereon.
 5. Questions as to any matters under the jurisdiction or within the official cognizance of the Council to be put and replied to; and statements as to any facts, matters, or circumstances requiring attention by the Council or any of the Committees or officers to be made.
 6. Motions of which notice has been given to be dealt with in the order in which they stand on the business paper.
 7. Orders of the day to be disposed of as they stand on the business paper.
 8. Consideration of tenders and acceptances.

Business may be dealt with out of regular order.

4. It shall be competent for the Council at any time by resolution, without notice, to entertain any particular motion or to deal with any particular matter of business out of its regular order on the business paper without any formal suspension of this section; or such particular motion or business

may be adjourned to a later hour of the day, or to any other day specified; and the Alderman upon whose motion such debate shall have been so adjourned shall be entitled to pre-audience on the resumption of the same.

Business paper—Ordinary meetings.

5. The business paper for every meeting of the Council shall be made up by the Council Clerk or substitute, and delivered to the Mayor and Aldermen, or left at their respective residences, at least twenty-four hours before the time appointed for such meeting. The Council Clerk shall enter on such business paper a copy or the substance of every notice of motion proposed to be entertained at such meeting which he shall have received.

Business paper—How disposed of.

6. The business paper for each meeting of the Council shall, at such meeting, be laid before the Mayor or Chairman, who shall make a note upon such business paper of the mode in which each matter entered thereon has been dealt with. And such business paper so noted shall be a record of the Council.

Business paper—Special Meeting.

7. At special meetings of the Council the business after the minutes shall have been read and verified, which shall be done in the same manner as at an ordinary meeting, shall be taken in such order as the Mayor, or the Alderman at whose instance such special meeting shall have been called, may have directed.

Petitions.

Petitions to be respectfully worded.

8. It shall be incumbent on every Alderman presenting a petition to acquaint himself with the contents thereof, and to ascertain that it does not contain language disrespectful to the Council. The nature and prayer of every such petition shall be stated to the Council by the Alderman presenting the same.

Petitions—how received.

9. All petitions shall be received only as the petitions of the parties signing the same.

Petitions—How to be dealt with.

10. No motion other than for the reception of a petition shall, unless as hereinafter provided, be permissible on the presentation of such petition, except that the same be referred to a Committee, or that its consideration stand an order of the day for some future meeting. Provided however that if any Alderman shall have given due notice of a motion in reference to the subject of any petition, or of the consideration of the subject of any petition shall have been made an order of the day, and such petition shall have been presented before such motion or order of the day shall have been called on, such order of the day, or the said motion, if otherwise unobjectionable, shall be considered in order.

Correspondence.

11. The Mayor shall have the same duty in reference to letters addressed to the Council before directing the same to be read as by section 8 of this part of these by-laws is imposed upon Aldermen presenting petitions. If not read, to be returned to the writer and reported to the Council. The Mayor shall direct as to the order in which all correspondence shall be read, and no letter addressed to the Council or any of its officers shall be presented or read by any Alderman. If the Mayor be absent, and shall not have examined any such letters, or have given any such directions as aforesaid, then the duties imposed by this section shall devolve upon the presiding Alderman.

Letters sent not to be discussed, but every letter may be subject of motion:

12. No discussion shall be permitted in reference to any letters which have been written and sent by the Mayor or Town Clerk, and copies of which may be read to the Council; provided however that any notice of motion consistent with good order may be entertained with reference to any letters, whether read or not, or with reference to any letters addressed to the Council which the Mayor or presiding Alderman may not have ordered to be read as aforesaid.

Reports of Committees.

13. All reports from Committees shall be written on foolscap paper with a margin of at least one-fourth of the width of such paper, and shall be signed by the Chairman of such Committee, or in his absence by some other member of the same.

Mayor's Minute.

14. The Mayor shall have the right of directing the attention of the Council to any matter or subject within its jurisdiction or official cognizance by a minute in writing. Every such minute shall be written on paper of the same kind and with the same margin as a report from the Committee, and shall be signed by such Mayor.

Reports—how to be dealt with.

15. No motion shall, unless as hereinafter provided, be permissible on the presentation of a report from a Committee, or a minute from the Mayor, except that the same be received, or that it be received, and that its consideration stand an order of the day for some future meeting: Provided that if any Alderman shall have given due notice in reference to any such report or minute, or if the consideration of such report or minute shall have been entered among the orders of the day, such order of the day, or such motion, if otherwise unobjectionable, may be moved and considered in due course. And whenever such report or minute embodies any recommendation which cannot legally be carried out without due notice, and it is desirable that such report or minute should be ordered upon during the meeting of the Council at which such report or minute is presented, it shall be the duty of the Chairman or member of such Committee signing such report, or of the Mayor, as the case may be, to give or transmit to the Council Clerk such a notice of motion, requisition, or direction as aforesaid, as will enable the Council Clerk to make the necessary entry on the business paper, and to give such due notice.

Questions and statements.

Limitation as to questions and statements.

16. No question or statement shall be allowed to be put or made which is inconsistent with good order or is not in strict accordance with the requirements of section 4 of this part of these By-laws.

Notice to be given.

17. Sufficient notice of every question shall be given to the person who is expected to reply thereto, to allow for the consideration of such reply, and, if necessary, for a reference to other persons or to documents.

Answer not compulsory.

18. It shall not be compulsory upon the Mayor or upon any Alderman so questioned as aforesaid to answer the question so put to him.

Questions to be put without argument.

19. Every such question must be put categorically without any argument or statement of fact.

Similar provision as to statements.

20. Every such statement must be made without argument.

No discussion on questions, &c.—Right of objection and of subsequent motion reserved.

21. No discussion shall be permitted as to any such question, or as to any reply or refusal to reply thereto, or as to any such statement at the time when such question is put, or such reply or refusal to reply is given, or such statement is made: Provided however that nothing herein contained shall prevent the taking of any objection as to any such question or statement being out of order, or shall prevent the discussion, after due notice as hereinbefore provided, of any matters properly arising out of or relating to any such question or reply, or refusal to reply, or any such statement as aforesaid.

Motions.

Notices of motion to be numbered as received, and preserved until matter disposed of.

22. All notices of motion, &c., for the consideration of the Council at its next meeting shall be numbered by the Council Clerk as they shall be received, and entered on the business paper according to their number, and each notice shall be preserved by such clerk until after the matter to which it relates shall have been disposed of.

Motions and amendments.

23. All notices of motion shall be in writing, dated and signed by the Alderman proposing the same previous to being handed to the Council Clerk, and shall not be withdrawn from the business paper without the leave of the majority of the Council.

24. No motion the effect of which if carried would be to rescind any motion which has already passed the Council shall be entered on the business paper, unless a "call of the whole Council" has been duly made and granted for that purpose.

25. A call of the Council may be ordered by any resolution of which due notice shall have been given for the consideration of any motion or matter of business before such Council.

Motions.

How to be moved.

26. Except by leave of the Council motions shall be moved in the order in which they stand on the business paper, and if not so moved or postponed shall be struck from such business paper and be considered to have lapsed.

Absence of mover.

27. No motion of which notice shall have been entered on the business paper shall be proceeded with in the absence of the Alderman by whom such notice shall have been given, unless by some other Alderman producing a written authority for that purpose from such first-named Alderman.

Motion to be seconded.

28. No motion in Council shall be discussed unless and until it be seconded.

Amendments may be moved.

29. When a motion in Council shall have been made and seconded any Alderman shall be at liberty to move an amendment thereon, but no such amendment shall be discussed until it be seconded.

Motions and amendments to be in writing.

30. No motion or amendment shall be discussed until it shall have been reduced into writing.

Amendments—only one at a time.

31. No second or subsequent amendment shall be taken into consideration until the previous amendment or amendments shall have been disposed of.

Amended question further amended may be moved thereon.

32. If an amendment be carried the question as amended thereby shall become itself the question before the Council, whereupon any further amendment upon such question may be moved.

Amendments—how subsequent ones may be moved.

33. If any amendment either upon an original question or upon any question amended as aforesaid shall be negatived, then a further amendment may be moved to the question to which first-mentioned amendment was moved, and so on, provided that not more than one question and one proposed amendment thereof shall be before the Council at any one time.

Adjournments—motions for.

34. No discussion shall be permitted on any motion for adjournment of the Council, and if upon the question being put on any such motion the same be negatived, the subject then under consideration, or the next in order on the business paper, or any other on such paper that may be allowed precedence, shall be discussed before any subsequent motion for adjournment shall be receivable.

Orders of the Day.

35. The orders of the day shall consist of any matters other than motions on notice which the Council shall at a previous meeting thereof have directed to be taken into consideration, or which the Mayor shall have directed to be entered on the business paper for consideration.

How they are to be dealt with.

36. The Alderman who has the usual charge of, or who has previously moved in reference to the particular business to which any such order of the day relates shall be the person called upon to move; provided that the Mayor may as to any order of the day entered by his direction arrange with and call upon any Alderman to move the same.

*Order of Debate.**Mode of addressing the Council, &c.*

37. Every Alderman who shall make or second any motion, or shall propose or second any amendment, or shall take any part in any debate or discussion, or shall put or reply to any question, or shall make any statement, or shall in any other way, or for any other purpose, address observations to the Council, shall while so doing stand up in his customary place (unless he shall be prevented from so doing by reason of some bodily infirmity), and shall address himself to the Mayor or other Chairman then presiding. And all Members of the Council shall on all occasions when in such Council address and speak of each other by their official designations, as Mayor, Chairman, or Alderman, as the case may be.

Speaker not to be interrupted if in order.

38. No Alderman shall be interrupted while thus speaking, unless for the purpose of calling him to order as hereinafter provided.

Number of Speeches—limitation of.

39. Every mover of an original motion shall have a right of general reply to all observations which may have been made in reference to such motion, and to any amendments moved thereon, as well as a right to speak upon every such amendment. Every Alderman, other than the mover of such original motion, shall have a right to speak once upon such motion, and on every amendment thereon. No Alderman shall speak oftener than once upon any question other than a question of

order, unless when misrepresented or misunderstood, in which case he shall be permitted to explain, without adding any further observations than may be necessary for the purposes of such explanation.

Mover and Seconder.

40. An Alderman who has moved any motion or amendment shall be considered to have spoken thereon, but an Alderman who shall have seconded any such motion or amendment without any further observation than that he seconded the same shall be at liberty to speak on such motion or amendment.

Speaker not to digress, &c.

41. No Alderman shall digress from the subject under discussion, or shall make personal reflections on nor impute improper motives to any other Alderman.

Adjournment of Debate.

42. A debate may be adjourned to a later hour of the day, or to any other day specified, and the Alderman upon whose motion such debate shall have been so adjourned shall be entitled to pre-audience on the resumption of the same.

Pre-audience—Mayor to decide.

43. If two or more Aldermen rise to speak at the same time the Mayor or Chairman shall decide which of such Aldermen shall be first heard.

Points of Order—Mayor to decide.

44. The Mayor or Chairman shall preserve order, and his decision upon disputed points of order or practice shall be final.

Mayor may address the Council.

45. The Mayor shall have the same right as any other Alderman to speak upon every subject or amendment.

Mayor or Chairman may move or second motion.

46. The Mayor or Chairman may move or second any motion or amendment, or put any question, as provided for by section three of this part of these By-laws; and such Mayor or Chairman shall have the same right as any other Alderman to speak once upon every subject or amendment. The Mayor or Chairman shall rise when so speaking, unless prevented by some bodily infirmity from so doing, but shall be considered as still presiding.

Mayor may call Members to order.

47. The Mayor or Chairman may, without the interposition of any other Member of the Council, call any Alderman to order whenever in the opinion of such Mayor or Chairman there shall be a necessity for so doing.

Mayor's authority in deciding points of order.

48. The Mayor or Chairman when called upon to decide points of order or practice shall state the provision, rule, or practice which he shall deem applicable to the case without discussing or commenting upon the same.

Mode of voting—how questions to be put.

49. The Mayor or Chairman for the time being shall put to the Council all questions on which it shall be necessary that a vote be taken, and declare the sense of the Council thereon.

Divisions—Penalty for refusing to vote.

50. Any Alderman may call for a division, and the votes shall be taken by a show of hands. In such case the question shall be put first in the affirmative and then in the negative, and the names and votes of the Aldermen present shall be recorded. Any Alderman present when a division is called for who shall not vote on such division, not being disabled by law from so voting, shall be liable for every such offence to a penalty of not less than five shillings nor more than two pounds.

Rules applicable to business in Committee.

51. Sections 29, 30, 31, 32, 33, 37, 38, 41, 43, 44, 45, 47, 48, 49, 50 of this part of these By-laws shall be taken to apply to the business in Committee of the whole Council, except that it shall not be necessary that any motion or amendment in Committee shall be seconded.

Calls of the Council—how Calls may be ordered.

52. A call of the Council may be ordered by any resolution of which due notice shall have been given for the consideration of any motion or matter of business before such Council.

Calls compulsory in certain cases.

53. No motion the effect of which if carried would be to rescind any resolution, order, or decision of the Council shall be entered on the business paper unless a call of the Council has been duly made and granted for such purpose.

Mode of proceeding.

54. The call shall be made immediately before the motion or business for which such call has been ordered shall be moved or considered. The Council Clerk shall call the names of all the Members in alphabetical order, and if any Members are absent a record shall be made of such absence. But if leave of absence to any such Member shall have been previously granted, or if such an excuse in writing shall have been received by the Mayor or Council Clerk as the majority of the Council then present shall consider satisfactory, such absent member shall stand excused, and a record shall be made of such excuse and of the reasons for the same.

Penalty for absence.

55. Any Member of the Council who having had notice of the call shall be absent without having been legally excused as aforesaid, and who shall fail to show that by reason of illness or other sufficient cause he was unable to send an excuse in writing as aforesaid, or who having answered to his name shall not be present when a vote is taken on the motion or business as to which such call was made, shall for every such offence be liable to a penalty of not less than ten shillings nor more than five pounds.

Protests—Mode of proceeding.

56. The Mayor shall exercise a general supervision over all officers and servants of the Corporation and may order the preparation of any such return or statement or the giving of any such explanation or information by any such officer or servant as he may think necessary.

Standing and Special Committees.

57. Besides such Special Committees as may from time to time be found necessary, there shall be two standing Committees of the Council, each consisting of not less than three Members, viz., a Finance Committee, and an Improvement Committee.

Improvement Committee.

58. The Improvement Committee shall have the general direction of all works ordered or sanctioned by the Council, and the general inspection of all streets, roads, ways, bridges, public reserves, and other public places under the care and management of the Council. They shall also inquire and report from time to time as to such improvements or repairs as they may think necessary, or as they may be directed by resolution of the Council to inquire and report upon.

Finance Committee.

59. The Finance Committee shall examine and check all accounts, and shall watch generally over the collection and expenditure of the Municipal revenues. They shall inquire and report from time to time as to all matters which they may consider to affect, or to be likely to affect, the finances of the Municipality, and as to such matters or subjects of the like nature as they may be directed by resolution of the Council to inquire and report upon.

Committee of the whole Council.

60. The Council may at any time resolve itself into a Committee of the Whole for the consideration of any matter affecting the Municipality, and the business of such Committee of the whole Council shall be conducted in accordance with the rules hereinbefore provided, as near as the same shall apply, except that it shall not be necessary that any motion or amendment in Committee shall be seconded.

Records of transactions in Committee.

61. The Chairman of each standing Committee shall make, or cause to be made, in a book kept by him for that purpose, memoranda of all the transactions of such Committee, which book he shall on ceasing to be such Chairman hand over to his successor.

Chairman of Committees.

62. Every Committee of which the Mayor shall not be a Member shall elect a permanent Chairman of such Committee, who may direct the Council Clerk to call meetings whenever he shall think it desirable.

Expenditure—Cost of works to be estimated before undertaken.

63. No works affecting the funds of the Municipality, except as hereinafter is mentioned, shall be undertaken until the probable expense thereof shall have been first ascertained by the Council.

Cases of emergency and current expenses.

64. In cases of emergency the Mayor may authorize the expenditure of any sum not exceeding fifteen pounds, and such expenditure shall be reported to the Council at the next meeting. And the Mayor may order the payment of wages of labour for officers, servants, and labourers employed at fixed rates of payment, such rates being fixed by order of the Council.

Completion of work to be reported by Improvement Committee.

65. No works undertaken by the Council shall be deemed to have been completed, and no order shall be made for the payment in full of the same, except upon a report or certificate to that effect from the Improvement Committee.

Common Seal—how secured.

66. The common seal shall be secured by a cover or box which shall be kept at the Council Chambers, in the custody of the Council Clerk. There shall be duplicate keys to the lock of this cover or box, of which keys one shall be kept by the Mayor and the other by the Council Clerk.

Common Seal—when and how used.

67. The seal of the Corporation shall not be affixed to any document of the Municipality without the express authority of the Council; and every impression thereof so authorized shall be verified by the signature of the Mayor, or in case of the illness or absence of the Mayor, by two Aldermen, and countersigned by the Council Clerk.

The custody of books of accounts, deeds, and other records.

68. All books, deeds, memorials, letters, documents, and other records of the Council, except as hereinafter mentioned, shall be kept at the Council Chambers, in the custody and care of the Council Clerk, who shall be responsible for the safe custody of the same; but the Mayor may for any special purpose authorize their removal.

Books, &c., not to be shown or exposed to view without leave.

69. No member or officer of the Council shall be at liberty to show, lay open, or expose any of the books, papers, or records of the Council to any person not a member of the Council without the written permission of the Mayor, unless as otherwise provided by law.

Records not to be removed.

70. Any person removing any such book, paper, or record from the Council Chambers without leave from the Mayor in writing, first had and obtained, shall be subject to a penalty of not less than ten shillings, nor more than ten pounds, and nothing herein contained shall be held to affect the further liability of any person who shall have removed such book, paper, or record, and shall not have returned the same, to prosecution for stealing such book, paper, or record, or to an action at law for detention of the same, as the circumstances of the case may warrant.

Receipt for documents.

71. Every person removing any document or record with such consent as aforesaid shall give a receipt under his hand for every such document, which receipt shall be carefully preserved among the records until the document or other record to which it refers shall have been returned, when such receipt shall be destroyed.

*Records.**Penalty for defacing or destroying.*

72. Any person destroying, defacing, or wilfully or improperly altering any books, papers, or records shall for every such offence be liable to a penalty of not less than five pounds, nor more than twenty pounds.

*Officers and Servants.**Mode of appointment.*

73. Every permanent appointment shall be made by ballot, in such mode as may at the time be determined upon, whenever there is more than one candidate for such permanent office.

Exceptional cases.

74. Nothing herein contained shall be held to prevent the employment, as may be from time to time found necessary, and as may be ordered by the Council, of any workmen or labourers on the public works of the Municipality.

Bonds for good conduct.

75. All bonds given by officers or servants of the Council for the faithful performance of their duties shall be deposited in such custody as the Council may order; and no member, officer or servant of the Council shall be received as a security for any officer or servant.

Council Clerk—duties of.

76. The Council Clerk shall perform all the duties which the Municipalities Act of 1867, or by the present or any other by-laws hereunder, he may be required to perform. He shall be the clerk of all Revision Courts held in the Municipality under the provisions of the Municipalities Act. He shall also, under the direction of the Mayor, conduct all correspondence which may be necessary on the part of the Council, and shall generally assist the Mayor in carrying out the orders of the Council and the duties of such Mayor.

Complaints against officers.

77. All complaints against officers or servants of the Corporation must be in writing, addressed to the Mayor, and must in every case be signed by the person or persons complaining; and no notice whatever shall be taken of any complaint which is not in writing, or which is anonymous. And such complaint as aforesaid shall be laid by the Mayor before the Council at the next meeting thereof which shall be holden after the Mayor shall have received the same, and shall be duly recorded.

Special powers of Mayor.

78. The Mayor may from time to time define the duties of all officers and servants of this Corporation, and shall exercise a general supervision over all such officers and servants, and may order the preparation of any such return or statement or the giving of any such explanation or information by any such officer or servant as he may think necessary, unless the Council shall have expressly forbidden or dispensed with the preparation of such return or statement or the giving of such explanation or information.

Miscellaneous.

Drafts of intended additional By-laws.

79. A draft of any intended By-law shall lie in the office of the Council for at least seven days before such draft shall be taken into consideration by the Council, and shall be open to the inspection of any rate payer who desires to inspect the same.

Lapsed business.

80. Whenever the consideration of any motion or matter of business shall have been interrupted by reason of a quorum not having been present the resumption of such consideration shall in such case be resumed at the next meeting, at the point where it was so interrupted.

Public notices—how published

81. In all cases where public notice is or shall be required to be given by any By-law, such notice shall be given and published by advertising the same in some newspaper circulating in the Municipality.

By-Laws.

Powers to suspend temporarily certain portions.

82. Any of the foregoing By-laws which relate to or affect the proceedings at meetings of the Council may be suspended *pro tempore* without notice in cases of emergency if all the members of the Council then present shall deem such suspension necessary.

PART II.

Collection and Enforcement of Rates.

1. All rates levied and imposed by the Council shall be held to be due and payable on and after such day or days as the Council shall by resolution from time to time appoint.

Time and place of payment.

2. All such rates shall be paid at the Council Chambers during the hours appointed by the Council for that purpose.

Defaulters.

3. Every person not paying his or her rates as aforesaid within thirty-seven days after the day so appointed for payment thereof shall be deemed a defaulter, and it shall be the duty of the Council Clerk to furnish the Mayor from time to time with a list of the names of all persons so in default.

Mayor to enforce payment.

4. It shall be the duty of the Mayor to take proceedings to enforce the payment of all rates in default, either by action at law or by issuing warrants of distress upon the goods and chattels of the defaulters.

Bailiff.

How appointed.

5. The Bailiff of the Municipality shall be appointed by the Council, and may from time to time be removed by them.

Duties of Bailiff.

6. It shall be the duty of the Bailiff to make levies by distraint for the recovery of rates in manner hereinafter provided.

Warrant of Distress.

7. All levies and distresses shall be made under warrant in the form of Schedule A hereto, under the hand of the Mayor or any Alderman who may for the time being be duly authorized to perform the duties of that office.

Distress and sale, &c

8. It shall be lawful for the bailiff, or his deputy, and such assistants as he may take with him, to enter into any part of the land, building, tenement, or other property in respect of which such rate or rates shall have been made as aforesaid,

and to distraint the goods therein or thereon, and to remain in such building, tenement, or other property in charge thereof; and if the sum for which any such distress shall have been made or taken, together with the costs of such distraint, shall not have been paid on or before the expiration of three clear days, the bailiff or his deputy may, between the hours of eleven in the morning and two in the afternoon on the next day thereafter, cause the goods so distrained, or a sufficient portion thereof, to be sold by public auction, either on the premises or at such other place within the Municipality as the bailiff may think proper to remove them for such purpose, and shall pay over the surplus (if any) that may remain after deducting the amount of the sum distrained for and the costs of such distraint to the owner of such goods so sold on demand of such owner; and any person interfering with the said bailiff in the execution of any of the duties devolving upon him under these By-laws, or hindering or preventing him from delivering to the purchaser thereof any property so sold by the said bailiff shall be liable to a penalty of (£5) five pounds.

Inventory.

9. At the time of making a distress the bailiff shall make out a written inventory, in the form of Schedule B hereto, which inventory shall be delivered to the occupant of the land or premises, the owner of the goods so distrained, or to some person on his or her behalf resident at the place where the distress shall be made; and in case there shall be no person at such place with whom such inventory can be left as aforesaid, then such inventory shall be posted on some conspicuous part of the land or premises on which the distress is made, and the bailiff shall give a copy of the inventory to the Council Clerk.

Goods may be impounded.

10. The bailiff, on making a distress as aforesaid, may impound or otherwise secure the goods or chattels so distrained of what nature or kind soever, in such place or places, or in such part of the land or premises chargeable with rates as shall be most fit and convenient for this purpose; and it shall be lawful for any person whomsoever, after the expiration of three days as hereinbefore mentioned, to come and go to and from such place or part of the land or premises where such goods or chattels shall be impounded and secured as aforesaid, in order to view and buy, and in order to carry off and remove the same on account of the purchaser thereof.

Owner may direct order of sale.

11. The owner of the goods or chattels so distrained may at his own option direct and specify the order in which they shall be successively sold, and the said goods or chattels shall in such case be put up for sale according to such direction.

Proceeds of distress.

12. The bailiff shall hand over to the Council Clerk all proceeds of every such distress within forty-eight hours after having received the same.

Bailiff's deputy.

13. The Bailiff, may with sanction in writing of the Mayor, or in his absence with the sanction of any two Aldermen of the Municipality, authorize by writing under his hand any person to act temporarily as his deputy, and the person so authorized shall have and exercise all the powers of the bailiff himself, but the bailiff and his sureties shall in every case be responsible for the acts of such deputy.

Costs.

14. There shall be payable to the bailiff for the use of the Council for every levy and distress made under this By-law the costs and charges in the Schedule hereunto annexed marked C.

SCHEDULE A.

Warrant of Distress.

To and his assistants.

WHEREAS The premises comprised in the Schedule hereunder written have been rated by the Municipal Council of Lismore in the sum of £ as for general rates. And whereas the said sum was due and payable on account of such rates by the said on the day of And whereas default has been made in payment of the same, and the same is still due and owing; and whereas due notice demanding payment of the said sum of £ has been duly served: These are therefore to authorize you forthwith to make distress of the goods and chattels of the said and if within three days after the making of such distress the sum of £ and also all costs thereon, payable according to the Schedule of costs hereunder written, shall not be paid, that then you do sell the goods and chattels of the said so by you distrained, and out of the money arising by such you retain the said sum of £ rendering to the said the surplus,

if any, after deducting the costs as aforesaid, and that you certify to me on or before the day of , what you shall have done by virtue of this warrant.

Name of occupier.	Description of property.	Situation of property.	Rates Municipal Year ending.	Costs.	Total.

Given under my hand, and the common seal of the Municipal Council of Lismore this day of

SCHEDULE B.
Inventory.

I HAVE this day, in virtue of the warrant under the hand of the Mayor of the Municipality of Lismore, dated dis- trained the following goods and chattels in the dwelling-house (or in and upon the land and premises) of situate at within the said Municipality for the Municipal year ending day of day of Dated this day of 18

SCHEDULE C.
Costs.

	s.	d.
For every warrant of distress	2	6
For every levy	2	6
For men in possession, each day or part of a day	6	0
Inventory, sale, commission, and delivery of the goods, 5 per cent. on the net proceeds of the sale.		

PART III.

Preventing and extinguishing fires.
Fire or combustible materials, &c.

1. Every person who shall place or knowingly permit to be placed in any house, yard, workshop, out-offices, or other premises, fire, gunpowder, or combustible or inflammable materials of any kind in such a manner as to endanger any buildings shall on conviction for every such offence forfeit and pay a penalty of not more than five pounds, and shall forthwith remove such fire, gunpowder, or combustible or inflammable materials; and every such person who shall suffer any such fire, gunpowder, or combustible or inflammable materials to remain as aforesaid for twenty-four hours after any such conviction shall be deemed guilty of a further offence against this By-law.

Inflammable fences, &c.

2. Every person who shall erect any fence or brushwood, bushes, or other inflammable material, or shall make or place any stack of hay, corn, straw, or other produce, or place as or for the covering of any such stack any inflammable material as to endanger contiguous buildings or properties, or any trees, shrubs, or other produce of such properties, or any chattels in or upon such buildings or properties, shall forfeit on conviction for every such offence a penalty of not more than five pounds; and if he also shall fail to remove such fence, stack, or covering within a reasonable time after such conviction as aforesaid shall be deemed guilty of further offence against this By-law.

Setting fire to matter without notice.

3. Any person who shall wilfully set fire to any inflammable matter whatever in the open air within five yards of any dwelling-house or other building, or boundary or dividing fence, within the said Municipality without having given notice in writing to the occupiers of the land adjoining the land upon which such matter shall be of his intention so to do, or between the hours of six in the afternoon of any day and six in the morning of the following day, shall for every such offence forfeit a sum not exceeding five pounds.

Fireworks.

4. Every person who shall light any bonfire, tar-barrel, or firework upon or within ten yards of any public or private street or any public place, or shall discharge any firearms without lawful cause within one thousand yards of any dwelling within the boundaries, shall forfeit a sum not exceeding five pounds.

Wilfully setting fire to chimneys.

5. Every person who wilfully sets, or causes to be set, on fire any chimney, flue, smoke-vent, or stove-pipe, herein called in common a chimney, shall forfeit a sum not exceeding five pounds. Provided always that nothing herein contained shall exempt the person so setting or causing to be set on fire any chimney from liability to be informed against or prosecuted before any Criminal Court for such act as for an indictable offence.

Burning shavings and other offensive matter.

6. Any person who shall burn any shavings, rubbish, or other inflammable substance in any road, street, lane, or public place within this Municipality, or shall burn rags, bones, corks, or other offensive matter in any yard within the precincts of the township of Lismore shall for every such offence forfeit and pay a sum not exceeding forty shillings nor less than five shillings.

PART IV.

Streets and public places. Public health and decency. Holes, wells, &c.

New roads to be reported on.

1. No new public road, street, way, reserve, or other place proposed to be dedicated to the public shall be taken under the charge and management of the Council until such road, street, way, or reserve shall have been examined by the Improvement Committee and reported upon to the Council by such committee.

Plans of proposed new road &c., to be deposited.

2. Whenever any proprietor or proprietors of land within the said Municipality shall open any road, street, or way, or lay out any park or other place for public use or recreation through or upon such land, and shall be desirous that the Council shall undertake the care and management of such road, street, way, reserve, or other place, he or they shall furnish the Council with a plan or plans, signed by himself or themselves, showing clearly the position and extent of such road, street, way, reserve, or other place as aforesaid.

Dedications of new roads, &c.

3. If the Council determine to take charge of any such road, way, or other place as aforesaid, the plan or plans so signed as aforesaid shall be preserved as a record or records of the Council, and the proprietor or proprietors aforesaid shall execute such further instrument dedicating such road, way, reserve, or other place to public use or recreation as aforesaid as may be considered necessary by the Improvement Committee, and such further instrument of dedication shall also be preserved as a record of the Council.

Improvement Committee to fix street-levels, &c.

4. The Improvement Committee, or any officer or person acting under the supervision of such Committee, shall, subject to such orders as shall from time to time be made by the Council on that behalf, fix and lay out the levels of all public roads, streets, and ways within the Municipality, and the carriage and foot ways thereof; and it shall be the duty of such committee, officer, or person to place posts at the corners or intersections of any such public roads and streets wherever the same may be considered necessary or desirable by the Council. Provided that there shall be no change of level in any such public road, street, or way until the same shall have been submitted to and adopted by the Council, as hereinafter directed.

Change of street-levels.

5. Whenever it may be deemed necessary to alter the level of any such public road, street, or way as aforesaid the Improvement Committee shall cause a plan and section showing the proposed cuttings and fillings to be exhibited at the Council Chambers for fourteen days, for the information and inspection of ratepayers, and shall notify by advertisement in some newspaper circulating in the Municipality that such plan is so open to inspection. At a subsequent meeting of the Council the said plan and section shall, if adopted, be signed by the Mayor or Chairman and the proposer and seconded of the motion for such adoption, and countersigned by the Council Clerk; and such plan and section so signed and countersigned shall be a record of the Council.

Placards not to be affixed on walls without consent.

6. It shall not be lawful for any person to paste or otherwise affix any placard or other paper upon any wall, house, fence, or other erection, nor deface any such wall, house, fence, or erection with chalk, paint, or other matter, unless with the consent of the owner thereof; and every person who shall be guilty of any such offence shall pay a sum not exceeding twenty shillings nor less than five shillings.

Turf, gravel, stone, &c., not to be removed from streets without permission.

7. Any person who shall form, dig, or open any drain or sewer, or remove, or cause to be removed, any turf, clay, sand, soil, gravel, stone, or other material, or any road scrapings, or sweepings in, or from any part of the carriage or foot way of any street or any other public place within the said Municipality, without leave first had and obtained from the Council, or who shall wantonly break up or otherwise damage any such carriage or foot way, shall on conviction forfeit and pay for every such offence any sum not exceeding five pounds nor less than one pound.

8. No person shall be allowed to remove loam, sand, gravel, or other material from any reserve or other lands of the Municipality without authority in writing of the Council, or their duly authorized officer, under a penalty not exceeding

two pounds. Any person offending against this By-law shall be liable to a penalty of not less than one pound or more than forty shillings. The driver of any vehicle shall, for the purposes of the By-law, be held and taken to be the owner thereof until the contrary be shown.

Holes to be enclosed.

9. Any person or persons who shall dig or make, or cause to be dug or made, any hole, or leave, or cause to be left, any hole adjoining or near to, any street or public place within the said Municipality, for the purpose of making any vault or vaults, or the foundation or foundations to any house or building, or for any other purpose whatsoever, or shall erect or pull down any building and shall not forthwith enclose the same and keep the same enclosed in a good and sufficient manner to the satisfaction of the Improvement Committee of the said Municipality, or shall keep up, or cause to be kept up and continued, any such enclosure for any time which shall be no longer than shall be absolutely necessary in the opinion of the said Committee, and shall not place lights upon each side of the said enclosure, and keep the same constantly burning from sunset to sunrise during the continuance of such enclosure, shall forfeit and pay for every such refusal or neglect any sum not being less than forty shillings nor exceeding five pounds.

Open spaces and steps adjoining footways to be enclosed

10. Every owner or occupier of any house, building, or premises or land within the said Municipality having any entrance area, garden, or other open space, or any vacant building lot, waterhole, or excavated space adjoining the footway of any street or public place in such Municipality, shall protect and guard the same by good and sufficient rails, fences, or other enclosures, so as to prevent danger to persons passing and repassing; and every such owner or occupier of any such house, building, premises, or land having any steps adjoining the footway of any such street or public place shall in like manner protect and guard the same by fences, rails, or other enclosures, so as to prevent the like danger to persons passing and repassing, and on failure thereof of every such owner or occupier shall, as often as he shall be convicted of such offence, forfeit and pay a sum not being less than forty shillings nor more than five pounds. And every such owner or occupier as aforesaid who shall fail to erect such fences or other enclosures as aforesaid shall be deemed guilty of a further offence against this By-law.

Wells to be covered over.

11. Every person who shall have a well situated between his or her dwelling-house, or the appurtenances thereof, and any road, street, or footway within the limits of the said Municipality, or at the side of or in any yard or place open or exposed to such road, street, or footway within the limits of the said Municipality, or at the side of or in any yard or place open or exposed to such street, road, or footway, shall cause such well to be securely and permanently covered over; and if any person having such well as aforesaid shall fail to cover over and secure the same within twenty-four hours after notice in writing shall have been given to him or her by any officer of the said Council, or shall have been left for such person at his or her usual or last place of abode, or on the said premises, shall on conviction forfeit and pay a sum of ten shillings; and for every day after such notice that such well shall remain open or uncovered, contrary to the provisions therein, such person shall be deemed guilty of a separate offence against this By-law.

Temporary stoppage of traffic for repairs.

12. The Improvement Committee, or any officer or person acting under the authority of such Committee, may at any time cause the traffic of any street, lane, or thoroughfare, or any portion thereof, to be stopped for the purpose of repairing the same, or for any necessary purpose; and any person or persons offending against this By-law, either by travelling on such street, lane, or thoroughfare, or by removing or destroying any obstruction that may be placed thereon for the purpose of suspending the traffic, shall forfeit and pay a penalty of any sum not exceeding five pounds for every such offence.

Drawing or trailing timber.

13. Any person who shall haul or draw or cause to be hauled or drawn upon any part of any street or public place within the said Municipality any timber, stone, or other thing otherwise than upon wheeled vehicles or barrows, or shall suffer any timber, stone, or other thing which shall be carried principally or in part upon any wheeled vehicle or barrow to drag or trail upon any part of such street or public place to the injury thereof, or to hang over any part of any such vehicle or barrow so as to occupy or obstruct the street beyond the breadth of the said vehicle or barrow, shall upon conviction forfeit and pay for every such offence a sum not more than forty shillings nor less than five shillings over and above the damage occasioned thereby.

Driving carriages, horses, &c., on footways, and throwing filth, &c.

14. Any person who shall throw, cast, lay, or shall cause, permit, or suffer to be thrown, cast, or laid, or to remain, any ashes, rubbish, offal, dung, soil, dead animal matter, or other filth, or annoyance, or any matter or thing, in or upon the carriage-way or footway of any street or other public place in the said Municipality, or shall kill, slaughter, dress, scald, or cut up any beast, swine, calf, sheep, lamb, or other animal in or so near to any such street or other public place as that any blood or filth shall run or flow upon or over or be on any or either of any such carriage or foot way, or shall run, roll, drive, draw, place, or cause, permit, or suffer to be run, rolled, driven, drawn, or placed upon any of the said footways of any such street or public place any waggon, cart, dray, sledge, or other carriage, or any wheelbarrow, handbarrow, or truck, or any hogshead, cask, or barrel, or shall wilfully lead, drive, ride, or allow to remain, any horse, ass, mule, or other beast upon any such footway, or do, or cause to be done, any damage to the kerbing, streets, pathways, roads, lanes, or gutters of the Municipality, shall upon conviction forfeit and pay, for the first offence a sum not exceeding forty shillings nor less than five shillings for the second offence a sum not exceeding five pounds nor less than ten shillings and for a third and every subsequent offence a sum not exceeding ten pounds nor less than one pound for each such offence.

Throwing or allowing slops, &c., on carriage and foot ways not allowed.

15. Any person who shall cast or throw, or shall cause, suffer, or permit to be cast or thrown upon any footway, or carriage-way, any soapsuds, slops, or refuse water, or any refuse vegetables, or any other matter or thing, or shall cause, or suffer, or permit the same to run or flow from any premises in his or her occupation over any such footpath or carriage-way shall for every such offence suffer and pay a sum not exceeding two pounds nor less than five shillings.

Placing carriages, goods, &c., on footpath—Not removing when required—Replacing same.

16. Any person who shall set or place, or cause or permit to be set or placed, any stall-board, chopping-block, show-board (on hinges or otherwise), basket, wares, merchandise, casks, or goods of any kind whatsoever, or shall hoop, place, wash, or cleanse, or shall cause to be hooped, placed, washed, or cleansed, any pipe, barrel, cask, or vessel in or upon or over any carriage or foot way in any street or public place within the said Municipality, or shall set out, lay, or place, or shall cause or procure, permit or suffer to be set out, laid, or placed, any coach, cart, wain, waggon, dray, wheelbarrow, handbarrow, sledge, truck, or other carriage upon any such carriage-way except for the necessary time of loading and unloading such cart, wain, waggon, dray, sledge, truck, or other carriage, or taking up or setting down any fare, or waiting for passengers when actually hired, or harnessing or unharnessing the horses or other animals from such coach, cart, wain, waggon, dray, sledge, truck, or other carriage, or if any person shall set or place, or caused to be set or placed, in or upon or over any such carriage or foot way any timber, stones, bricks, lime, or other materials or things for building whatsoever (unless the same shall be enclosed as herein directed), or any other matters or things whatsoever, or shall hang out or expose, or shall cause or permit to be hung out or exposed, any meat or offal, or other thing or matter whatsoever, from any house or other building or premises, or any other matter or thing from and on the outside of the front or any house or other building or premises over or next unto any such street or public place, and shall not immediately remove all or any such matters or things being thereto required by the Inspector of Nuisances or other proper officer of the Council, or if any person who having in pursuance of any such requisition as aforesaid removed or caused to be removed any such stall-board, show-board, chopping-block, basket, wares, merchandise, casks, goods, coach, cart, wain, waggon, dray, wheelbarrow, sledge, truck, carriage, timber, stones, bricks, lime, meat, offal, or other matters or things, shall at any time hereafter again set, lay, or place, expose or put out, or cause, procure, permit, or suffer to be set, laid, placed, exposed, or put out the same or any of them, or any other stall-board, show-board, chopping-block, basket, wares, merchandise, goods, timber, stones, bricks, lime, coach, cart, wain, waggon, dray, truck, wheelbarrow, handbarrow, sledge, meat, offal, or other things or matters whatsoever (save and except as aforesaid) in, upon, or over any such carriage or foot way or next unto any such street or public place as aforesaid shall upon conviction for every such offence forfeit and pay for the first offence a sum not exceeding forty shillings nor less than five shillings, for the second offence a sum not exceeding five pounds nor less than ten shillings, and for a third and every subsequent offence a sum not exceeding ten pounds nor less than one pound.

Verandahs and awnings may be erected subject to approval of Council.

17. Nothing in these by-laws contained shall be deemed to prevent any person from placing or fixing a movable awning or erecting a verandah in front of his or her shop or house. Provided that such awning shall be at least eight feet, and

that such verandah shall be at least ten feet above the proper level of the footways, and according to plans and specifications of the Council for the time being; and that the posts of the said awning and verandah together with all framework connected therewith shall be prepared and erected to the satisfaction and approval of the Council, as they may from time to time direct.

Riding on drays—Careless driving, &c.

18. If the driver of any waggon, wain, cart, or dray of any kind shall ride upon any such carriage in any street as aforesaid, not having some person on foot to guide the same (such carts as are drawn by one horse and driver or guided with reins only excepted), or if the driver of any carriage whatsoever shall wilfully be at such a distance from such carriage or in such a situation whilst it shall be passing upon such street that he cannot have the direction and government of the horse or horses or cattle drawing the same, or if the driver of any waggon, cart, dray, or coach, or other carriage whatsoever meeting any other carriage shall not keep his waggon, cart, dray, or coach or other carriage on the left or near side of the road, street, or thoroughfare, or if any person shall in any manner wilfully prevent any other person or persons from passing him or her or any carriage under his or her care upon such street, or by negligence or misbehaviour prevent, hinder, or interrupt the free passage of any carriage or person in or upon the same, every driver or person so offending shall upon conviction forfeit and pay any sum not exceeding forty shillings.

Riding or driving furiously, &c.

19. Any person who shall ride or drive through or upon any street or public place within the said Municipality so negligently, carelessly, or furiously that the safety of any other person shall or may be endangered shall on conviction forfeit and pay a sum not exceeding ten pounds nor less than one pound.

Vehicles driven after sunset to carry light.

20. Every person driving any vehicle within the Municipality between sunset and sunrise shall carry a light on such vehicle in a conspicuous place. Any one offending against this By-law shall be liable to a penalty not exceeding one pound.

Blasting rock not allowed without notice to Council Clerk.

21. Any person who shall be desirous of blasting any rock within one hundred yards of any street or public place or dwelling-house in the said Municipality shall give notice in writing twenty-four hours previously to the Council Clerk, who shall appoint a time when the same may take place, and give such other directions as he may deem necessary for the public safety; and if any person shall blast or cause to be blasted any rock within the limits aforesaid without giving such notice, or shall not conform to the directions given to him by the said Council Clerk, he or she shall on conviction forfeit and pay for every such offence any sum not less than one pound nor more than ten pounds.

Public property.—Injuring or extinguishing lamps.

22. Any person who shall wantonly or maliciously break or injure any lamp or lamp-post, or extinguish any lamp set up for public convenience in the said Municipality, shall, over and above the necessary expense of repairing the injury committed, forfeit and pay for every such offence any sum not less than one pound nor more than five pounds.

Damaging buildings.

23. Any person who shall damage any public building, punt, boat, toll-gate, toll-bar, toll-board, wall, parapet, fence, sluice, bridge, culvert, sewer, watercourse, or other public property within the said Municipality, shall pay the costs of repairing the same; and if such damage be wilfully done shall forfeit and pay a sum not exceeding twenty pounds nor less than five pounds.

Damaging trees.

24. Any person who shall wilfully and without the authority of the Council, cut, break, bark, root up, or otherwise destroy or damage the whole or any part of any tree, sapling, shrub, or underwood, growing in or upon any street or place under the management of the Council, shall forfeit any sum not exceeding ten pounds nor less than one pound.

Obstructing public pathways.

25. That the owner or occupier of any land situate on the side of any street or road in this Municipality who shall permit any tree, shrub, or plant, kept for ornament or otherwise, to overhang any footpath or footway on the side of any such street or road so as to obstruct the passage thereof, and who on demand made by the Council, or their Overseer or Inspector, shall not cut or cause to be cut, lopped or cause to be lopped, all such trees, shrubs, or plants to the height of eight feet at the least, the said Council and their servants, labourers, and workmen, may cut or cause to be cut or lopped all such overhanging trees, plants, and shrubs, and to remove

or burn any portion of such trees, plants, or shrubs so cut or lopped without being deemed a trespasser or trespassers; and in case any person or persons shall resist, or in any manner forcibly oppose the said Council, or their servants, labourers, or workmen in the due execution of the powers given in this behalf by virtue of the Municipalities Act of 1867, every person so offending shall on conviction for every such offence forfeit and pay any sum not exceeding ten pounds.

Injuring public fountains, &c.

26. Any person who shall injure any public fountain, pump, cock, waterpipe, or any other thing connected with the preservation or supply of water to the Municipality, or to any portion thereof, shall forfeit and pay the amount of such damage, and any further sum not exceeding twenty pounds nor less than one pound; and any person who shall bathe and wash himself, or shall wash any clothes or other article at or in any reservoir, channel, fountain, or basin provided for public use, or who shall in any other way foul the water preserved or used for the purpose aforesaid, shall forfeit and pay any sum not exceeding one pound nor less than five shillings.

Erection of houses, &c., to be notified.

27. No person shall be permitted to erect any house, shop, or other building in any street, lane, or place in the Municipality without first serving notice in writing on the Mayor or Council Clerk, on any lawful day between the hours of nine a.m. and four o'clock p.m., stating such intention and describing the proposed situation of the building or erection, and without having received any authority from the Mayor or Council Clerk, who will give the required level and alignment, if in a proclaimed street, on a payment of a fee of five shillings. No person shall be at liberty to encroach beyond the building line in any street or lane by the erection of houses, verandahs, door-steps, fences, or any other obstruction whatever. Any person offending against this By-law shall pay for the first offence a sum not exceeding five pounds nor less than one pound, for a second offence a sum not more than ten pounds nor less than five pounds, and for every subsequent offence not more than fifty pounds nor less than ten pounds.

Houses to be properly spouted.

28. All proprietors of houses and other buildings within this Municipality having a frontage to any main thoroughfare shall be required to have the roofs of the said buildings sufficiently spouted and connected with suitable down-pipes and conductors, to be carried under the surface of the footpaths into the gutters, or away from the public streets, to the satisfaction and approval of the Council, under a penalty of ten shillings on conviction; and if not remedied at the expiration of one day after such conviction the offender shall be again liable for a like penalty for every day or part of a day that the same shall not be remedied, and together with the cost of repairing all damage to such footpaths resulting from such neglect.

Houses and erections not to be encroached on footpaths.

29. Whenever any road, street, or lane has been marked out in manner herein provided, no house, shop, fence, or other structure shall, except as hereinafter mentioned, be allowed to project or encroach on any part thereof. And, it shall not be lawful for any person to erect or put up any building, erection, obstruction, fence, or enclosure, or to make any excavation, hole, &c., or opening in, under, upon, or near to any such road, street, lane, or thoroughfare, unless the consent of the Council or Mayor has been obtained to the erecting or making of any such building, erection, obstruction, fence, or enclosure, excavation, hole, or opening as aforesaid; and every person offending against this By-law shall forfeit and pay for the first offence a sum not exceeding five pounds nor less than forty shillings, and for the second and every subsequent offence a sum not exceeding ten pounds nor less than three pounds.

No balcony to project more than five feet.

30. No balcony shall be erected so as that the same or any part thereof shall project or hang over the footway of any street, road, or thoroughfare which shall be less than forty feet in width, and no balcony which shall project or hang over any street, road, or thoroughfare shall be more than five feet wide nor less than ten feet in height from the bottom of the floor joists to the proper level of the footway; and every person who shall offend against this By-law shall on conviction forfeit and pay a sum not exceeding five pounds nor less than one pound for every day that such balcony shall be allowed to remain after such conviction.

Footways may be levelled.

31. When any footway shall have been marked out in manner herein directed, the Surveyor or other person as aforesaid may cause the same to be levelled and made as nearly as practicable of equal height and breadth and with an equal slope and inclination, and may remove any flagging, steps, or other matter, thing, or obstruction that may injure or obstruct the said footway or render it unequal or inconvenient, and which now is or may hereafter be erected or placed on the space marked out for the said footway.

Encroachments to be removed on notice.

32. The Surveyor or such other officer or person as aforesaid may at any time, on the order of the Council and upon due notice of thirty days, direct the removal of any building, fence, or other obstruction or encroachment in or upon any road, street, lane or thoroughfare under the charge of the Council. Notice shall in this case be served either personally or at the usual or last known place of abode of the person to whom such obstruction or encroaching structure belongs, or who has erected the same or caused it to be erected.

Council may remove at expense of offender or proceed for breach of By-law.

33. In any case when after service of notice for the removal of any obstruction or encroachment as aforesaid the person causing or permitting the same shall not remove it within thirty days after the service of the said notice, it shall be lawful for the said Council to direct the removal of the same under the superintendence of its own proper officer and at the cost of the person so offending (provided that the expenses hereby incurred shall in no case exceed the sum of ten pounds); or at the option of the Council to proceed against the offender for breach of By-law; the penalty for the first offence not to exceed twenty-five pounds nor to be less than twenty shillings, and for a second and every subsequent offence a sum not exceeding twenty-five pounds nor less than five pounds.

Or may proceed by action.

34. In any case where the obstruction or encroachment cannot be removed unless than at a greater cost than ten pounds it shall be open to the Council either to direct such removal and to pay all the costs thereof above ten pounds from the funds of the Municipality, or to proceed by action of trespass against the person causing such obstruction or encroachment.

To apply to obstructions by digging, &c.

35. The foregoing provisions shall be equally applicable to all obstructions by digging or excavation.

PART V.

Nuisances, annoyances, obstructions, &c.

Swine not to be kept.

1. Any person who shall breed, feed, or keep any kind of swine in any house, building, yard, garden, or other, hereditament, situate and being in or within forty yards of any street or public place or any dwelling-house in the said Municipality shall on conviction forfeit and pay for every such offence a sum not exceeding forty shillings nor less than five shillings.

Swine, &c., not to wander about streets.

2. Any person who shall breed, feed, or keep any kind of swine, in any house, yard, or enclosure situate and being in or within forty yards of any street or public place in the Municipality, or who shall suffer any kind of swine or any horse, ass, cattle, mule, sheep, goat, or any other animal of like nature belonging to him or under his charge to stray or to go about or to be tethered or depastured in any street, road, or public place within the Municipality shall forfeit and pay for every such offence a sum not exceeding forty shillings nor less than five shillings. Provided that if after due inquiry shall have been made and the owner thereof cannot be discovered it shall be lawful for the said Council to cause to be destroyed any swine or goats so straying or injuring property of any description.

Hog-styes and nuisances not removed on notice.

3. In case any privy, hog-sty, or any sink, cesspool, yard, or enclosure, or any matter or thing which shall at any time be in any place within the Municipality, shall be or become a nuisance, it shall be lawful for the Council after due investigation, by notice in writing, to order the removal of the said nuisance within seven days after such notice shall have been given to the owner or occupier of the said premises wherein such nuisance is situated or shall have been left for such owner or occupier, at his or her last or usual place of abode, or on the said premises, and every such owner or occupier refusing or neglecting to remove or abate such nuisance pursuant to such notice, and to the satisfaction of the Council, shall forfeit and pay a sum not exceeding ten pounds nor less than forty shillings. And it shall be lawful for the Council to indict, or cause to be indicted, for such nuisance such person so neglecting or disobeying any such notice at the then next Court of General or Quarter Sessions to be held nearest the Municipality; and on such person or persons being found guilty thereof such nuisance or nuisances shall be removed, taken down, and abated according to the law with regard to public or common nuisances; and the person so offending shall be subject to such punishment for the misdemeanour as the Justices assembled at such Sessions shall direct.

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Dead animals not to be thrown into public places, reserves, or water-courses.

4. Any person who shall cast any filth, rubbish, or any dead animal, or any animal, with intent of drowning such animal, into any public watercourse, waterhole, bay, creek, or canal, or shall obstruct or divert from its channel any sewer, canal, or watercourse, shall forfeit a sum not exceeding five pounds, nor less than ten shillings, and shall in addition to such penalty, pay the costs of removing such filth or obstruction, or of restoring such watercourse, sewer, or canal to its proper channel.

Suppression of nuisances, &c.

5. In case any privy, hog-sty, or any other matter or thing whatsoever which shall at any time be or become a nuisance, by causing unwholesome smells to arise within any part of this Municipality, it shall be lawful for any two Justices, upon complaint thereof by any person, to investigate such complaint and to order that such privy, hog-sty, boiling-down establishment, or other matter or thing, being a nuisance as aforesaid, to be cleansed, removed, or discontinued, as the case may be, within seven days after such order has been made, and notice given to the owner or occupier of the premises whereon such nuisance shall exist; and every such owner or occupier neglecting to remedy or remove such nuisance, pursuant to such notice or order and to the satisfaction of such Justices, shall forfeit and pay a sum of ten pounds for every such neglect or disobedience; and also it shall be lawful for such Justices to indict, or cause to be indicted, for such nuisances such person or persons so neglecting or disobeying any such notice or order at the then next Court of General or Quarter Sessions to be held nearest to the said Municipality; and the person or persons being found guilty shall be subject to such punishment and such further order as the Justices assembled at such Sessions shall lawfully decide.

Cleansing private avenues, yards, &c.

6. Any owner or occupier of any house or place within the said Municipality who shall neglect to keep clean any private avenues, passages, yards, and ways within the said premises so as by such neglect to cause a nuisance by offensive smell or otherwise, shall on conviction forfeit and pay a sum not exceeding forty shillings nor less than ten shillings for every such offence.

Placing dead animals on premises.

7. Any person who shall place or shall cause or suffer to be placed upon any land or premises within the Municipality any dead animal, blood, offal, night-soil, or any other offensive matter so as to become a nuisance to the inhabitants thereof, shall on conviction suffer and pay a penalty not exceeding five pounds nor less than ten shillings for every such offence.

Allowing dead animals to remain on premises.

8. Any owner or occupier of any land or premises who shall suffer or permit any dead animal, blood, offal, night-soil, or any other offensive matter to remain upon the said land or premises after notice shall have been given to remove the same shall be subject to a penalty not exceeding two pounds nor less than ten shillings for every day that the same shall so remain.

Butchers' shambles, slaughter-houses, &c., to be cleansed.

9. For preserving the cleanliness of the said Municipality and the health of the inhabitants thereof it shall be lawful for the Inspector of Nuisances, or for any other officer or officers appointed by the Council from time to time, and when and as often as he or either of them shall see occasion to visit and inspect the butchers' shambles, slaughter-houses, butchers' carts, casks, baskets, and other utensils used by them, boiling-down establishments, tanneries, and fellmongering establishments in the said Municipality, and to give such directions concerning the cleansing the said shambles, slaughter-houses, tanneries, and establishments both within and without as to him shall seem needful; and any butcher, or the owner or occupier of any such shamble, slaughter-house, tannery, or establishment who shall refuse or neglect to comply with such directions within a reasonable time shall forfeit any pay a sum not exceeding ten pounds nor less than ten shillings.

Inspection of offensive premises.

10. Upon the reasonable complaint in writing of any householder that the house, premises, yards, closets, or drains of the neighbouring or adjoining premises are a nuisance or offensive, the Inspector of Nuisances, or any other person appointed by the Council, shall make an inspection of the premises complained of, and the officer of the Council shall have full power, without any other authority than this By-law, to go upon such premises for the aforesaid purpose.

Various obstructions and annoyances.

11. Every person who in any street or other public place of passage within the said Municipality, to the obstruction, annoyance, or danger of the residents or passengers, shall commit any of the following offences shall on conviction for any and every such offence forfeit and pay a penalty of not more than two pounds:—

1. Every person who shall hoist or cause to be hoisted, or lower or cause to be lowered, goods of any description from any opening in any house fronting any street or public place and close to the footway thereof without sufficient and proper ropes and tackling.

2. Every person who shall carry or convey, or cause to be carried or conveyed, in any street or public place the carcass or any part of the carcass of any newly slaughtered animal without a sufficient and proper clean cloth covering the same for the concealment from public view, or shall hawk or carry about butchers' meat for sale without covering the same as aforesaid.

3. Every person who shall place any line, cord, or pole across any street, lane, or passage, or hang or place clothes thereon to the danger or annoyance of any person.

4. Every person who shall place any flower-pot in any upper window near to any street or public place without sufficiently guarding the same from being thrown down.

5. Every person who shall throw or cast from the roof or any part of any house or other building any slate, brick, part of a brick, wood, rubbish, or other material or thing, unless within a hoard or enclosure, when any house or building is being erected, pulled down, or repaired.

6. Every blacksmith, whitesmith, anchormith, nailmaker, metal-founder, limeburner, brickmaker, potter, or other person using a forge, furnace, or kiln, and having a door, window, or aperture fronting or opening into or towards any street, lane, or passage, and not enclosing such door, or not fastening the shutters or other fastenings of such window, and closing such aperture and placing a screen before the same every evening within one hour after sunset so as effectually to prevent the light from showing through the doorway, window, or aperture next or upon such street, lane, or passage.

7. Every person who shall be the keeper of or have any dog or other animal which shall attack or endanger the life or limb of any person who may have the right-of-way or use of any private yard, alley, street, or any other place within the said Municipality.

Premises in state to endanger public health. Houses to be purified on certificate.

12. If upon the certificate of any two duly qualified medical practitioners it appears to the Council that any house or part thereof, or the premises occupied in connection therewith, within the limits of the said Municipality is in a filthy or unwholesome condition that the health of any person is or may be liable to be affected or endangered thereby, and that the whitewashing, cleansing, or purifying of any house or part thereof, or the premises occupied in connection therewith, would tend to prevent or check infections or contagious disease, the said Council shall give notice in writing to the owner or occupier of such house or part thereof, or the premises occupied in connection therewith, to whitewash, cleanse, or purify the same, as the case may require, and if the person to whom such notice is so given shall fail to comply therewith within such time as shall be specified in the said notice he shall be liable to a penalty not exceeding ten shillings for every day during which he continues to make default. Provided that no such penalties shall collectively amount to any greater sum than twenty pounds.

Offences against Public Decency.

Bathing prohibited within certain limits.

13. Any person who shall bathe near or within view of any inhabited house, or of any public wharf, quay, bridge, street, road, or other place of public resort within the limits of the said Municipality between the hours of six in the morning and eight in the evening shall on conviction forfeit and pay a sum not exceeding one pound for every such offence.

Indecent exposure of the person.

14. Any individual who shall offend against decency by exposure of his or her person in any street or public place within the said Municipality, or in the view thereof, shall on conviction forfeit and pay for every such offence a sum not exceeding ten pounds nor less than five pounds.

Earth-closets.

15. Every earth-closet shall be built with walls seven feet high, and shall not be less than three feet six inches wide and four feet six inches long, and must not be less than fifteen feet from any dwelling-house or public street, and shall be provided with a door capable of being fastened from the inside, and shall be ventilated; and every person having or building any earth-closet contrary to this By-law shall be liable to a penalty of not less than one pound nor more than five pounds.

Other closets.—Privies not being proper water-closets.

16. Any person who shall dig, form, or make any earth-closet within fifteen feet of any dwelling-house, or any other closet within thirty feet of any dwelling-house, or within thirty feet of any well used for supplying any dwelling-house with water, shall on conviction forfeit and pay any sum not exceeding two pounds nor less than five shillings, and if not removed within forty-eight hours after such conviction it shall be dealt with as a fresh offence.

Emptying cesspits and removing nightsoil.

17. Every closet shall be built in such a position that the same may be emptied without the contents being carried through any dwelling-house; and every person having or building a closet contrary to this By-law shall be liable to a penalty of not less than one pound nor more than five pounds.

How nightsoil to be disposed of.

18. Until and unless otherwise provided by the Council all nightsoil shall be disposed of by burying it in the earth at such places as the Council may from time to time appoint.

Hours for removing nightsoil.

19. Any person who shall remove any nightsoil, or ammoniacal liquor, bones, or other offensive matter, or shall come with carts or carriages for that purpose between the hours of six o'clock in the morning and eleven o'clock at night, or shall at any time remove any such nightsoil or ammoniacal liquor otherwise than in properly covered and water-tight carts or vehicles, or in such a manner so as to upset, cast, spill, or strew any of the said nightsoil, ammoniacal liquor, slop, urine, or filth, in or upon or near to any of the streets, roads, public places, or footways of the Municipality, or shall deposit or throw nightsoil, ammoniacal liquor, bones, or other offensive matter nearer to any street, road, or dwelling-house than shall from time to time be directed by the Council, or by the Inspector of Nuisances, or shall allow vehicles used for this purpose to stand on any premises nearer to any road, street, or dwelling-house than shall from time to time be directed by the Council or Inspector, shall upon conviction forfeit and pay for every such offence a sum not exceeding five pounds nor less than one pound; and in case the person or persons so offending cannot be found, then the owner or owners of such carts, carriages, or other vehicles employed in and about emptying or removing such nightsoil, bones, or other offensive matter, and also the employer or employers of the person or persons so offending shall be liable to and forfeit and pay such penalty as aforesaid.

Noisome and Offensive Trades.

No noisome and offensive trades allowed.

20. No person shall carry on any noisome or offensive trade within the said Municipality so as to injure or be a nuisance, as hereinafter stated, to the inhabitants thereof.

Definition of noisome and offensive trades.

21. Any manufacture, trade, calling, or operation in the conducting, following, or carrying on of which, or in consequence of or in connection therewith, or from the premises where the same is conducted, followed, or carried on, any gas, vapour, or effluvia, or any large quantities of smoke shall be evolved or discharged, which gas, vapour, effluvia, or smoke shall be calculated to injure animal or vegetable life, or in any other way to injure or be a nuisance to the inhabitants of the said Municipality, shall be considered a noisome and offensive trade within the meaning of these By-laws.

Complaint.

Inquire and Report—Orders of Council thereon—Notice to discontinue, &c. Penalty.

22. Upon the complaint in writing of any householder that any noisome or offensive trade is being so followed, conducted, or carried on in the vicinity of his or her residence or property, as to injure his or her health or the health of any member of his or her family, or to be a nuisance to such householder, and to his or her family, the Inspector of Nuisances, or any other person or persons appointed by the Council, shall make an inspection of the premises where such trade is alleged to be so conducted, followed, or carried on as aforesaid, and of the premises or property of the complainant, and shall inquire into the grounds for such complaint, and shall report thereon to the said Council; and if the said Council shall on the consideration of such report, or after any such further inquiry as may be deemed necessary, be of opinion that the said complaint is well founded, and that any manufacture, trade, calling, or operation so complained of, and so being conducted, followed, or carried on as aforesaid is a noisome or offensive trade within the meaning of these By-laws, notice shall be given to the person or persons conducting, following, or carrying on such trade to cease and discontinue the same within such reasonable time, not being less than thirty days nor more than sixty days, as the said Council may direct, or so to conduct, follow, or carry on his, her, or their manufacture, trade, calling, or operation as that within such reasonable time as aforesaid, the same

shall wholly and permanently cease to be noisome or offensive within the meaning of these By-laws, either to the said complainant or to any other resident within the said Municipality; and if such trade shall not be discontinued as aforesaid, or shall not be so conducted as that it shall wholly cease to be noisome and offensive as aforesaid within the time named in such notice as aforesaid, any person conducting, following, or carrying on such trade as aforesaid, shall for the first offence forfeit and pay a sum not less than forty shillings nor more than five pounds, for a second offence a sum not less than five pounds nor more than twenty-five pounds, and for a third and every subsequent offence, a sum not less than ten pounds nor more than fifty pounds.

Mode of proceeding, &c.

23. The like proceeding shall be taken as aforesaid whenever there shall be a complaint as aforesaid that any manufacture, trade, calling, or operation is about to be commenced or entered upon which is likely to prove noisome and offensive within the meaning of these By-laws, save and except that the notice to be given as aforesaid shall be given to the person or persons about to enter upon such manufacture, trade, calling, or operation, and shall require him, her, or them not to commence or enter upon the same, or take such measures as shall effectually prevent the same from becoming noisome and offensive within the meaning of these By-laws to any resident within the Municipality. And any person who shall in such case commence, enter upon, or continue any such manufacture, trade, calling, or operation, so that the same shall in any way be noisome and offensive within the meaning of these By-laws, shall for every such offence forfeit and pay a sum not less than ten pounds nor more than fifty pounds.

Service of notice of liability.

24. Service of any such notice as aforesaid upon the occupier or owner of any premises or land wherein or whereon any such manufacture, trade, calling, or operation is being conducted, followed, or carried on, or is about to be commenced or entered upon, or at the last known place of abode of such occupier or owner, or upon any person on the said premises or land, shall be a good and sufficient service of such notice for all the purposes of these By-laws. And every person who shall be actually engaged in superintending, directing, or managing, or who shall be in any other way actually engaged or employed in any such manufacture, trade, calling, or operation as aforesaid, shall be liable to be regarded and treated as a person conducting, following, or carrying on such manufacture, trade, calling, or operation, within the meaning and for all the purposes of these By-laws.

PART VI.

MISCELLANEOUS.

1. No exhibition other than exhibitions licensed by the Colonial Secretary under the provisions of the Act 14 Victoria No. 23, or exhibitions of a temporary character specially provided for, shall be held or kept for hire or profit within the said Municipality; nor shall any bowling-alley, skittle-alley, or other place of public amusement other than a place licensed as aforesaid, or a place for temporary amusement, be used as such for hire or profit within the said Municipality unless and until permission in writing be granted by the Mayor.

2. No such exhibition or place of public amusement as aforesaid shall be held or kept open, or used for the purposes of such public amusements, on Sunday, Christmas Day, or Good Friday; and every person offending against this by-law in this behalf shall on conviction forfeit and pay a sum not exceeding five pounds nor less than two pounds for every such offence.

3. Every person who shall wilfully let in or knowingly suffer to enter upon the reserves or public recreation ground any animals without due authority shall be deemed guilty of wilful trespass, and shall be liable for every such offence to a penalty not exceeding twenty pounds nor less than two pounds.

4. Any person pulling down, destroying, defacing, or injuring any marks, or any fence, or other erection thereon, without the authority of the Council, shall forfeit and pay any sum not exceeding ten pounds nor less than one pound.

5. Any person or persons riding or driving into or out of any yard or alley abutting on any street or road within the Municipality shall do so at a walking pace, and any one offending against this By-law shall on conviction be liable to a penalty of not less than five shillings nor more than two pounds.

6. Any person wantonly or maliciously breaking or injuring any lamp-post, or street name-plate, or extinguishing any light set up for public convenience, or damaging any Corporation property whatsoever, shall be liable to a penalty of not less than twenty shillings nor more than five pounds, to be recovered in a summary way before two Justices in Petty Sessions.

Council Clerk or other officer may take legal proceedings.

7. The Council Clerk or other officer, under the authority of the Council may take legal proceedings against any person or persons committing any offence or offences against any of the By-laws of the said Municipality.

Penalty for interfering or obstructing Council.

8. Any person who shall obstruct or interfere with any officer of the Council, or other person doing or performing any duty or act under any of the By-laws of the said Municipality shall forfeit and pay a penalty not exceeding twenty pounds nor less than two pounds.

Passed and adopted by the Municipal Council of the Municipal District of Lismore this twenty-second day of September, in the year of our Lord one thousand eight hundred and seventy-nine.

(L.S.) - JAMES STOCKS,

Mayor.

By order of the Council,

WM. OSBOURNE HARMAN,

Council Clerk.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES.

(MUNICIPAL DISTRICT OF HAMILTON—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 26th April, 1880.

MUNICIPAL DISTRICT OF HAMILTON.

BY-LAWS.

THE following By-laws, made by the Council of the Municipal District of Hamilton, for the regulating and licensing of vehicles plying for hire within the Municipality, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

MUNICIPAL DISTRICT OF HAMILTON.

BY-LAWS.

THE following By-laws, made by the Municipal Council of Hamilton, for the regulating and licensing of vehicles plying for hire within the Municipal District, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

1. By-laws for regulating and licensing vehicles plying for hire within the Municipal District of Hamilton:—The word vehicle in these By-laws shall include and apply to every omnibus, car, hackney carriage, cab, buggy, waggonette, or dray; and an "omnibus" shall mean a vehicle upon four wheels, drawn by one or more horses, and a "car" shall mean a vehicle upon two wheels for which an omnibus license has been taken out, and a "hackney carriage" shall mean a vehicle upon four wheels drawn by two or more horses, and a "cab" shall mean a vehicle upon two wheels drawn by one horse, and a "buggy" shall mean a vehicle upon four wheels drawn by one or more horses, a "waggonette" shall mean a vehicle upon four wheels drawn by two horses, and a "dray" shall mean any vehicle used exclusively for the carriage of goods and plying for hire within the Municipal District of Hamilton.

2. From and after the day of one thousand eight hundred and eighty, no vehicle shall ply for hire nor shall any person act as a driver or conductor of any such vehicle within the said Municipal District of Hamilton, until licensed for such purposes.

3. Before any license for plying any such vehicle or for driving or conducting the same shall be granted, the party requiring such license shall obtain from the Council Clerk free of charge a requisition in the form of Schedule "A" hereto or to the like effect, and shall duly fill up and sign the same and deliver it to the Council Clerk, and shall also insert in such requisition in addition to the particulars set forth in Schedule A hereto, the table of rates and fares proposed to be charged by such party for any such vehicle; and in the case of drivers and conductors, not being the proprietor, shall obtain a certificate

from the proprietor as to his competency to act as such driver or conductor; and shall obtain from the Inspector hereinafter named a certificate that the vehicle for which a license is applied for is fit for the accommodation and conveyance of passengers.

4. The Mayor of the said Municipal District for the time being, shall and is hereby authorized to issue all such licenses in the name and on behalf of the said Municipal Council; and the Mayor shall by endorsement on such license signify his approval of the scale of rates proposed to be charged for the hire of any such vehicle so licensed, not exceeding the rates set forth in Schedule F hereto.

5. Licenses for proprietors, drivers, or conductors of vehicles shall be in form of Schedule B hereto or to the like effect, and shall be made out, numbered and registered by the Council Clerk.

6. Every license granted by the Mayor shall be signed by the Mayor and countersigned by the Council Clerk, and shall be in force until the thirty-first day of December next ensuing the date thereof, and no such license shall include more than one vehicle, but shall extend to any vehicle which shall bear the same number, and shall be used in substitute for any vehicle already licensed and subject to all necessary certificates, any such substituted vehicle being first certified as aforesaid.

7. For every such license or annual renewal thereof there shall be paid to the Council Clerk the several rates set forth in the Schedule hereunto annexed, marked "C."

8. For the license of driver or conductor which license may be transferred to the successor of such driver or conductor, and for every renewal thereof there shall be paid to the said Municipal Council the sum of ten shillings for driver—conductor, five shillings.

9. The person or persons in whose name or names a license shall have been obtained, shall be deemed the proprietor of the vehicle in respect of which the same shall have been taken out.

10. No license shall be granted to any person to drive any vehicle unless he be eighteen years of age, or to act as conductor unless he be fourteen years of age.

11. Every proprietor of a licensed omnibus or omnibus car shall provide a driver for the same, and shall be held responsible for the good conduct of the driver and also for the conductor, if a conductor be employed by him, and shall also be liable for all penalties which such driver or conductor may incur under these By-laws.

12. No proprietor shall be at liberty to part with or lend his license, nor sell or dispose of his licensed vehicle to any person without the knowledge of the Mayor, and if sold shall cause the name of the purchaser, with the approval of the said Mayor, but not otherwise, to be registered on the book of the said Municipal Council, whereupon the purchaser shall become amenable to these By-laws to the same extent as the original licensee; and the purchaser of such vehicle who shall allow the same to be used or to ply for hire without such knowledge, approval, and registry shall be considered as plying such vehicle for hire without a license, and liable under these By-laws accordingly.

13. No driver or conductor of any licensed vehicle shall lend his license, nor shall the proprietor of any such vehicle employ any unlicensed person as the driver or conductor thereof.

14. Every person driving or conducting any vehicle and every vehicle shall be deemed to be licensed under these By-laws, on the production of the license-book containing a copy of any such license.

15. The license of the proprietor, driver, or conductor of any vehicle may be cancelled by the Municipal Council of Hamilton in case such proprietor, driver, or conductor shall have been convicted of three offences against these By-laws committed within a period of six months next preceding, or for such other cause as to the said Municipal Council may seem sufficient.

16. Such person or persons as may from time to time be in that behalf appointed by the said Municipal Council shall be the Inspector or Inspectors of all licensed vehicles plying for hire within the said Municipal District, and such Inspector or Inspectors of all licensed vehicles shall as often as he or they deem necessary inspect all licensed vehicles and also the harness and horse or horses or other animals used in drawing the same; and if such vehicles, horse or horses, animal or animals shall, in his or their opinion, be unfit for public use, he shall report the same in writing to the Mayor, who shall have power to suspend the license of such vehicle until such vehicle, harness, horse or horses, or other animal or animals used in drawing the same shall be in the opinion of the said Mayor in a fit state for public use; and it shall be the special duty of such Inspector or Inspectors at all times to see that as far as possible these By-laws are duly observed and enforced, and the owner of every such vehicle shall upon receipt of a notice in form of Schedule G hereto forthwith put such vehicle in repair.

17. No owner or driver of any vehicle nor any other person shall hinder or obstruct such Inspector or Inspectors in the execution of his or their duty.

18. Proprietors of every licensed vehicle shall cause to be painted or printed thereon the number of the license granted for every omnibus or car in figures not less than four inches in height, and for every hackney carriage, cab, or buggy, in figures not less than two inches in height, and of proportionate breadth, white upon a ground of black on the panel of the door or doors of such vehicle, or on a plate or plates affixed thereon, and also upon each lamp used upon such vehicle or as the Inspector may direct, any such number shall be kept legible and undefaced during all times such vehicles shall ply or be used for hire; and the rate of fare chargeable under license granted for such inside in figures of not less than two inches in height and of proportionate breadth.

19. No proprietor or driver of any licensed vehicle shall demand or take more than the several fares endorsed on the license of such vehicle.

20. The place specified in Schedule D hereto annexed is hereby appointed a public stand for licensed vehicles, provided that the Council may from time to time, as they shall see fit, by resolution abolish or alter the number and situation of the said stand.

21. The proprietor or driver of any licensed vehicle shall not permit the same to stand for hire except at an appointed stand, and shall drive on to such stand before commencing to ply for hire.

22. No driver or conductor of any vehicle while standing at his proper stand (or on Sunday in any part of the said Municipal District), shall endeavour to attract notice by shouting, ringing of bells, blowing of horns, or other noise, nor shall deceive any person in respect to the route or destination of such vehicle by word or sign.

23. The first omnibus or car that arrives at any public stand shall be the first to start therefrom, and the others in due rotation in the order at which they arrive at such stand at intervals of not less than eight minutes and not more than twelve.

24. At every second vehicle on every stand there shall be left a space of at least eight feet, and not more than twelve.

25. Every vehicle on its arrival at any such public stand shall be drawn at the end of, and be the last of the rank of, any vehicle that may be then on such stand. All vehicles shall be arranged only in single rank.

26. No driver of any vehicle other than such as shall be hired by the then occupant for a specific purpose shall suffer the same to loiter in any street or alongside any other vehicle, nor allow his vehicle to remain stationary, except at any appointed stand, longer than it may be necessary for passengers to alight from or enter such vehicle, nor shall the driver of any vehicle obstruct the driver or conductor of any other vehicle in taking up or setting down any person, or wilfully, or wrongfully, or forcibly prevent or endeavour to prevent the driver of any other vehicle from taking a passenger or fare.

27. No driver or conductor of any vehicle shall whilst driving, loading, or unloading, or attending any vehicle, or whilst on any public stand, wilfully or negligently do or cause or suffer to be done, any damage to the person or property of any one, or be guilty of any breach of the peace, misconduct, or ill-behaviour, or make use of any threatening, obscene, profane, abusive, or insulting language or gesticulation.

28. Every driver, whilst engaged in taking up or setting down any passenger, shall, if required during such taking up or setting down, place his vehicle as near as conveniently may be to that side of the street (and at a line with the kerb-stone or edge of the foot-path), at which the taking up or setting down is required.

29. No omnibus shall pass any other omnibus proceeding in the same direction if the latter be proceeding on its journey at a pace faster than a walk.

30. No licensed vehicle shall be drawn at a pace faster than that commonly known as trotting, and in the event of the conviction of any driver for a breach of this By-law his license may be cancelled by the Municipal Council.

31. No driver or conductor shall carry or knowingly permit to be carried in any licensed vehicle except to some Police Office or Watch-house, any deceased human body, or any person behaving or noisily conducting himself or herself, or otherwise so misbehaving as to occasion any annoyance to any occupant of such vehicle or disturb the public peace.

32. The proprietor of every licensed vehicle shall at all times when plying or employed for hire have the same in good order, with harness perfect and in good condition, and the glasses and frames of such vehicle whole, and the leathers attached to the frames of sufficient strength, and the inside clean and in good repair, and the whole ready and sufficient for duty, with driver and horses competent to perform the journey of such vehicle in due and reasonable time.

33. No driver of any vehicle shall carry more passengers than his vehicle is licensed to carry on the report of the Inspector, nor shall the driver of any cab carry any passenger or person on the driver's box or step behind the same, nor shall the driver or conductor of any omnibus or omnibus car permit or suffer any person except the conductor to be on the foot-step at the back of any omnibus or omnibus car.

34. No driver or conductor shall smoke any pipe or cigar whilst driving or conducting any licensed vehicle engaged on any fare, nor shall any passenger smoke inside or on any vehicle other than a cab without the permission of the driver or against the wish of any passenger.

35. The driver, and conductor, if any, of every licensed vehicle shall be constantly attendant upon the same whenever standing or whilst plying or engaged for hire.

36. Every licensed vehicle plying or engaged after sunset shall be provided with a lamp on each side, and the same shall be kept by the driver thereof properly lighted until sunrise if so long plying or engaged.

37. The driver of every omnibus or omnibus car shall provide and keep a lamp properly lighted in such a position inside of every such vehicle as the Inspector may direct whenever such vehicle is plying or engaged at any time between sunset and sunrise.

38. Every lamp used on the outside of any vehicle shall be such and so disposed as to appear white on the front and outer sides and red behind.

39. No vehicle which shall be let to hire by special agreement only, or only when bespoke at the stables or residence of its owner, shall be deemed a licensed vehicle within the meaning of the By-laws, nor shall the owner or driver or conductor of such vehicle be subject to the provisions thereof in any respect whatever.

40. No proprietor or driver or owner of any licensed vehicle shall feed his horse or horses while standing on such stands except with nose bags.

41. No proprietor or driver of any licensed vehicle shall put or allow to be put into any vehicle any horse that is not thoroughly quiet and broken into harness.

42. The driver of any licensed carriage and conductor of every omnibus shall carefully examine his vehicle immediately after setting down his fare, and in every case of property having been left in any vehicle by any person having used or hired the same, such property if found by such driver or conductor, shall be delivered within eighteen hours after such finding to the Council Clerk at the office of the Council, and there deposit it, under a penalty not exceeding twenty pounds.

43. In the event of any vehicle licensed by any other Municipality plying for hire within the Municipality of Hamilton, or of any vehicle licensed by the Municipality of Hamilton plying for hire into any other Municipality, it shall be lawful for the Council of the Municipality of Hamilton to reduce the license fee prescribed by these By-laws.

Dray Regulations.

44. No owner, driver, or any other person having the care and charge of any dray drawn by one or more horses or other animals, shall ride thereon unless he shall be provided with sufficient reins, and no block dray shall be allowed to proceed out of a walking pace.

45. In every case of goods or merchandise being left on any licensed dray or with the driver thereof, by any person having hired or used the same, such property shall be delivered up to such person, or shall within eighteen hours be taken in the state in which it shall have been found to the Council's office, and thence deposited with the Council Clerk.

46. No owner or driver shall at any one time carry on any licensed dray having only two wheels and drawn by one horse, a greater weight than one ton.

47. Whenever any dray hired by the load or distance having taken up a load shall be detained with the same more than fifteen minutes, the hirer shall pay for every fifteen minutes after the first, sixpence, and so on in proportion for any longer period.

48. The number of the license granted for every dray shall be painted white on a ground of black or the reverse on the sides thereof in a conspicuous place in figures not less than three inches in height and of proportionate breadth, with the letters H.M.C. of the same colour immediately above the figures, and the driver or owner of such dray shall at all times keep the same legible and undefaced.

49. No owner or driver of any dray shall demand, receive, or take more than the several fares and amounts which may from time to time be fixed by the said Municipal Council, and no owner or driver of any dray shall permit or suffer any person to be carried therein as a passenger.

50. Any person calling or sending for any licensed dray and not further employing the same, shall pay the sum of two shillings or the fare or hire from the stand or place where the dray was engaged at the driver's option, he shall further for any time the dray may be detained not exceeding a quarter of an hour, pay the sum of one shilling, and for any time not exceeding a second quarter of an hour the sum of sixpence, and any further time at the rate of sixpence for every quarter of an hour.

51. Any person having hired a licensed dray shall pay the legal fare when demanded, and any person neglecting or refusing to do so shall upon conviction before any two Justices of the Peace pay a penalty of ten shillings.

52. When the hiring of any dray shall be by distance, then such distance shall be computed from the stand or place where the dray was hired.

53. The place enumerated in the Schedule hereto marked E are hereby appointed public stands for drays.

54. No driver of any licensed dray shall suffer the same to stand for hire across any street except so directed by the Inspector, or alongside any other vehicle, nor obstruct the driver of any other dray in loading or unloading any goods or merchandise, or wilfully, wrongfully, or forcibly prevent or endeavour to prevent the driver of any vehicle from taking a fare or hiring.

55. Every offender against any of these By-laws to which no specific penalty has been attached shall be liable to a penalty not exceeding twenty pounds.

56. All proceedings for any offence against any of these By-laws shall be taken in the name of the Inspector of Vehicles of the Municipality of Hamilton, in a summary way as provided by the Municipalities Act of 1867.

SCHEDULE A.

To the Municipal Council of Hamilton, I _____ residing in _____ street, do hereby request that a license be granted to me to No. _____ within the said Municipality.

SCHEDULE B.

THIS is to certify that _____ is hereby licensed to a certain _____ number _____ within the Municipal District of Hamilton, from the date hereof to the thirty-first day of December next, subject nevertheless to all and every one of the By-laws, Rules, and Regulations in force relating thereto.

Given under my hand at Hamilton, this _____ day of _____ in the year of Our Lord one thousand eight hundred and _____

Build	color	Mayor.
Name	stand	lining.
Fare		line of road.
Licensed to carry	inside passengers,	outside.

SCHEDULE C.

Proprietor of—	On and after 1st January in each year.	On and after 1st April in each year.	On and after 1st July in each year.	On and after 1st October in each year.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Omnibuses each	6 0 0	4 10 0	3 0 0	1 10 0
Omnibus cars "	5 0 0	3 15 0	2 10 0	1 5 0
Waggonette "	5 0 0	3 15 0	2 10 0	1 5 0
Cars..... "	4 0 0	3 0 0	2 0 0	1 0 0
Hackney carriages "	3 0 0	2 5 0	1 10 0	0 15 0
Cabs "	2 0 0	.....	1 0 0	0 15 0
Drays, carts, and vans ..	2 0 0	.....	1 0 0	.....
Drivers yearly	0 10 0	.....	.....	.....
Conductors "	0 5 0	.....	.....	.....

SCHEDULE D.

Stand for licensed vehicles other than drays—On the south side of Denison-street, between Beaumont-street and the Bridge.

SCHEDULE E.

Stand for drays—On the east side of Beaumont-street, between James and Tudor Streets.

SCHEDULE F.

From the stand or any place along the line of road between Hamilton and Newcastle:—

	s.	d.
Hamilton to Newcastle, fare	0	6
" Wickham, fare.....	0	3
" Tighe's Hill, fare.....	0	6
" Glebe, fare	0	6
" New Lambton, fare.....	0	6
" Lambton, fare	0	9
" Warntah, fare	0	9

SCHEDULE G.

To Mr. _____ owner of the _____ numbered _____ Take notice that, I, the duly appointed Inspector of Public Vehicles for the Municipal District of Hamilton, having this day examined your _____ and find it defective, it being _____ and I therefore prohibit the same from again being used or hired until the repairs above noted are made and approved of by me.

Inspector. Hamilton. 18 _____

Made and passed by the Municipal Council of the Municipal District of Hamilton, this 12th day of January, in the year of our Lord one thousand eight hundred and eighty.

(l.s.) DAVID MURRAY,
Mayor.

JAMES RAY,
Council Clerk.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES.

(MUNICIPAL DISTRICT OF INVERELL—AMENDED BY-LAW.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 26th May, 1880.

MUNICIPAL DISTRICT OF INVERELL—AMENDED BY-LAW.

The following By-law, made by the Council of the Municipal District of Inverell in substitution of section 14 of part VI of the By-laws of the Municipality, relating to the throwing of filth on roads, &c., having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

By-law No. 14 of part VI, as amended.

THROWING FILTH ON ROADS, DRIVING CARRIAGES AND LEADING HORSES ON FOOTWAYS.

14. Any person who shall throw, cast, or lay, or shall cause, permit, or suffer to be thrown, cast, or laid, or remain any dead animal, offal, dung, soil, ashes, rubbish, or any other filth or annoyance, or any matter or thing, in or upon the footway or carriageway of any street, road, lane, or other public place within the said Municipal District, or shall kill, slaughter, dress, scald, or cut up any swine, calf, sheep, lamb, or other animal in or so near to any such street or other public place as that any blood shall run or flow upon or over, or be on any such carriage or foot way, or shall run, roll, drive, draw, place, or cause, permit, or suffer to be run, rolled, driven, drawn, or placed upon, along, or across the footway of any street, road, or public place, any waggon, cart, dray, sledge, or other carriage, or any wheelbarrow, wheel, or truck, or any hogshead, cask, or barrel, or shall wilfully lead, drive, ride, or stand any horse, ass, mule, or other beast upon, along, or across any such footway, shall upon conviction forfeit and pay for the first offence a sum not exceeding forty shillings nor less than five shillings, and for the second and every subsequent offence a sum not less than ten shillings nor more than forty shillings. Provided always that this By-law shall not extend or be taken to extend to or include persons seeking ingress to or egress from any premises within the said Municipality by the usual back or side entrance.

Passed by the Municipal Council of Inverell this fifth day of April, 1880.

HENRY PLUMLEY, Council Clerk.

(L.S.) JAS. H. HINDMARSH, Mayor.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES.

(MUNICIPAL DISTRICT OF LEICHHARDT—AMENDED BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 2nd June, 1880.

MUNICIPAL DISTRICT OF LEICHHARDT.

AMENDED BY-LAWS.

The following By-laws made by the Council of the Municipal District of Leichhardt, for regulating their own proceedings and the duties of their officers and servants; for determining the times and modes of collecting and enforcing payment of rates; for the management of roads, streets, and public places; for regulating the blasting of rock; for preventing the damaging of public property, trees or shrubs, &c., and the suppression of nuisances; for regulating the keeping of swine; for compelling residents to keep their premises free from offensive or unwholesome matters; for preserving public decency; for suppressing houses of ill-fame; for regulating the interment of the dead; for restraining noisome and offensive trades; for regulating the erection of buildings; and generally for maintaining the good rule and government of the Municipality, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

BY-LAWS FOR THE MUNICIPAL DISTRICT OF LEICHHARDT.

All the By-laws now in force are hereby repealed.

PART I.

1. If at any meeting of the Council the Mayor be absent at the expiration of fifteen minutes after the time appointed for holding such meeting, the Aldermen then present, if they be a quorum, shall proceed to elect from among themselves a Chairman of such meeting. Whenever there shall be an adjournment of any such meeting, for want of a quorum, the names of the members present shall be taken down, and shall be recorded in the minute book.

2. The following shall be the order of business at all meetings of the Council other than special meetings:—

1. The minutes of the last preceding meeting to be read, corrected (if erroneous), and verified by the signature of the Mayor or other Chairman. No discussion to be permitted on such minutes, except as to whether they are correct.
2. Petitions (if any) to be presented and dealt with.
3. Correspondence to be read, and, if necessary, ordered upon.
4. Reports from Committees and minutes from the Mayor (if any) to be presented and ordered upon.
5. Questions as to any matters under the jurisdiction or within the official cognizance of the Council to be put and replied to, and statements as to any facts, matters, or circumstances requiring attention by the Council or any of its Committees or officers to be made.
6. Motions of which notice has been given to be dealt with in the order in which they stand on the business paper.
7. Orders of the day to be disposed of as they stand on the business paper.

Resolution without notice.

Provided that it shall be competent for the Council at any time, by resolution without notice, to entertain any particular motion, or to deal with any particular matter of business out of its regular order on the business paper, without any formal suspension of this section; and also in like manner to direct that any particular motion or matter of business shall have precedence at a future meeting.

Special Meetings, &c.

3. At special meetings of the Council the business, after the minutes shall have been read and verified—which shall be done in the same manner as at an ordinary meeting—shall be taken in such order as the Mayor or the Aldermen, at whose instance such special meeting shall have been called, may have directed; and in default of such direction, in such order as the Aldermen present may determine.

Business for Special Meetings.

4. The business paper for each special meeting shall contain only such matters as shall have been specially ordered to be entered thereon by the Mayor or Aldermen calling such meeting.

Papers property of Council.

5. After the business paper shall have been made up as aforesaid, all the said notices of motion, requisitions, and directions, as to which entries have been made thereon, shall be the property of the Council, and shall not be withdrawn, altered, or amended, without leave having been first obtained from the Council for such withdrawal, alteration, or amendment.

6. No motion or amendment in Council shall be entertained until the same shall have been committed to writing, nor shall any such motion or amendment be discussed until it be seconded. Any number of amendments may be moved, but

no second or subsequent amendments shall be taken into consideration until all previous ones are disposed of. If any amendment be carried, the question, as amended thereby, shall become itself the question before the Council. No discussion shall be permitted on any motion for adjournment of the Council, and if upon the question being put on any such motion, the same be negatived, the subject then under consideration, or the next in order on the business paper, or any other on such paper that may be allowed precedence, shall be discussed before any subsequent motion for adjournment shall be receivable.

7. Every requisition by an Alderman that any particular matter of business be brought before the Council, shall be regarded and treated as a notice of motion by such Alderman that such business be taken into consideration by the Council; and he shall be called upon in due order to move that such business be so considered, or to make any other motion which he may think fit in reference thereto which shall be consistent with the notice of such business and with good order. And if such Alderman be absent, or if being present and so called upon he shall make no such motion, then it shall be open to any other Alderman to make such motion. And when any such motion shall have been made, it shall be dealt with in precisely the same manner as if notice thereof had been given, subject however to any objection which may exist as to its not being in accordance with the notice actually given of such business or with good order. And if no motion shall be made in reference to such business, the entry relating thereto shall be struck from the business paper.

8. The orders of the day shall consist of any matters other than motions on notice which the Council shall at a previous meeting thereof have directed to be taken into consideration, or which the Mayor or any Committee of the Council shall have directed to be entered on the business paper for consideration.

9. Section 7 of this Part of these By-laws shall be considered applicable to orders of the day; and the Alderman who has the usual charge of, or who has previously moved in reference to the particular business to which any such order of the day relates, shall be the person called upon to move: Provided that as to any order of the day entered as aforesaid by direction of the Mayor, such Mayor may arrange with any Alderman to move, and may, in such case, call upon the Alderman with whom he has so arranged.

10. It shall be incumbent on every Alderman presenting a petition to acquaint himself with the contents thereof, and to ascertain that it does not contain language disrespectful to the Council. The nature and prayer of every such petition shall be stated to the Council by the Alderman presenting the same. All petitions shall be received only as the petitions of the parties signing the same. No motion shall, unless as hereinafter provided, be permissible on the presentation of a petition, except that the same be received or that it be received and referred to one of the permanent Committees hereinafter mentioned, or that it be received and that its consideration stand an order of the day for some future meeting: Provided however, that if any Alderman shall have given due notice of a motion in reference to any petition, and such petition shall have been presented before such Alderman shall have been called upon to move such motion, the said motion shall, if otherwise unobjectionable, be considered in order.

11. The Mayor shall have the right of directing the attention of the Council to any matter or subject within its jurisdiction or official cognizance, by a minute in writing. Every such minute shall be written upon paper of the same kind and with the same margin as a report from a Committee, and shall be signed by such Mayor. And the consideration of such minute shall have precedence next after the reading of correspondence and order made thereon mentioned in By-law No. 2, Part 1.

12. Every Alderman who shall make or second any motion, or shall propose or second any amendment, or shall take any part in any debate or discussion, or shall put or reply to any question, or shall make any statement, or shall in any other way or for any other purpose address observations to the Council, shall while so doing stand up in his customary place, unless he shall be prevented from so doing by reason of some bodily infirmity, and shall address himself to the Mayor or other Chairman then presiding: Provided that in the case of a question, such question may, by permission of such Mayor or Chairman, be put directly to the Alderman or officer to be questioned, and may be replied to in like manner, but in every such case the question so put, and the answer thereto, shall be subject to every legal objection on the ground of disorder or irrelevancy. And all members of the Council shall on all occasions when in such Council address and speak of each other by their official designations as Mayor, Chairman, or Alderman, as the case may be, nor shall any Alderman be interrupted while thus speaking, unless for the purpose of calling him to order as hereinafter provided.

13. Every mover of an original motion shall have a right of general reply to all observations which may have been made in reference to such motion, and to any amendments

moved thereon, as well as a right to speak upon every such amendment. Every Alderman other than the mover of such original motion shall have a right to speak once upon such motion and on every amendment thereon. No Alderman shall speak oftener than once upon any question other than a question of order, unless when misrepresented or misunderstood, in which case he shall be permitted to explain without adding any further observations than may be necessary for the purpose of such explanation. And no Alderman shall be allowed to speak at any one time longer than fifteen minutes. An Alderman who has moved any motion or amendment shall be considered to have spoken thereon, but an Alderman who shall have seconded any such motion or amendment without any further observation than that he seconded the same shall be at liberty to speak on such motion or amendment. No Alderman shall digress from the subject under discussion or shall make personal reflections on, nor impute improper motives to, any other Alderman.

14. A debate may be adjourned to a later hour of the day or to any other day specified, and the Alderman upon whose motion such debate shall have been so adjourned shall be entitled to pre-audience on the resumption of the same. If two or more Aldermen rise to speak at the same time the Mayor or Chairman shall decide which of such Aldermen shall be first heard.

15. Any Alderman may request the question or matter under discussion to be read or stated for his information, or may require the production of any records of the Council bearing upon such question or matter which are readily accessible: Provided however, that no such request or requisition shall be so made as to interrupt any other Alderman when speaking, or materially to interrupt the discussion; also that if any such request or requisition shall appear to the Mayor or Chairman not to have been made *bona fide* it shall not be complied with.

16. The Mayor or Chairman shall not move or second any motion or amendment, nor put any question as provided for by section 2 of this Part of these By-laws, except as is further provided for by section 12 of the same; but such Mayor or Chairman shall have the same right as any other Alderman to speak once upon every such subject or amendment. The Mayor or Chairman shall rise when so speaking (unless prevented by some bodily infirmity from so doing) but shall be considered as still presiding.

17. A Call of the Council may be ordered by any resolution of which due notice shall have been given, for the consideration of any motion or matter of business before such Council. There shall, without any special order to that effect be a Call of the Council for the consideration of every motion which may be made, and of every motion for the recession of any resolution, order, or decision of such Council. The Call shall be made immediately before the motion or business for which such Call has been ordered or is required to be made by the last preceding section shall be moved or considered. Such Call shall be made as follows: The Council Clerk shall call the names of all the members in their alphabetical order, each member present shall answer to his name as so called, and if any members are absent, a record shall be made of such absence; but if leave of absence to any such member shall have previously been granted, or if such an excuse in writing shall have been forwarded to the Mayor or Council Clerk as a majority of the Council then present shall consider satisfactory, such absent member shall stand excused, and a record shall be made of such excuse, and of the reasons for the same. Any member of the Council who, having had notice of such Call of the Council, shall not answer to his name as aforesaid, and shall not be legally excused as aforesaid, and shall fail to show that by reason of extreme illness, or any other sufficient cause, he has been unable to send an excuse in writing as aforesaid, or who, having answered to his name as aforesaid, shall not be present when a vote is taken on the motion or business as to which such Call has been made as aforesaid, shall, for every such offence, be liable to a penalty of not less than ten shillings nor more than five pounds: Provided that if the consideration of every such motion or matter of business be adjourned to a future day, there shall be a further Call on the resumption of such consideration; and the provisions herein, as to penalties for absence, shall have reference to such further Call; and if there shall be more than one adjournment, this proviso shall be taken to extend to the resumption of the consideration of such motion or matter of business after every such adjournment.

18. There shall be four Standing Committees, viz., a By-law Committee, a Committee for Works, a Finance Committee, and a Committee for General Purposes. The By-law Committee shall prepare for the consideration of the Council, drafts of all such By-laws as may be required for the good government of the Municipal District; they shall also watch over the administration of the By-laws, and of any Statute of which the operation has been or may be extended to the said Municipal District, and shall take such steps as may be necessary for the prevention or punishment of offences against such By-laws or Statutes, and for the preservation of public health,

order, and decency. The Committee for Works shall have the general direction of all works ordered or sanctioned by the Council, and the general inspection of all streets, roads, ways, bridges, public reserves, and other public places under the care and management of the Council; they shall also inquire, and report from time to time, as to such improvements or repairs as they may think necessary, or as they may be directed by resolution of the Council to inquire and report upon. The Finance Committee shall examine and check all accounts, and shall watch generally over the collection and expenditure of the Municipal revenues; they shall inquire and report, from time to time, as to all matters which they may consider to affect, or to be likely to affect, the finances of the Municipal District, and as to such matters or subjects of the like nature as they may be directed by resolution of the Council to inquire and report upon. The Committee for General Purposes shall take cognizance of every matter, subject, or question within the jurisdiction of the Council, not coming within the province of one or other of the before-mentioned Standing Committees; and shall from time to time inquire into and report upon any such subject, matter, or question as they may think necessary, or as they may be directed by resolution of the Council to inquire into and report upon.

19. Every Committee of which the Mayor shall not be a member shall elect a permanent Chairman of such Committee, within seven days after their appointment. The Council Clerk shall call a meeting of any Committee when requested so to do by the Chairman or any two members of such Committee. The Chairman of each Standing Committee shall make, or cause to be made, in a book to be kept by him for that purpose, memoranda of all the transactions of such Committee, which book he shall, on ceasing to be such Chairman, hand over to the Council Clerk, and by him to the succeeding Chairman.

20. With the exception of emergent matters hereinafter specially provided for, no work affecting the funds of the said Municipal District shall be undertaken until the probable expense thereof shall have been first ascertained by the Council. For emergent matters, and for necessary current expenses during the intervals which may elapse between the meetings of the Council, outlays to the following extent may be incurred:—1. By order of the Committee for Works, or of the Mayor and one member of such Committee, for repairs or emergent works to the extent of five pounds. 2. By order of the Mayor and any two Aldermen, or without the Mayor, of any four Aldermen, for any emergent purpose, to the extent of five pounds. 3. By order of the Mayor, for necessary current expenses, to the extent of two pounds: Provided that in every case a detailed report, in writing, of every such outlay, shall be laid before the Council at its next meeting,—such report to be signed by the Chairman of the Committee of Works, or the Mayor, or the Mayor and Aldermen, or the Aldermen without the Mayor, as the case may be, by whom such outlay shall have been authorized. Also, that such outlay shall only be permissible in reference to matters coming strictly within the jurisdiction or functions of the Council, and that no outlay involving a disobedience or evasion of any order or resolution of such Council shall on any pretence be thus authorized.

Accounts or demands for money, &c

21. All accounts and demands of money against or from the Council shall be examined and reported on by the Finance Committee, before any order shall be made for payment of such accounts or demands. No payment shall be so ordered unless there shall be a certificate or memorandum from the Committee, from the Mayor, or from the officer of the Council to whom the direction or guardianship of such expenditure properly belongs, showing that the demand is a legitimate one, and has been duly authorized or inquired into. It shall be the imperative duty of the Finance Committee to see that this requirement is fulfilled, or to report specially as to the reasons for its non-fulfilment, before recommending payment: Provided however, that such special report as last herein mentioned, may be embodied with the report by which payment of the amount in question is recommended: Provided also, that in cases of special expenditure under section 20 of this Part of these By-laws, the report directed by that section to be laid before the Council shall, if the outlay shall have been lawfully incurred be deemed a sufficient certificate; and provided further, that in regard to salaries and wages of labour, for officers, servants, and labourers employed at fixed rates of payment by order of the Council, the certificate of the Mayor of the amount due to any such officer, servant, or labourer, and the order of such Mayor for payment of such amount, shall be sufficient authorization for such payment; and such certificate, memoranda, and authorization shall be attached respectively to the reports from the Finance Committee on the payments or outlays to which such certificates, memoranda, or authorizations have reference.

Destroying records.

22. Any person destroying, defacing, or altering any record of the Council shall, for every such offence, be liable to a penalty of not less than five pounds nor more than fifty pounds.

Bonds.

23. All bonds given by officers or servants of the Council for the faithful performance of their duties shall be deposited with the attorney or the bankers of the Corporation as the Council may order, and no officer or servant of the Council shall be received as surety for any other such officer or servant.

Council Clerk's duties, &c.

24. The Council Clerk, in addition to the duties which by the Municipalities Act of 1867, or by the present or any other By-laws thereunder he may be required to perform, shall be the Clerk of all Revision Courts held in the Municipal District under the provisions of the said Municipalities Act. He shall also, under the direction of the Mayor, conduct all correspondence which may be necessary on the part of the Council. He shall likewise have charge of all the records of such Council, except such books or documents as may (as hereinafter provided), be entrusted to any other officer, and shall be responsible for the safe keeping of such records. He shall generally assist the Mayor in carrying out the orders of the Council and the duties of such Mayor.

Treasurer.

25. The Treasurer shall have charge of such books of account and other records of the Council as the Council shall from time to time order to be kept by him, and shall be responsible for the safe-keeping of the same; and any other officer of the Council may have other records committed to his charge by order of the Council; and in such case shall be responsible for the safe keeping thereof.

Leave of absence, &c.

26. No leave of absence shall be granted to the Mayor or to any Alderman otherwise than by a resolution of the Council adopted after due notice.

Tenders.

27. Whenever it is decided that any work shall be executed, or any materials supplied, by contract, tenders for the execution of such work, or the supply of such materials shall be called for by public notice as hereinafter provided.

Draft of intended By-laws.

28. A draft of every intended By-law shall lie in the office of the Council for at least seven days before such draft shall be taken into consideration by such Council, and shall be open to the inspection of any ratepayer who may desire to inspect the same, and public notice shall be given as hereinafter provided that such draft is so lying for inspection.

Recission of orders, &c.

29. Whenever a motion for the recission of any order, resolution, or vote of the Council shall have been negatived, no other motion to the same effect shall be permissible until a period of three months shall have elapsed from the time of negativing such first-mentioned motion: Provided that nothing herein contained shall be held to prohibit the reconsideration and amendment of any proposed By-law which may have been submitted to the Governor for confirmation, and may have been remitted to the Council with suggested amendments of the same, or the passage after due notice as hereinafter provided, and in due course of law, of any By-law for the repeal or amendment of any other By-law.

Quorum not present.

30. Whenever the consideration of any motion or matter of business shall have been interrupted by reason of a quorum not having been present, the resumption of such consideration may be ordered by resolution of the Council, after due notice, and such consideration shall in such case be resumed at the point where it was so interrupted as aforesaid.

Suits and informations—how laid.

31. Any suits or informations for the enforcement of penalties for or in respect of breach of the Municipalities Act of 1867, or of any By-law made thereunder, or of any Statute, the operation of which may have been extended to the Municipal District, which may have been directed by the Council, or by the By-law Committee, or by the Mayor, to be commenced or laid, shall be so commenced or laid as follows, namely: When against a member of the Council, or an Auditor, or any officer of the Corporation, by the Council Clerk, unless such Council Clerk shall be the officer to be proceeded against, and in such case by any other officer named by the Council for that purpose; when against any other person, by the officer to whom the carrying out of the statutory provision or By-law imposing the penalty sought to be enforced has been entrusted; and if there shall be no such officer, then by any such officer or person as shall be appointed for that purpose by the Council or the By-law Committee, or the Mayor, as the case may be, on directing such suit or information as aforesaid; and no such suit shall be brought or information laid as aforesaid against any member of the Council or Auditor, except by order of such Council; nor shall any similar proceeding be taken against any officer of the Council except on the order of such Council or of the Mayor, nor against any other person, except upon the order

of the Council, or of the Mayor, or of the By-law Committee. And no such suit shall be directed to be brought, nor shall any such information be directed to be laid as aforesaid, except upon an express resolution of the Council, in any case where the bringing of such suit, or the laying of such information will be adverse to any previous direction by such Council, or where on the trial or hearing of any such suit or information the same shall have been dismissed on the merits. Provided that in any case the conduct or prosecution of any such suit or information may on the order of the Council be entrusted to an attorney.

Public Notice.

32. In all cases where public notice is or shall be required to be given by any By-law of any appointment, resolution, act, order, or regulation done, made, or passed, or proposed to be made, done, or passed by the Council or by any Committee thereof, or by the Mayor or any officer of the said Council, such notice shall be given and published by posting the same on or near the outer door of the Council Chambers for the space of seven days, and by advertising the same once in some newspaper circulating in the said Municipal District.

Persons liable to pay rates, &c.

33. All persons liable to pay any rates shall pay the amounts thereof within the time prescribed by the "Municipalities Act of 1867" into the office of the Council Clerk, during office hours. And it shall be the duty of the Council Clerk to furnish the Mayor with a list of the names of all persons whose rates are unpaid at the expiration of the times fixed for the payment of the same. And it shall be the duty of the Mayor to issue distress warrants against all such persons, and to cause such warrants to be enforced, or to cause such defaulters to be sued for the amount of such rates in a Court of competent jurisdiction.

PART II.

Bailiff, how appointed.

1. The Council may from time to time appoint a Bailiff to the said Municipal District, and such Bailiff before entering on the duties of his office shall enter into a bond for the faithful performance of his duty—himself in the sum of fifty pounds and two sureties in the sum of twenty-five pounds each, such sureties to be approved of by the Mayor. All distresses for rates in arrear in respect of any premises shall be made by the Bailiff for the time being on the goods and chattels on the said premises while in the occupation of the person on whom the notice of assessment and rate was served, under warrant, in the form of Schedule A hereto, under the hand of the Mayor or any Alderman who may for the time being be duly authorized to perform the duties of that office. If the sum for which any such distress shall have been made shall not be paid, with costs, as hereinafter provided, on or before the expiration of five days, the Bailiff shall sell the goods so distrained, or a sufficient portion thereof, in the manner pointed out by the Act 15 Vic. No. 11, and shall pay over the surplus (if any) that may remain, after deducting the amount of the sum distrained for and costs as hereinafter provided, to the owner of the goods so sold, on demand of such surplus by such owner. The inventory on making every such distress shall be in the form set forth in the Schedule B. And the person distraining and the person distrained on shall respectively be entitled to the like advantages as are conferred on either by the said Act: Provided nevertheless that the fees chargeable and recoverable shall be those set forth in the Schedule C. And the Bailiff shall hand over to the Council Clerk all proceeds of every such distress within forty-eight hours after having received the same, less the costs and charges in said Schedule C.

SCHEDULE A.

Warrant of Distress.

I, _____, of the Municipal District of Leichhardt, do hereby authorize you, _____, the Bailiff of the said Municipal District, to distrain the goods and chattels in the dwelling-house (or in and upon the land and premises) in the occupation of _____, situate at _____, for _____, being the amount of rates due to the said Municipal District to the day of _____, for the said dwelling-house (or land or premises as the case may be), and to proceed thereon for the recovery of the said rates according to law.
Dated this _____ day of _____, 18 _____.

SCHEDULE B.

Inventory.

I have this day, in virtue of the warrant under the hand of the _____ of the Municipal District of Leichhardt, dated _____, distrained the following goods and chattels in the dwelling-house (or in and upon the land and premises) in the

occupation of _____, situate at _____, within the said Municipal District, for _____, being the amount of rates due to the said Municipal District to the day of _____, 18 _____.

List of Goods and Chattels distrained on:

Dated this _____ day of _____, 18 _____.

SCHEDULE C.

Costs.

	s.	d.
For every warrant of distress	2	0
For serving every warrant and making levy where the same is not more than £20	2	0
Above that sum in addition for every £10.....	1	0
For making and furnishing copy of inventory	2	0
For man in possession each day or part of a day	5	0
For sale, commission, and delivery of goods per pound, &c. on proceeds of the sale	1	0

PART III.

New roads, &c.

1. No new public road, street, lane, way, park, or other place less than forty feet in width proposed to be dedicated to the public, shall be taken under the charge and management of the Council until after such road, street, lane, way, or park, shall have been examined by the Committee for Works and reported upon to the Council by such Committee

New streets, roads, &c.

2. Whenever any proprietor or proprietors of land within the said Municipal District shall open any road, street, or way, or lay out any park or other place for public use or recreation through or upon such land, and shall be desirous that the Council shall undertake the care and management of such road, street, way, park, or other place, he or they shall furnish the Council with a plan or plans, signed by himself or themselves, showing clearly the position and extent of such road, street, way, park, or other place as aforesaid.

New road, street, &c.

3. If the Council shall determine to take charge of any such roadway or other place as aforesaid, the plan or plans so signed as aforesaid shall be preserved as a record or records of the Council; and the proprietor or proprietors aforesaid shall execute such further instrument dedicating such road, way, park, or other place to public use or recreation as aforesaid as may be considered necessary by the Committee for General Purposes, and such further instrument of dedication shall also be preserved as a record of the Council.

Entrance to premises.

4. In all cases where access is necessary from a street or road to any yard, private way, lane, or premises, the person or persons requiring and using the same shall form and maintain at his or their own cost a crossing over the footpath through the full depth thereof, to be formed and constructed as the Council or their Surveyor shall direct, under a penalty not exceeding twenty pounds nor less than ten shillings: Provided in all cases where the Council shall consider crossings necessary, and the person or persons interested shall fail to make application for the construction thereof, the Council shall have power to form any such crossings.

Levels.

5. The Committee for Works, or any officer or person acting under the supervision of such Committee, shall, subject to such orders as shall from time to time be made by the Council in that behalf, fix and lay out the levels of all public roads, streets, and ways within the Municipal District, and the carriage and foot ways thereof; and it shall be the duty of such Committee, officer, or person, to place posts at the corners or intersections of any such public roads and streets, and of the carriage-ways and foot-ways of such roads and streets, wherever the same may be considered necessary or desirable by the Council: Provided that there shall be no change of level in any such public road, street, or way until the same shall have been submitted to and adopted by the Council as hereinafter directed.

Alteration of levels.

6. Whenever it may be deemed necessary to alter the level of any such public road, street, or way as aforesaid, the Committee for Works shall cause a plan and section showing the proposed cuttings, to be exhibited at the Council Chamber for fourteen days, for the information and inspection of rate-payers, and shall notify by advertisement in some newspaper circulating in the Municipal District, that such plan is so open for inspection. At a subsequent meeting of the Council the said plan and section shall, if adopted, be signed by the Chairman of such meeting, and countersigned by the Council Clerk; and such plan and section so signed and countersigned shall be a record of the Council.

Gravel, &c., not to be removed.

7. Any person who shall form, dig, or open any drain or sewer, or remove or cause to be removed any turf, clay, sand, soil, gravel, stone, or other material, in or from any part of the carriage or foot way of any road or street or other public place within the said Municipal District, without leave first had and obtained from the Council, or who shall wantonly break up or otherwise damage any such carriage or foot way, shall on conviction forfeit and pay for every such offence any sum not exceeding five pounds nor less than one pound.

Holes, &c., not to be made Obstructions.- Fences.

8. Any person or persons who shall dig or make, or cause to be dug or made, any hole or excavation, or leave, or cause to be left any hole or excavation, or any unenclosed or insufficiently enclosed land adjoining or near to any street or public place within the said Municipal District, for any purpose whatsoever, and shall not forthwith enclose, and keep the same enclosed in a good and sufficient manner, to the satisfaction of the Committee for Works of the said Municipal District, or shall keep up, or cause to be kept up and continued any enclosure upon any public street, thoroughfare, or other public place for any time which, in the opinion of the said Committee, shall be longer than is absolutely necessary, or shall not place lights upon each side of any such enclosure, and keep the same constantly burning from sunset to sunrise during the continuance of any such enclosure, shall forfeit and pay for every such refusal or neglect any sum not being less than forty shillings nor exceeding five pounds. If any person or persons shall fence across, or fence in, or in any way obstruct any public street, or road, thoroughfare, or highway, within the said Municipal District, such person or persons so offending shall upon conviction forfeit and pay a sum not exceeding five pounds nor less than two pounds for every such offence.

Stoppage of Traffic.

9. The Committee for Works, or any officer or person acting under the authority of such Committee, may at any time cause the traffic of any street, lane, or thoroughfare, or any portion thereof, to be stopped for the purpose of repairing the same, or for any necessary purpose; and any person offending against this By-law, either by travelling along such street, lane, or thoroughfare, or such portion thereof, or by removing or destroying any obstruction that may be placed thereon for the purpose of suspending the traffic, shall forfeit and pay a penalty of any sum not exceeding five pounds for every such offence, and not less than two pounds.

Trailing of timber, &c.

10. Any person who shall haul or draw, or caused to be hauled or drawn, upon any part of any street or public place within the said Municipal District, any timber, stone, or other thing, otherwise than upon wheeled vehicles or barrows, or shall suffer any timber, stone, or other thing which shall be carried principally or in part upon any wheeled vehicle or barrow, to drag or trail upon any part of such street or public place, to the injury thereof, or to hang over any part of any such vehicle or barrow, so as to occupy or obstruct the street beyond the breadth of the said vehicle or barrow, shall upon conviction forfeit and pay for every such offence a sum of not more than forty shillings nor less than five shillings.

Filth on road—Drawing on footways.

11. Any person who shall throw, cast, or lay, or shall cause, permit, or suffer to be thrown, cast, or laid, or to remain, any ashes, rubbish, offal, dung, soil, dead animal, blood, or other filth, or annoyance, or any matter or thing, in or upon the carriage-way or foot-way of any street or other public place in the said Municipal District, or shall kill, slaughter, dress, scald, or cut up any beast, swine, calf, sheep, lamb, or other animal, in or so near to any such street or other public place, as that any blood or filth shall run or flow upon or over, or be on any or either of any such carriage or footway, or shall run, roll, drive, draw, or place or cause, permit, or suffer to be run, rolled, driven, drawn, or placed upon any of the said footways of any such street or public place, any waggon, cart, dray, sledge, or other carriage, or any wheel-barrow, hand-barrow, or truck, or any hogshead, cask, or barrel, or shall wilfully lead, drive, or ride, any horse, ass, mule, or other beast, upon any such footway, shall upon conviction forfeit and pay, for the first offence, a sum not exceeding forty shillings, nor less than five shillings; for the second offence a sum not exceeding five pounds nor less than ten shillings; and for the third and every subsequent offence, a sum not exceeding ten pounds nor less than one pound for each such offence.

Obstruction of footways.

12. Any person who shall set or place, or cause, or permit to be set or placed any stall-board, chopping-block, show-board (on hinges or otherwise), basket-ware, merchandise, casks, or goods of any kind whatsoever, or shall hoop, place, wash, or cleanse, or shall cause to be hooped, placed, washed, or cleansed, any pipe, barrel, cask, or vessel, in or upon, or over any carriage or footway, in any street or public place within the said Municipal District, or shall set out, lay, or place, or shall cause or procure, permit, or suffer to be set out,

laid, or placed, any coach, cart, wain, waggon, dray, wheel-barrow, hand-barrow, sledge, truck, or other carriage, upon any such carriage-way, except for the necessary time of loading or unloading such cart, wain, waggon, dray, sledge, truck, or other carriage, or taking up or setting down any fare, or waiting for passengers when actually hired, or harnessing or unharnessing the horses or other animals from such coach, cart, wain, waggon, dray, sledge, truck, or other carriage,—or if any person shall set on, place, or cause to be set or placed in or upon or over any such carriage or footway any timber, stones, bricks, lime, or other materials or things for building whatsoever (unless the same shall be enclosed as herein directed), or any other matters or things whatsoever, or shall hang out or expose, or shall cause or permit to be hung out or exposed, any meat or offal, or other thing or matter whatsoever, from any house or other building over any part of any such footway or carriageway, or over any area of any house or other building or premises, or any other matter or thing from and on the outside of the front or any other part of any house or other building or premises over or next unto any such street or public place, and shall not immediately remove all or any such matters or things being thereto required by the Inspector of Nuisances or other officer appointed by the said Council,—or if any person who, having in pursuance of any such requisition as aforesaid, removed or caused to be removed any such stall-board, show-board, chopping-block, basket-ware, merchandise, casks, goods, coach, cart, wain, waggon, dray, wheel-barrow, hand-barrow, sledge, truck, carriage, timber, stones, bricks, lime, meat, offal, or other matters or things, shall at any time thereafter again set lay or place, expose, or put out, or cause, procure, permit, or suffer to be set, laid, placed, exposed, or put out, the same or any of them, or any other stall-board, show-board, chopping-block, basket-ware, merchandise, goods, timber, stones, bricks, lime, coach, cart, wain, waggon, dray, truck, wheel-barrow, hand-barrow, sledge, meat, offal, or other things or matter whatsoever (save and except as aforesaid), in, upon, or over any such carriage or foot way of or next unto any such street or public place as aforesaid, shall, upon conviction, for every such offence forfeit and pay—for the first offence a sum not exceeding forty shillings nor less than five shillings, for the second offence a sum not exceeding five pounds nor less than ten shillings, and for a third and every subsequent offence a sum not exceeding ten pounds nor less than one pound: Provided that nothing herein contained shall be deemed to prevent any person from placing an awning in front of his or her shop or house in such manner as that such awning shall be at least seven feet above the height of the footway, and that the posts be placed close to the kerbstone or outer edge of such footway.

Carrying offal, &c.

13. Any person or persons who shall convey, carry, or cause to be conveyed or carried, in any cart, carriage, or other vehicle, or by any other contrivance, any slaughter-house refuse, offal, night-soil, bones, ammoniacal liquor, or other offensive matter, through, or in any street, road, or public place within the said Municipal District, between the hours of nine o'clock in the morning and six o'clock at night, or who shall fill any cart or other vehicle so as to turn over or cast any slaughter-house refuse, offal, night-soil, ammoniacal liquor, slop, mire, or channel dirt, or filth in or upon any street, road, or public place, or who shall deposit any slaughter-house refuse, offal, night-soil, ammoniacal liquor, blood, or other offensive matter nearer to any street, road, public place, or dwelling-house than one hundred yards, or who shall remove slaughter-house refuse, offal, bones, night-soil, or other offensive matter except between the hours of six o'clock at night and nine o'clock in the morning, and then not otherwise than in properly covered and water tight carts, or who shall cause or suffer any vehicle used for this purpose to stand on any premises within one hundred yards from any such street, road, or dwelling-house, shall for every such offence pay any sum not exceeding ten pounds nor less than two pounds, and for every subsequent offence any sum not exceeding twenty pounds nor less than five pounds, and the Inspector of Nuisances shall have power to inspect the contents of all vehicles carrying or used for conveying such offensive matters as aforesaid,

Furious driving and riding.

14. Any person who shall ride or drive furiously so as to endanger the life or lives of any person or persons within any streets, roads, or ways of the said Municipal District, or shall break in any horse, or shall drive any carriage for the purpose of breaking in such horse or horses to the danger of the passengers in any street, road, or way within the said Municipal District shall for every such offence pay any sum not exceeding ten pounds nor less than two pounds.

Driving cattle, &c.

15. Any person or persons driving cattle, excepting working bullocks, milch cows, or horses on any road, street, or public place within the boundaries of the said Municipal District, unless between the hours of ten o'clock at night and eight o'clock in the morning, shall on conviction forfeit and pay any sum not exceeding five pounds nor less than forty shillings for every such offence.

Drafting cattle, &c.

16. Any person or persons drafting cattle upon any road, street, or public place within the boundaries of the said Municipal District, shall upon conviction be fined in any sum not exceeding five pounds nor less than two pounds.

Blasting, &c.

17. No person shall blast, or cause to be blasted, any stone or rock within one hundred yards of any public street or road in the said Municipal District, without the permission of the said Council, or Council Clerk, or other person appointed by the Council for that purpose; and any person contravening this By-law, shall on conviction forfeit and pay a sum not exceeding five pounds nor less than two pounds.

Lamp, &c.

18. Any person who shall wantonly or maliciously break or injure any lamp or lamp post, or extinguish any lamp set up for public convenience in the said Municipal District, shall forfeit and pay for every such offence any sum not less than two pounds nor more than five pounds.

Damaging toll or other public building, &c.

19. Any person who shall damage any public building, toll-gate, toll-bar, toll-board, wall, parapet, fence, sluice, bridge, culvert, sewer, water-course, or other public property within the said Municipal District, shall forfeit and pay a sum not exceeding ten pounds nor less than two pounds.

Damaging trees or shrubs, &c.

20. Any person who shall wilfully and without the authority of the Council, cut, break, bark, root up, or otherwise destroy or damage the whole or any part of any tree, sapling, shrub, or underwood, growing in or upon any street or place under the management of the Council, shall forfeit any sum not exceeding ten pounds nor less than one pound.

Animals thrown in water, &c.

21. Any person who shall cast any filth, rubbish, or any dead animal, or any animal with intent of drowning, into any public watercourse, sewer, waterhole, river, creek, or canal, or who shall suffer slops, suds, or filth of any kind to flow from his or her premises over any of the footways or streets of the Municipal District, or permit or cause by means of pipes, shoots, channels, or other contrivances, filth of any kind whatsoever to flow into any public watercourse, waterhole, river, creek, or canal, or shall obstruct or divert from its channel any sewer or watercourse, river, creek, or canal, shall forfeit any sum not exceeding five pounds nor less than one pound.

Dead animals, mode of removal.

22. If any animal shall die in any part of the said Municipal District, and the owner of such animal or the occupier of the place, if private property, where such animal shall have died, shall not cause such animal to be immediately destroyed by fire, or so effectually removed and disposed of that no nuisance can possibly result therefrom in any part of the said Municipal District, he shall for every such offence forfeit and pay any sum not exceeding fifty pounds nor less than ten pounds.

Dead animals on road or street, &c.

23. If any animal shall die on any road, street, or public place within the said Municipal District, or within half a mile of any road, street, or public place, or of any dwelling-house, and the owner of such animal, or the occupier of the place, if private property, where such animal shall have died, shall not immediately cause such animal to be effectually removed and disposed of as aforesaid, or destroyed as aforesaid on the spot where it shall have died, if a quarter of a mile from any dwelling-house, or if such spot shall not be a quarter of a mile from any dwelling-house, if such owner or occupier shall not immediately cause such animal to be effectually removed as aforesaid, or to be removed to some place not less than a quarter of a mile from any dwelling-house and there destroyed as aforesaid, every such owner or occupier shall for every such offence forfeit and pay any sum not exceeding ten pounds nor less than two pounds.

Power of Inspector as to dead animals on private premises.

24. The Inspector of Nuisances, or any other officer appointed by the said Council of the said Municipal District, with his assistant, may at any hour enter upon any premises or place within the said Municipal District where any animal has died, and require the owner or occupier of such premises or place immediately to destroy such animal by fire, and if necessary to remove the same for that purpose as such Inspector of Nuisances or other officer appointed by the said Council shall direct, or otherwise forthwith effectually to remove and dispose of the same as aforesaid, in default of which it shall be lawful for any one or more of such officers to cause such animal to be removed for that purpose, and every owner or occupier of such premises or place failing, neglecting, or refusing to comply with such requisition, shall forfeit and pay any sum not exceeding thirty pounds nor less than three pounds.

Dead animals in certain cases to be removed at cost of Municipality.

25. If any animal shall die in any public street or place within the said Municipal District, and the owner or any person having charge of such animal cannot at the time be found or ascertained, it shall be immediately removed by the Inspector of Nuisances or other officer appointed by the said Council, and destroyed in the manner aforesaid, at the cost of the said Municipal District.

Hog-sties to be forty yards from streets, and animals suffered to stray, &c.

26. Any person who shall breed or keep any kind of swine in any house, building, yard, garden, or other place situated and being within forty yards of any street or public place in the said Municipal District, or shall suffer any kind of swine or any horse, ass, mule, sheep, goat, cow, or any other animal of a like nature belonging to him or her, or under his or her charge, to stray or go about, or to be tethered or depastured in any street, road, or public place, shall on conviction forfeit and pay any sum not exceeding forty shillings nor less than five shillings for such and every animal so bred, kept, suffered to stray, or go about, or to be tethered, or depastured in any such street, road, or public place as aforesaid: Provided that if after due inquiry shall have been made the owner thereof cannot be discovered, it shall be lawful for the said Council to cause to be destroyed any swine or goats so straying, tethered, or depastured. And the owner or occupier of any house or premises or other place within the said Municipal District, wherein any such swine, horse, ass, mule, sheep, goat, cow, or other animal is kept, fed, milked, or used in any way whatsoever, shall, within the meaning of those By-laws, be deemed the owner of every such animal so bred, kept, suffered to stray, or to be tethered, or depastured in any such street or public place as aforesaid, and the words "any house," "building," "yard," "garden," or "other place" wherein any kind of swine shall be bred or kept as aforesaid, shall respectively be deemed hog-sties within the meaning of those By-laws, and the word "horses" shall be sufficient designation for any entire, geldings, mares, or foals, and the word "cattle" for any bulls, oxen, cows, or calves, when more than one is the subject of any information and summons under the provisions of these By-laws.

Power to impound.

27. The Inspector of Nuisances or any other person duly authorized by the said Council shall have the power to impound, in the public pound of the said Municipal District, all animals of every description found straying within the said Municipal District.

Premises and offal, &c.

28. Any owner or occupier of any house, premises, or place within the said Municipal District who shall neglect to keep clean all private avenues, passages, yards, and ways, within the said premises, so as by such neglect to cause a nuisance by offensive smell, or who shall suffer any slaughter-house refuse, offal, bones, or any decomposed substance under any process or otherwise to remain in or upon any premises in the said Municipal District, or who shall allow the remains of any boiled carcass or boiled slaughter-house refuse, bones, offal, or liquid, to remain in any cart, boiler, trough, cask, tub, in any shed, house, yard, paddock, or other place within the said Municipal District, until it shall become a nuisance by causing an offensive smell or otherwise, shall for every such offence pay any sum not exceeding fifty pounds nor less than two pounds, and for every subsequent offence any sum not exceeding fifty pounds nor less than five pounds. And the Inspector of Nuisances, or any other officer appointed by the said Council, for the purpose of abating those nuisances, may, when and as often as he shall see occasion, with any assistance he may deem fit, visit and inspect all private avenues, passages, yards, ways, premises, butchers shambles, slaughter-houses, tannery, sties, boiling-down, and fellmongering establishments in the said Municipal District, and any proprietor or proprietors of such establishments who shall suffer soup or other offensive liquid to run through any drain sewer, or pipes into any creek, or cause to pollute any creek or other place in a like manner, shall forfeit and pay a similar penalty as aforesaid.

Complaints respecting dirty premises, &c.

29. Upon the complaint of any householder that the house, premises, yards, closets, or drains of the neighbouring or adjoining premises are a nuisance or offensive, the Inspector of Nuisances, or any other officer appointed by the said Council, shall make an inspection of the premises complained of. And the officer of the said Council shall have the full power, without any other authority than this By-law, to go upon such premises for the aforesaid purpose. And any person who shall personally, or by any person in his employment or under his control, suffer any waste or stagnant water, or any muck, filth, soil, or other offensive matter to remain in any cellar or place within any dwelling-house or premises within the said Municipal District for the space of twenty-four hours after written notice to him from the Inspector of Nuisances, or officer of the Council, to remove the same, or shall in like manner suffer the contents of any water-closet, privy, or cesspool

to overflow or soak therefrom, shall for every such offence forfeit and pay a sum not exceeding two pounds nor less than five shillings, and the like sum for every day that the same shall remain after such notice; and the Council may remove or abate the nuisance.

30. Every person who in any street or other public place or passage within the said Municipal District, to the obstruction, annoyance, or danger of the residents or passengers, shall commit any of the following offences, shall on conviction for any and every such offence, forfeit and pay a penalty of not more than two pounds nor less than ten shillings—

Every person who shall carry or convey, or cause to be carried or conveyed in any street or public place the carcass or any part of the carcass of any newly slaughtered animal without sufficient and proper cloth covering the same for concealment from public view, or shall hawk or carry about butcher's meat for sale without covering the same as aforesaid.

Every blacksmith, whitesmith, anchorsmith, nail-maker, metal-founder, lime-burner, brick-maker, potter, or other person using a forge, furnace, or kiln, and having a door, window, or aperture fronting or opening into or towards any street, lane, or passage, and not enclosing such door, or not fastening the shutters or other fastenings of such window, and closing such aperture, or placing a screen before the same every evening within one hour after sunset, so as to effectually prevent the light from showing through the doorway, window, or aperture next or upon such street or lane or passage.

Every person who shall within the distance of one hundred yards from any dwelling-house burn any rags, bones, cork, or other offensive substance, to the annoyance of any inhabitant.

Every person who shall carry goods, tools, implements, ladders, scaffolding, or any frame, to the annoyance of any person upon the footway, of any street or other public footway.

Every person driving any cart, waggon, dray, coach, hackney-carriage, omnibus, gig, or other carriage whatsoever who shall not keep to the near or left-hand side of such street, road, thoroughfare or public place, or passage, except when passing any other carriage or other vehicle which is stationary or going in the same direction, or shall in any manner prevent wilfully any other person from passing him or any carriage under his care, upon such street, road, thoroughfare, or public place, or passage, or by negligence or by misbehaviour prevent, injure, or interrupt the free passage of any carriage or person in or upon the same, and every person leaving the care or charge of any cart, waggon, dray, wain, or van, which shall be drawn by two or more horses or other beasts, who shall ride on the same without sufficient reins to guide the animals drawing the same

Every person driving or having the care or charge of any wain, waggon, van, cart, or dray, which shall be drawn by any horse or other animal, and driven or guided by reins, who shall wilfully allow the horse or other animal drawing the same to proceed out of walking pace.

The owner of every such wain, waggon, van, cart, dray, as last above mentioned, who shall allow the same to be driven through the said Municipal District without having his name and place of abode painted in full length on the off side legibly, at least two inches high and proportionably broad, in white letters on a black ground.

The driver or person in charge of any such cart as aforesaid who shall refuse to give his and the owner's name and address, or shall give a false or fictitious name of himself or the owner, or of the place of abode of either of them.

Placards, &c.

Every person who shall paste or otherwise affix any placard or other paper upon any wall, house, building, fence, or enclosure, or who shall chalk or paint, or in any other manner mark or disfigure such wall, house, building, fence, or enclosure, unless with the consent of the owner thereof.

Offences against decency, &c.

31. Any person who shall offend against decency by exposure of his or her person, in any street or public place within the said Municipal District, or in the view thereof, shall on conviction forfeit and pay for every such offence a sum not exceeding ten pounds nor less than five pounds.

Houses of ill-fame.

32. Upon representation of any respectable ratepayer that any house or premises within the said Municipal District, and near to the residence of such ratepayer, is of ill-fame, it shall be lawful for the By-law Committee to cause the residents of such house or premises to furnish to the Council a list of the names, ages, sexes, and occupations of all the inmates of the

said house or premises, and upon non-compliance with such request, or if upon consideration the said Committee consider the house to be one of ill-fame, they shall, with the sanction of the Council, declare the same to be a nuisance, and shall cause a notice in writing to be served upon the holder of such house or premises, or any person resident or being therein, to discontinue or abate the said nuisance within forty-eight hours after the receipt of such notice. And if such nuisance be not so abated, the holder of such house or premises, or other person residing or being therein and acting as such holder, shall be liable to be proceeded against for such nuisance, and shall on conviction thereof forfeit and pay any sum not less than two pounds nor more than twenty pounds, and if such nuisance shall not be abated within forty-eight hours after such conviction, such holder of such house, or such other person residing or being therein as aforesaid, shall forfeit and pay for such second offence, a sum of not less than five pounds nor more than fifty pounds. And if a further period of forty-eight hours shall elapse after such second conviction without the abatement of such nuisance, such holder of such house or other person residing or being therein as aforesaid, shall for such third offence pay any sum not less than ten pounds nor more than fifty pounds.

New cemeteries.

33. No person or persons shall open any new cemetery or burial ground within a distance of one hundred yards from any existing cemetery or burial ground within the said Municipal District.

Graves and vaults.

34. Every grave or vault shall be of the depth of seven feet at least, and not less than seven feet distant from any other grave or vault, and not more than two adults shall be interred in one grave within the said Municipal District.

Bodies not to be interred within certain distances, &c.

35. No body shall be interred in any existing cemetery now opened for burials within the distance of one hundred feet from any public building, place of worship, school-room, dwelling-house, public pathway, street, road, or place whatsoever, within the said Municipal District, and no body shall be interred in any new cemetery that may be hereafter opened within the said distance of one hundred feet from any such public building, place of worship, school-room, dwelling-house, public pathway, street, road, or place whatsoever, within the said Municipal District.

Hours for interments.

36. No interment shall take place before the hour of 8 a.m. nor after the hour of 5 p.m., within the said Municipal District.

Burials contrary to By-laws, &c.

37. Any person or persons having the charge of any cemetery, or other person or persons who shall knowingly inter, or cause to be interred, any body within the said Municipal District contrary to the provisions of those By-laws, or otherwise commit a breach of any of them, shall for every such offence be liable to a penalty not exceeding fifty pounds nor less than five pounds, and for every subsequent offence to any penalty not exceeding the first mentioned amount nor less than ten pounds.

Noisome and offensive trades.

38. No person shall carry on any noisome or offensive trade within the said Municipal District, so as to injure or be a nuisance, as hereinafter stated to the inhabitants thereof.

Boiling-down establishments, &c.

39. Any manufacture, trade, calling or operation, in the conducting, following, or carrying on of which, or in consequence of, or in connection therewith, or from the premises where the same is conducted, followed, or carried on, any gas, vapour, or effluvia, or any large quantities of smoke shall be evolved or discharged, which gas, vapour, effluvia, or smoke shall be calculated to injure animal or vegetable life, or the boiling-down or steaming of a carcass or part of a carcass of any animal, slaughter-house refuse, offal, bones, or the keeping of stacked bones under ammoniacal process, or the letting off of any liquid, steam, or vapour from any boiling-down whereby any such manufacture, trade, calling, operation, steaming, boiling-down of any carcass, part of a carcass, refuse, offal, the letting off of any gas, liquid, steam, or effluvia from bones, or other vapour emanating from any process, liquid, or decomposed matter or substance whatsoever, shall cause an offensive smell, or in any other way to injure or be a nuisance to the inhabitants or to any portion of the inhabitants of the said Municipal District, or to people passing through the said Municipal District, shall be considered a noisome and offensive trade within the meaning of those By-laws and, generally, anything that by definition of law can be held or construed to be a nuisance within the meaning of the Municipal Act of 1867, or otherwise according to the principles of common law on which the Municipal law is based, shall be deemed a nuisance, and it shall be in the power of the Council to cause inquisition,

and the Inspector of Nuisances or other officer appointed by the Council for that purpose may take legal proceedings for the abatement of the same, and the party or parties offending therein, for every such offence as aforesaid, shall be liable to any penalty not exceeding fifty pounds nor less than twenty-five pounds.

Boiling-down, hog-sties, &c., Council may indict.

40. In case any boiling-down, privy, hog-sty, sink, cess-pool, yard or enclosure, or any matter or thing which shall at any time be in any place within the said Municipal District shall be or become a nuisance, it shall be lawful for the Council, after due investigation, by notice in writing, to order the removal of the said nuisance within seven days after such notice shall have been given to the owner or occupier of the premises wherein such nuisance is situated, or shall have been left for such owner or occupier at his or her last or usual place of abode, or on the said premises, and every such owner or occupier refusing or neglecting to remove or abate such nuisance pursuant to such notice and to the satisfaction of the Council, shall forfeit and pay any sum not exceeding fifty pounds nor less than five pounds.

PART IV.

Erection of house, fee for permission, &c.

1. No person shall be permitted to erect any house, shop, or other building, in any street, lane, or place within the said Municipal District, without first serving seven days notice in writing on the Mayor or Council Clerk before commencing the same, stating his intention, and describing the proposed situation of the building or erection, and every owner of, and every contractor for, such house, shop, or other building, or any part thereof, commencing to build or work thereon without such notice having been given, and shall at the time the said notice is given as aforesaid, pay unto the Council Clerk a fee of five shillings for permission to erect any fence or any such house, shop, coach-house, stables, or other detached buildings to be so erected on any premises, street, lane, or other place within the said Municipal District, shall forfeit and pay for every such offence any sum not exceeding forty shillings nor less than five shillings.

Pipes, gutters, &c.

2. It shall not be lawful for any person to carry by means of pipes, gutters, or other contrivances, any rain water from the roof of his or her premises or house upon any of the footways of any street or public place within the said Municipal District, and any owner or occupier of any such house or premises who shall neglect or refuse to remedy or remove any such pipes, gutters, or contrivances when required to do so by any officer of the said Council, shall on conviction forfeit and pay any sum not exceeding two pounds nor less than five shillings: Provided that the owner or occupier of any such premises or house may convey any such rain water by means of pipes laid under the surface of any such footways into the gutter adjoining the same, subject to the approval of the Improvement Committee.

Private drains, &c.

3. It shall not be lawful for any person without notice to the Council, or otherwise according to such plans and directions as such Council may make and give, to make or branch any private drain or sewer into any of the public drains or sewers, or into any drain or sewer communicating therewith, and in case any person or persons shall make or branch any private drain or sewer into any of the said drains or sewers, or into any drain or sewer communicating or to communicate therewith, without such notice or otherwise than as aforesaid, every person so offending shall for every such offence forfeit and pay any sum not exceeding fifty pounds, nor less than two pounds.

Drains to be kept clean.

4. All drains or sewers communicating with any public drain or sewer shall from time to time be repaired and cleansed under the inspection and direction of the Council, at the costs and charges of the occupiers of the houses, buildings,

lands, and premises to which the said private sewers or drains shall respectively belong, and in case any person shall neglect to repair and cleanse, or cause any such private drains or sewers to be repaired and cleansed according to the direction of the said Council, he or she shall forfeit and pay for every such offence any sum not exceeding five pounds nor less than one pound.

Storm water overflowing on pathways, &c.

5. Every owner or occupier of land in, adjoining to, or near to any street, if such land shall be so situated that surface or storm water from or upon the same shall overflow, or shall tend naturally, if not otherwise discharged, to overflow any footway of any such street, shall within seven days next after the service of notice by the Council for that purpose, construct and lay from such point upon such land being near to the footway as shall be specified in such notice by plan appended or otherwise, and higher in level than the bottom of the channel at the outer edge of the footway, to the said channel, and through, under, and transversely to the footway, and keep in good condition a good and sufficient covered drain or trunk, subject to the inspection of the Council or its proper officers, and in default of compliance with any such notice within the period aforesaid, or with the provisions of this section, such owner or occupier shall forfeit and pay a sum not exceeding five pounds nor less than forty shillings. And if within seven days after such conviction such owner or occupier shall still have failed to comply with such notice or otherwise in default as aforesaid, he or she shall forfeit and pay any sum not less than one pound nor more than ten pounds, and for every further such offence he shall forfeit and pay any sum not less than two pounds nor more than twenty pounds. And every such owner or occupier who shall still have made default as aforesaid for more than seven days after such second or any future conviction, shall be held guilty of a further offence within the meaning of this section.

Horses fastened to back or sides of vehicles, &c.

6. Any person who shall fasten, tie, or allow to be fastened or tied, any horse or horses to the back or sides of any dray, cart, or other vehicle, while moving or otherwise in any street, road, or public place within the said Municipal District, shall forfeit and pay any sum not exceeding two pounds nor less than five shillings for every such horse so fastened or tied as aforesaid, and for every subsequent offence, any sum not exceeding five pounds nor less than ten shillings; and the person found in charge of such horses, dray, cart, or other vehicle, shall be the person against whom proceedings shall be taken under these By-laws.

PART V.

Interfering with officer.

Any person or persons who shall obstruct any officer of the said Council while in the performance of his duty, or who shall interfere with any officer of the said Council doing, or performing, or going to perform, or returning from the performance of any duty or act under these By-laws, by using any threats, offensive language, hinderance, or insulting language towards the said officer, in any street, road, or other place within the said Municipal District, shall forfeit and pay for every such offence a penalty not exceeding twenty pounds nor less than two pounds.

Construction of Terms.

In the construction of the foregoing By-laws the provisions of the Act 16 Victoria No. 1, shall be applied so far as the same may be applicable.

Made and passed by the Municipal Council of the Municipal District of Leichhardt, in Council assembled, this 18th day of December, 1879.

(L.S.) JOHN YOUNG,
Mayor.

WALTER BEAMES, Council Clerk.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES.

(MUNICIPAL DISTRICT OF HAY—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 5th June, 1880.

MUNICIPAL DISTRICT OF HAY.

By-Laws.

THE following By-laws, made by the Council of the Municipal District of Hay for the prevention of fires, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

MUNICIPAL DISTRICT OF HAY.—BY-LAWS FOR THE PREVENTION OF FIRES.

1st. No person shall make or knowingly permit to be made any fire in the open air nearer than 25 feet to any building or fence, except in properly constructed fireplaces or furnaces, under a penalty not exceeding ten pounds nor less than one pound.

2nd. Any person throwing hot ashes or live coals nearer to any buildings or fences than 25 feet, shall be liable to a penalty not exceeding five pounds nor less than one pound.

3rd. Any person who willingly sets or causes to be set on fire any chimney-flue or stove-pipe shall be liable to a penalty not exceeding five pounds nor less than one pound.

4th. If any chimney accidentally catch or be on fire, the person occupying or using the premises in which such chimney is situated, shall forfeit a sum not exceeding forty shillings, provided always that such forfeiture shall not be incurred if such person prove to the satisfaction of the Justices before whom the case is heard, that such fire was in no wise owing to the omission, neglect, or carelessness, whether with respect to cleansing such chimney or otherwise, of himself or his servant.

Agreed to at a meeting of the Municipal Council held on the 29th day of January, 1880.

L.B.) ALLEN LAKEMAN,
Mayor.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES ACT OF 1867 AND NUISANCES
PREVENTION ACT, 1875.

(BOROUGH OF ORANGE—AMENDED BY-LAWS.)

Presented to Parliament, pursuant to Acts 31 Vic. No. 12, sec. 158, and 39 Vic. No. 14, sec. 18.

Colonial Secretary's Office,
Sydney, 29th May, 1880.

BOROUGH OF ORANGE.

AMENDED BY-LAWS.

THE following amended By-laws, made by the Council of the Borough of Orange, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867, and the Nuisances Prevention Act, 1875.

HENRY PARKES.

BY-LAWS to regulate, by means of Standing Orders, the proceedings of the Municipal Council of Orange, for the general good rule and government of the Municipality, and for the collection of rates, the prevention and abatement of nuisances, under the powers conferred by the "Nuisances Prevention Act of 1875," and other matters.

1. That the By-laws made and passed by the Municipal Council on the third day of November, 1868, under the powers for that purpose given by the "Municipalities Act of 1858," and those made and passed by the said Council on the twenty-eighth day of November, 1876, under the powers for that purpose given by the "Municipalities Act of 1867," so far as the same may now be in force, except as to any portion of such By-laws as repealed, any former By-laws made and passed under the said first mentioned Act shall be and the same are hereby repealed, and in lieu thereof the following shall be the By-laws of the Municipality of Orange.

Meetings of Municipal Council, and Duties of Mayor and Aldermen.

2. The Council shall meet at the Court House, or other place that may hereafter be appointed, within the Borough of Orange, at 7 o'clock p.m. on every alternate Tuesday, for the transaction of business, unless otherwise adjourned, subject, however, to the provisions of the Municipalities Act of 1867.

3. There shall be two half-yearly Meetings of the Council in the months of March and September, in each Municipal year, for the purpose of making up the accounts of the Municipality for the half-year respectively expiring in the preceding months of February and August in such year, and auditing the same.

4. The Mayor or presiding Alderman shall preserve order, and his decision on disputed points of order shall be final.

5. The Mayor or presiding Alderman may take part in all the proceedings of the Council.

6. When the Mayor or presiding Alderman is called upon to decide upon a point of order or practice he is to state the rules applicable to the case, without argument or comment.

7. The Mayor or presiding Alderman shall put all questions and declare the sense of the Council thereon.

8. If two or more Aldermen rise to speak at the same time the Mayor or presiding Alderman shall decide which alderman is entitled to pre-audience.

9. The Mayor or presiding Alderman may, without waiting for the interposition of any Alderman, call to order any Alderman proceeding to speak a second time on the same subject, except in the way of explanation only, or of reply by the mover of any motion then under consideration.

10. The Mayor or presiding Alderman shall on every motion made put the question first in the affirmative and then in the negative, and he may do so as often as may be necessary to enable him to form and declare his opinion from the show of hands as to which party has the majority.

11. Every Alderman shall enter his name and address in a book to be kept by the Council Clerk where summonses and other papers may be left for him.

12. Every Alderman present at any meeting shall record his vote openly upon all subjects.

Order of Business.

13. The business of the Council shall be taken in the following order:—

1. Reading, confirming, and signing minutes of last meeting.

2. Reading of copies of letters sent by authority of Council.

3. Reading of letters received, and considering and ordering thereon.

4. Reception and reading of petitions and memorials, but without discussion.

5. Reception and reading of reports from permanent and select committees, and ordering thereon.

6. Order of the day and adjourned motions.

7. Motions according to notice.

8. Payment of accounts and special payments.

14. All motions shall be made and petitions presented by Aldermen in their places, and every Alderman shall stand when speaking and address the chair.

15. The order of the day shall include all business of which no notice has been given and all matters arising out of former meetings of the Council.

16. Any motion entered on the notice paper, and the Alderman having given notice of the same being absent, and no other Alderman having been deputed to bring forward such motion when the business is called on, shall be struck out of the paper.

17. Any number of amendments may be proposed on a motion before the Council, and when more than one amendment is moved, the question shall first be put on the last amendment, and then on the next preceding, and so on, in the reverse order in which they were moved; except when such motion or amendment shall relate to the acceptance of tenders, the fixing of salaries, or other matters of finance, in which case the lowest sum shall be put first, then the next lowest, and so on to the highest.

18. It shall not be necessary for any motion to be seconded.

19. Motions for adjournment shall be put without discussion, and if negatived it shall not be competent for any Alderman to make a similar motion until half an hour shall have elapsed.

20. Motions to rescind or to vary a former vote of the Council shall not be moved without express notice for the purpose given in writing at least four days previous to the meeting at which it is intended to move the same.

Notices of motion.

21. The Council Clerk shall enter in a book, to be kept for that purpose, to be called the "Notice Book," all notices of motion in the order in which they are received.

Petitions.

22. No discussion shall take place on the presentation of any petition without notice of motion given after its reception.

23. It shall be incumbent on any Alderman presenting a petition to acquaint himself with the language thereof, and to report to the Council that he considers it unobjectionable in that respect.

24. All petitions shall be received only as the petitions of the parties signing the same.

Committees and their reports.

25. No Committee shall consist of less than three members of the Council, which number shall form a quorum.

26. The mover of any motion for a Committee shall be a member thereof, and at all meetings of such Committee, the Mayor, if a member, shall preside, or if he be not a member then such Alderman shall preside as a majority of the members of the Committee shall have appointed permanent Chairman thereof, and in the absence of the Mayor or the permanent Chairman respectively, such Chairman as the members present shall appoint shall preside.

27. No report of any Committee shall be adopted unless due notice of motion for that purpose be given after its reception.

28. The rules of the Council shall be observed in a Committee of the whole Council except the rule limiting the number of times of speaking.

Order of debate.

29. Any Alderman proposing a motion or amendment, or discussing any matter, shall not be interrupted, unless by a call to order, when he shall sit down, the Alderman calling to order shall then be heard, and the question of order decided before the subject is resumed or any other business proceeded with.

30. Any Alderman proposing a motion or any amendment must state the nature of it before addressing the Council.

31. Except in Committee, no Alderman shall speak twice on the same question unless in explanation, when he has been misrepresented or misunderstood: Provided, however, that the mover shall be allowed to reply, and that every Alderman shall have the liberty of speaking once on every amendment as well as on the original motion.

32. No Alderman shall digress from the subject under discussion, nor shall he speak upon any motion or amendment for a longer period than fifteen minutes without the consent of the Council.

33. A debate may be adjourned to a later hour of the same evening, or to another day to be specified.

34. The Alderman upon whose motion any debate shall be adjourned by the Council, shall be entitled to pre-audience on the resumption of the debate.

35. It shall be competent for any Alderman to divide the Council on any question, both in full Council and Committee, and the Mayor or presiding Alderman shall take the division in the usual way, by show of hands; and the names given by the Mayor or presiding Alderman to the Council Clerk shall be taken down by him and recorded.

36. All divisions of the Council shall be entered in the Minute Book.

37. Any Alderman using offensive or abusive language towards any other Alderman, or persisting in speaking when requested by the Mayor or presiding Alderman to desist, or refusing to sit down when called to order by the Mayor or presiding Alderman, shall forfeit and pay for every such offence a sum of money not being less than five shillings nor exceeding five pounds.

The Estimate.

38. No work affecting the expenditure of the funds of the Municipality shall be undertaken until an estimate of the cost thereof shall have been laid before the Finance Committee, reported thereon at the next meeting, and approved of by the Council.

39. A Committee or Surveyor shall in all cases be appointed to inspect the work performed, as soon as completed, and on the written approval of such Committee or Surveyor the same shall be paid for.

40. It shall be lawful for any ratepayer at any time previous to any tender for work being accepted, to petition the Council in support of or against the expenditure on account of such contract.

Officers.

41. The Council Clerk shall have the custody of the Common Seal and of all books, charters, deeds, muniments, and records of the Corporation, or relating to the property thereof.

42. The Treasurer's cash-book and the Banker's pass-books shall be laid before the Council at all its sittings.

By-laws.

43. That no new By-law shall be proposed at any meeting unless notice in writing has been duly given, and no new By-law, amendment, or repeal shall be finally passed at the meeting at which it is first proposed.

44. That not less than seven days shall intervene between the meeting at which the new By-law, amendment, or repeal shall be proposed and the meeting at which the same shall be passed by the Council.

45. That any proposed new or amended By-law, or repeal of any existing By-law, shall be filed in the Council Clerk's office, for the inspection of the Aldermen or inhabitants of the Borough, from the time at which it is proposed until the meeting at which it is to be finally adopted.

46. Any one or more of the By-laws of the Council may be suspended *pro tempore* in cases of emergency, if notice of the intended motion for that purpose be given to the Council Clerk four days previous to the day of meeting at which such motion shall be intended to be made, and the majority of the Aldermen present agree thereto, or, without such notice, if the whole of the Aldermen present at such meeting agree thereto.

Miscellaneous Regulations.

47. All contracts for Municipal works shall be by tender, or otherwise, as the Council may see fit.

48. No Alderman or officer of the Council shall be surety for any contractor or officer of the Municipality.

Collection of Rates.

49. That if necessary a duly qualified person shall be appointed for the collection of the Municipal rates, and the remuneration shall be an agreed per centage upon the actual amount collected by such officer from the ratepayers.

50. That such rates shall be collected by half-yearly instalments.

51. The Collector of such rates for the time being, if appointed, shall be Bailiff for the Municipality, and, in the meantime, until such Collector be appointed, a proper person shall be appointed as Bailiff.

52. The Collector, if appointed, shall, in accordance with the provisions of the Municipalities Act of 1867, collect the rates, when made, from the ratepayers, and shall from time to time report the result of his collection to the Council, and shall execute all warrants for distress, or take such proceedings for enforcing payment of the said rates, if in arrear, as the Mayor, or any person who may for the time being be duly authorized to perform the duties of that office, shall direct.

53. The Collector, if appointed, shall keep such books required for the collection of rates as shall be furnished him by the Council Clerk, and shall produce the same for the inspection of any ratepayer at any reasonable time.

54. All levies and distresses shall be made under warrant in the form of the schedule hereunto annexed, and marked with the letter A, under the hand of the Mayor, or any person who may for the time being be duly authorized to perform the duties of that office.

55. The Bailiff shall be paid for every levy made by him under these By-laws, the fees mentioned in the schedule hereunto annexed, and marked B.

SCHEDULE A.

Warrant of Distress.

I, _____, Mayor of the Borough of Orange, do hereby authorize you _____, the Bailiff of the said Borough, to distrain the goods and chattels in the dwelling-house (or in and upon the land and premises) of _____, situate in _____ street, Orange for _____, being the amount of rates due to the Corporation of the said Borough to the _____ day of _____, for the said dwelling-house (or other premises, as the case may be), and to proceed thereon for the recovery of the said rates according to law.

Dated this _____

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Mayor.

SCHEDULE B.

Fees to Bailiff.

For making entry and inventory, three shillings; if in possession more than five hours, three shillings additional; and for every subsequent day while in possession, five shillings per day, and five per cent, upon the net proceeds of sale, with actual costs of advertisements (if any).

Prevention and Extinguishing Fires.

56. It shall be lawful for the Mayor, upon the representation of one or more householders, that fire is being used to the danger of contiguous buildings, to cause a notice in writing to be served upon or left at the residence of the owner or occupier of the premises on which any such fire may exist, and direct (if the urgency of the case should require it) that the said fire should be extinguished at once, or within any reasonable time afterwards which he might deem expedient.

57. In every case in which it shall be made to appear to the satisfaction of any two Justices of the Peace that the chimney of any house or building within the limits of the Municipality has taken fire from the occupier of any such house or building having omitted to cause the chimney of such house or building to be regularly and sufficiently swept and cleaned, or from any other neglect of such occupier, or of his or her servants or servant, such occupier shall, on conviction before any two Justices of the Peace, forfeit and pay for every such offence any sum not exceeding forty shillings, to be recovered as provided by section 193 of the Municipalities Act of 1867, and in every such case the proof that any such chimney did not take fire through the neglect of such occupier in not having the same regularly and sufficiently swept or cleaned, shall be upon such occupier.

Care and management of the public Roads and Streets and public thoroughfares of the Borough.

58. Whenever any footways shall have been marked out, the Surveyor or person acting for him may, with the sanction of the Council, cause the same to be levelled and made as nearly as practicable of equal height and breadth, and with an equal slope and inclination, and for this purpose may remove any flagging, steps, or other matter, or thing that may injure or obstruct the said footway, or render it unequal or inconvenient, and which now is or may hereafter be erected or placed on the space marked out for any of the said footways.

59. The Surveyor or person acting for him may at any time by order of the Council cause the traffic of any street, lane, or thoroughfare, or any portion thereof, to be stopped for the purpose of repairing the same, or for any necessary purpose, and any person or persons offending against this By-law, either by travelling on, or by removing or destroying any obstruction that may be placed thereon for the purpose of suspending the traffic, shall forfeit and pay a penalty not exceeding five pounds for every such offence.

60. No person shall be allowed to obstruct any pathway, road, street, or public thoroughfare within the Municipality by building materials, drays, carts, goods, merchandise, or anything whatsoever calculated to obstruct or hinder free passage, without the sanction of the Mayor, in writing; and no person shall be allowed to leave waterholes or excavations for cellars or other purposes unfenced, or in such a manner as to be dangerous to passers-by; and at all places where buildings are being carried on, or where any obstruction to the danger of passers-by exists, the person causing such obstruction shall be required to provide lights on either side, and keep the same lighted from sunset to sunrise.

Trespassers and removal of Nuisances, &c.

61. No person shall form, dig, or open any drain or sewer, in any public road, street, lane, or thoroughfare, or shall cut up the surface of any such road, street, lane, or thoroughfare upon any pretence whatever, without leave in writing from the Mayor.

62. No person shall be allowed to throw rubbish, sweepings, or deposits of any kind whatsoever on the streets, pathways, or gutters of the Municipality.

63. No driver, carter, or other person shall wilfully or negligently do or suffer, or cause to be done, any damage or injury to the kerb-stones, gutters, or pathways of any street or roadway; and no person shall be at liberty to drive a wheeled vehicle of any kind, or ride or drive, lead or stand, any horse or horses, or other animals, on the pathways within the Municipality.

64. Any person who shall form, dig, or open any drain or sewer on any part of the reserves, roads, streets, or thoroughfares of the Municipality, or who shall remove, or caused to be removed, any turf, loam, clay, sand, soil, gravel, stone, or other material from any reserve, creek, road, street, or thoroughfare within the Municipality, without leave in writing first had and obtained from the Council, or who shall break up or otherwise damage any part of the said reserves, roads, streets, or thoroughfares, shall, on conviction before any two Justices of the Peace, forfeit and pay for every such offence a sum not exceeding two pounds.

65. Any person who shall damage any building or other public property belonging to, or in possession of, the Council shall pay the costs of repairing the same, such costs to be recovered summarily in the manner provided for the recovery of penalties under these By-laws; and, if the same be wilfully done, shall, on conviction before any one or more Justices of the Peace, forfeit and pay a sum not exceeding ten pounds. And it shall be lawful for any Constable to seize any person whom he shall find in the act of wilfully committing any such offence, and to convey such person to the nearest watch-house, there to be detained until he or she can be brought before a Justice of the Peace to be dealt with according to law.

Throwing filth on carriage or footway, driving, nuisances, &c., on footways.

66. If any person shall, on any street or road, throw, cast, or lay, or shall cause, permit, or suffer to be thrown, cast, or laid, or to remain, any ashes, rubbish, offal, dung, soil, dead animal, blood, or other filth or annoyance, or any matter or thing, in or upon the carriage-way or footway of any such street or road, or shall kill, slaughter, dress, scald, or cut up any beast, swine, calf, sheep, lamb, or other cattle in or so near to any of the said streets or roads as that any blood or filth shall run or flow upon or over, or be on, any such carriage or footway, or shall run, roll, drive, draw, place, or cause, permit, or suffer to be run, rolled, driven, drawn, or placed upon any of the footways of such streets or roads any waggon, cart, dray, or other carriage, or any wheelbarrow, or any truck or cask, or shall wilfully lead, stand, drive, or ride any horse or other beast upon any of the footways aforesaid: Every person so offending, upon conviction before any two Justices of the Peace, or upon the view of any such two Justices, shall forfeit and pay a sum not exceeding forty shillings for every such offence.

Suppression of nuisances and houses of ill-fame.

67. No householder or resident shall be permitted, under a penalty of a sum not exceeding two pounds, to allow his or her premises, yards, closets, or drains, to be offensive or a nuisance to the neighbouring householders or residents.

68. No noisome or offensive trade shall be permitted, under a penalty of a sum not exceeding ten pounds, to be carried on in any premises to the inconvenience or annoyance of the residents of neighbouring or adjoining houses or premises.

69. Any owner or occupier of any house or place who shall neglect to keep clean all private avenues, passages, yards, and ways within the said premises, so as by such neglect to cause a nuisance by offensive smell or otherwise, shall forfeit and pay upon conviction before any two Justices of the Peace, a sum not exceeding forty shillings for every such offence.

70. For preserving the cleanliness of the said Municipality and the health of the inhabitants thereof, it shall be lawful for the Inspector of Nuisances or any other officer appointed by the Council, by any writing under the hand of the Mayor from time to time, or when as often as he or the Council shall see occasion, to visit and inspect the butcher's shops or shambles, and to give such directions concerning the cleansing such shops and shambles, both within and without, as to him or the said Council shall seem needful, and any butcher and the owner or occupier of any shops or shambles who shall obstruct or molest any such officer in the inspection thereof, or who shall refuse or neglect to comply with such directions within a reasonable time, shall, upon the view of any two Justices of the Peace, or on conviction on the complaint of any such officer, for every such offence forfeit and pay a sum not exceeding two pounds.

Swine, horses, goats, &c., not suffered to wander about the streets.

71. It shall not be lawful for any person whatsoever, to suffer any kind of swine, or any horse, ass, mule, sheep, or goat, or other animal belonging to him or her, or under his or her charge, to stray or go about, or to be tethered or depastured in any road, street, or public place, and any person who shall so offend, shall forfeit and pay in respect of every such animal a sum not exceeding two pounds.

Hog-sties and nuisances not removed on complaint.

72. In case any hog-sty, boiling-down, or any other matter or thing, which shall at any time or times hereafter be in any place within the said Municipality, shall be or become a nuisance, it shall be lawful for the said Council upon complaint thereof to them made by any of the inhabitants, and after due investigation of such complaint, by notice in writing, to order that such hog-sty, boiling-down, or other matter or thing being a nuisance, shall be remedied and removed within fourteen days after such notice shall have been given to the owner or occupant of the said premises wherein such nuisance shall exist, or shall have been left for such owner or occupier at his or her last or usual place of abode, or on the said premises, and every such owner or occupier neglecting to remedy or remove such nuisance pursuant to such notice, and to the satisfaction of the Council, shall on conviction forfeit and pay a sum not exceeding ten pounds for every such neglect or disobedience.

Drawing and trailing timber, &c.

73. If any person shall haul or draw, or caused to be hauled or drawn, upon any part of the streets, roads, or public places within the said Municipality, any timber, stone, or other thing otherwise than upon wheeled carriages, or shall suffer any timber, stone, or other thing which shall be carried principally or in part upon wheeled carriages, to drag or trail upon any part of such streets or public places, to the injury thereof, or to hang over any part of such carriage so as to occupy or obstruct the street or road beyond the breadth of the said carriage; every person so offending shall upon conviction forfeit and pay for every such offence a sum not exceeding two pounds over and above the damages occasioned thereby.

Wells to be covered over, &c.

74. Every person who shall have a well situated between his dwelling-house or the appurtenances thereof and any road, street, or footway within the limits of the said Municipality, or at the side thereof, or in any yard or place opened or exposed to such road, street, or footway, shall cause such well to be securely and permanently covered over; and if any person having such well as aforesaid shall fail to cover and secure the same within twenty-four hours after notice in writing shall have been given to him or her by any officer of the said Council, or shall have been left for such person at his or her usual or last known place of abode, or on the said premises, shall, on conviction before any two Justices of the Peace, forfeit and pay the sum of two shillings and sixpence for every day that such well may remain open or uncovered contrary to the provisions hereof.

Enclosures around scaffolding.

75. If any person shall dig or make, or cause to be dug or made, any hole, or leave, or cause to be left, any hole in or adjoining to any street, road, or public place, for the purpose of making any vault or vaults or the foundation or foundations of any house or other building, or for any other purpose whatsoever, and shall not forthwith enclose the same in a good and sufficient manner, or shall keep up, or cause to be kept up and continued any such enclosure for any time which shall be longer than shall be reasonably required, or shall not when thereunto required by the said Council or its officer well and sufficiently fence or enclose any such hole within twenty-four hours after he shall be required to do so by the said Council or officer, and in the manner and with such materials as they or he shall direct, and to their or his satisfaction, and shall place a light upon the said enclosure, and and keep the same constantly burning from sunset to sunrise, during the continuance of such enclosure, or shall fail to place or erect a fence, rail, or boarding around any scaffolding or ladder that may be required during the repairs or erection of any building (such fence, rail or boarding, not to extend beyond the footway of any street), or fail to keep during the existence of such fence, rail, or boarding, a light burning from sunset to sunrise at each corner of the same; then and in every such case the person so offending shall, on conviction before any two Justices of the Peace, forfeit and pay for every such offence, and for every such refusal or neglect, a sum not exceeding five pounds.

Erections &c., in front of public streets, roads, &c.

76. No person shall build, erect, put up, or remove or cause to be built, erected, put up, or removed, any building, house, shop, warehouse, wall, or fence fronting any public street, road, or thoroughfare, unless he shall have previously given notice of his intention to commence such works to the Mayor or the Council Clerk of the Municipality; and any person so offending shall, upon conviction before a Justice of the Peace, pay for every such offence a sum not exceeding ten pounds.

Slops, Nightsoil, &c., to be conveyed away at certain hours, &c.

77. It shall not be lawful for any person or persons to drive, or cause to be driven, any cart or other carriage with any nightsoil or ammoniacal liquor therein, through or in any of the streets or roads of the Municipality between the hours of five o'clock in the morning and ten o'clock at night, or to fill any cart or other carriage so as to turn over or cast any nightsoil, ammoniacal liquor, slop, mire, or channel dirt, or filth in or upon or near to any of the said streets or public places, and in order to prevent nuisances it shall not be lawful for any person to deposit nightsoil, ammoniacal liquor, or other offensive matter, nearer to any street, road, or dwelling-house, than shall be directed by the said Council or their officer, and all nightsoil or other offensive matter shall be removed within the hours before prescribed in properly covered and watertight carts or other vehicles; and no vehicles used for this purpose shall be allowed to stand on any premises nearer to any road, street, or dwelling-house than shall be directed by the Council or their officer; and every person offending against this By-law shall for every such offence forfeit and pay a sum of five pounds. And in case the person so offending cannot be apprehended, then the owner of such cart or carriage in which such nightsoil,

ammoniacal liquor, slop, filth, mire, or channel dirt, shall be put or placed, and also the employer of the person so offending shall be liable to, and forfeit and pay such penalty as aforesaid.

Interrupting free passage, &c.—Driving on wrong side of the road &c.

78. If the driver of any waggon, wain, cart, or dray, of any kind shall ride upon any such carriage in any street as aforesaid, not having some person on foot to guide the same (such carts as are drawn by one horse and driven or guided with reins only excepted), or if the driver of any carriage whatever shall wilfully be at such a distance from such carriage or in such a situation whilst it shall be passing upon such street that he cannot have the direction and government of the horse or horses or cattle drawing the same; or if the driver of any waggon, cart, dray, coach, or other carriage whatsoever, meeting any other carriage, shall not keep his waggon, cart, dray, coach, or other carriage, on the left or near side of the road, street, or thoroughfare, or if any person shall in any manner wilfully prevent any other person or persons from passing him or her, or any carriage under his or her care, upon such street, or by negligence or misbehaviour, prevent, hinder, or interrupt the free passage of any carriage, or person in or upon the same; every such driver or person so offending shall, upon conviction before any Justice of the Peace, forfeit and pay a sum not exceeding two pounds, and it shall be lawful for any constable to seize and convey any person so offending, before any Justice of the Peace, to be dealt with according to law.

Furious or careless driving, &c.

79. Any person who shall ride or drive through or upon any road, street, or public place, negligently, carelessly, or furiously, so as to endanger the life or limb of any person, or to the common danger of foot passengers, shall, on conviction before any Justice of the Peace, forfeit and pay a sum not exceeding ten pounds.

Leading animals on footpaths, &c.

80. Any person who shall lead, drive, or stand, or permit to stand, or ride any horse or other animal upon any of the footways of any of the streets or roads of the Municipality, shall on conviction for every such offence before any Justice of the Peace, forfeit and pay a sum not exceeding two pounds.

Affixing placards on walls, &c., and chalking thereon.

81. It shall not be lawful for any person to paste or other, wise affix any placard or other paper upon any wall, house, building or fence, or by chalk or paint, or in any other manner, unless with the consent of the owner or occupier thereof; and every person who shall be guilty of any such offence shall, on conviction before any two Justices of the Peace forfeit and pay a sum of ten shillings.

Hours for cattle driving.

82. No person shall drive through any street or public thoroughfare of the Municipality any live stock between the hours of eight o'clock a.m. and six o'clock p.m. during the months of May, June, July, and August, nor between the hours of six o'clock a.m. and eight o'clock p.m. during the other months of the year, except any such as may be sent to the Orange Cattle Sale Yards for sale, and removed therefrom between the hours appointed by the By-laws made and passed and for the time being in force for the maintenance, regulation, and management of the said yards, and except calves and foals under the age of one year, quiet milch cows, horses, or cattle broken to draft or saddle and known as such, and pigs and goats; and any and every person or persons who shall drive or cause to be driven any live stock except those above enumerated, through any street or public thoroughfare of the Municipality between such hours, shall, on conviction for every such offence before any two Justices of the Peace, forfeit and pay a sum not exceeding five pounds.

Swine not to be kept.

83. It shall not be lawful for any person whomsoever to breed, feed, or keep any kind of swine in any house, building, yard, garden, or other hereditaments, situate and being in or within forty yards of any street or public place in the Municipality; and any person who shall so offend shall, on conviction before any two Justices of the Peace forfeit and pay for every such offence a sum not exceeding two pounds.

Open spaces and steps adjoining the footways to be enclosed.

84. Every owner or occupier of any house, building, or premises having an entrance area, garden, or other space open adjoining the footway of any street or public place within the Municipality beneath the level of the kerbstone or exterior edge of such footway, shall protect and guard the same by good and sufficient rails, fences, or other enclosures, so as to prevent danger to persons passing and repassing; and further, that every such owner or occupier of any such house, building, or other premises, having any steps adjoining or upon the footway of any street or public place, shall in like manner protect and guard the same by rails or other enclosures, so as to prevent the like danger to persons passing and repassing; and in failure thereof every such owner or occupier shall, upon conviction for every such offence before any two Justices of the Peace, forfeit and pay a sum not exceeding five pounds.

Carrying carcases of newly slaughtered meat, &c.

85. Every person who shall carry or convey, or cause to be carried or conveyed, in any street or public place within the said Municipality, the carcase or any part of the carcase of any newly slaughtered animal without a sufficient and proper cloth covering the same for the concealment from public view, shall, upon conviction for every such offence before any two Justices of the Peace, forfeit and pay a sum not exceeding two pounds.

Rain not to be carried to footways.

86. It shall not be lawful for any person whomsoever to carry by means of pipes, gutters, or other contrivances, any rainwater from the roof of his or her premises or house, nor permit or suffer any rainwater to drop from the roof of his or her premises or house upon the surface of any part of the footways of any street or public place within the Municipality; and any owner or occupier of any such house or premises who shall neglect or refuse to remedy or remove any such pipes, gutters, or contrivances when required to do so by any Municipal officer, shall, on conviction before any two Justices of the Peace, forfeit and pay any sum not exceeding five shillings for every day that the same shall not be remedied or removed: Provided that the owner or occupier of any such house or premises may convey any such rainwater by means of pipes laid under the surface of any such footways into the gutters adjoining the same; and provided also that all such pipes shall be laid down to the satisfaction and under the superintendence of the Town Surveyor or some other person appointed by the Council.

Penalty for interference with servant of Council removing obstructions or encroachments.

87. Any person who shall wilfully obstruct or interfere with the Surveyor or other officer as aforesaid, or with any person or persons acting for or under him in the exercise of any of the duties or powers by these By-laws imposed or cast on the said Surveyor or officer, or who shall wilfully obstruct or interfere with any servant or servants of the Council in the exercise of the powers given to the Council, or in carrying out any orders lawfully given by the Council under the provisions of section one hundred and forty of the "Municipalities Act of 1867," shall, on conviction before any two Justices of the Peace forfeit and pay a penalty of not exceeding ten pounds.

Placing carriages, stalls, goods, &c., on footways.

88. Any person who shall set or place, or cause or permit to be set or placed, any erection or other obstruction of any kind whatsoever in or upon any carriage or foot way in any street or public place within the said Municipality; or shall hang out or expose, or shall cause or permit to be hung out or exposed, any meat or offal, or other thing or matter whatsoever, from any house or other building or premises, over any part of any such footway or carriageway, and shall not immediately remove all or any such erections, obstructions, matters or things on being thereunto required by the Inspector of Nuisances, or other proper officer of the Council, shall, upon conviction before any two Justices of the Peace, for every such offence, forfeit and pay a sum not exceeding two pounds: Provided that nothing herein contained shall be deemed to prevent any person from placing an awning by permission of the Council in front of his or her shop or house in such manner as that such awning shall be at least nine feet above the height of the footway, and that the posts be placed close up to the kerbstone or outer edge of such footway.

Damaging public buildings, &c.

89. Any person who shall damage any public building, or other public property, shall pay the costs of repairing the same, such costs to be recovered in a summary manner before any two Justices of the Peace, and if the same be wilfully done, shall, in addition to such cost of repair, forfeit and pay a penalty of not exceeding twenty pounds.

Discharging firearms.

90. Any person discharging firearms without lawful cause, or letting off fireworks in any street or public place, shall, on conviction before any two Justices of the Peace, forfeit and pay a penalty of not exceeding five pounds.

Indecent exposure.

91. Any person who shall offend against decency by the exposure of his or her person in any street or public place, within the said Municipality, or in the view thereof, shall, on conviction for every such offence, before any two Justices of the Peace, forfeit and pay a sum not exceeding ten pounds.

Injuring or extinguishing lamps.

92. Any person who shall be convicted of wantonly or maliciously breaking or injuring any lamp or lamp-post, or extinguishing any lamp set up for public convenience within the limits of the said Municipality, shall, over and above the necessary expense of repairing the injury committed, to be estimated by the Justices before whom such offender shall be brought, forfeit and pay upon conviction before any two Justices of the Peace, for every such offence, a sum not exceeding five pounds.

Carrying goods, &c., on footway.

93. Every person who shall carry goods or any frame to the annoyance of any person upon the footway of any road, street, lane, or thoroughfare, or other public footway, within the Municipality, shall, on conviction before any two Justices of the Peace, forfeit and pay a sum of money for every such offence not exceeding two pounds.

Inspector of Nuisances may enter shop, &c., for certain purposes.

94. The Inspector of Nuisances for the said Borough may, and he is hereby empowered at all reasonable times, with or without assistants, to enter into and inspect any shop, building, stall, or place kept or used for the sale of butchers' meat, and to examine any animal, carcase, meat, or flesh which may be therein, and in case any animal, carcase, meat, or flesh, appear to him to be intended for food of mankind, and to be unfit for such food, the same may be seized; and if it shall be made to appear to any two Justices of the Peace, upon the evidence of a competent person, that any such animal, carcase, meat, or flesh, is unfit for the food of mankind, he shall order that the same be destroyed, or be so disposed of as to prevent its being exposed for sale or used for such food; and the person to whom such animal, carcase, meat, or flesh belongs, or in whose custody the same is found, shall, on conviction thereof before any two Justices of the Peace, be liable to a penalty not exceeding ten pounds for every animal or carcase, piece of meat, or flesh so found.

Slaughtering in unlicensed premises.

95. If any person or persons shall slaughter or cause to be slaughtered any animal in any house or place within the Municipality not licensed for such purpose according to law, such person or persons shall, on conviction before any two Justices of the Peace, forfeit and pay a sum of money not exceeding ten pounds for each and every animal so slaughtered.

Animals slaughtered for home consumption.

96. Nothing in these By laws contained shall extend to or affect any person or persons slaughtering at his, her, or their own residences within the said Municipality, animals for the personal consumption of himself, herself, or themselves, or for his, her, or their family, servants, or labourers: Provided that the place where any such animal so slaughtered be not less than fifty yards from any street or other public place, or from any residence other than the residence of the person or persons so slaughtering as in the By-law aforesaid mentioned.

Public reserves, gardens, or other public places of amusement or recreation

97. The gardens and other public places of amusement and recreation under the management or control of the Council and herein called "The Gardens," shall be open every day.

98. No person shall pluck any of the flowers, or walk on the beds or borders, or climb upon or get over the fences, or remove any of the tallies, or disturb, damage, or destroy any property or thing in the gardens.

99. No person shall carry firearms through the gardens, or shoot, snare, or destroy any wild fowl either in the gardens or in or on any water adjacent thereto, or bathe in any such water.

100. No cart or other vehicle used for the conveyance of goods shall, without the authority of the proper officer of the Council, be driven through the gardens.

101. Such plants, seeds, or cuttings as are commonly purchasable at nurseries in New South Wales, shall not be supplied from the gardens to any person unless in exchange, or for public institutions, or for benevolent purposes.

102. No visitor shall interrupt the gardeners or labourers by conversation or otherwise, or shall use any abusive, improper, or unbecoming language to any person in the gardens, or otherwise annoy any such person.

103. Children under the age of ten years not being under the control of some competent person, shall be removed from the gardens.

104. All dogs and goats and all poultry found within the gardens shall be destroyed, and the owner shall make compensation for any damage done.

105. Any person offending against By-laws numbered from 98 to 105, both inclusive, shall on conviction before any two Justices of the Peace for the first offence, forfeit and pay any sum not exceeding five pounds; for the second offence, any sum not exceeding ten pounds; and for a third and every subsequent offence any sum not exceeding twenty pounds; and any person may on committing any such offence be forthwith removed from the gardens by the proper officer of the Council, or by any of the gardeners or labourers employed in such gardens, without affecting the liability of such person so offending to be subsequently prosecuted for such offence.

By-laws under the "Nuisances Prevention Act of 1875."

106. Every person about to erect a closet or form a cesspit shall before he commence any such work, give to the Council Clerk seven days notice in writing of his intention and of the proposed position of such closet or cesspit, and in default thereof, or in case of his commencing such work without such notice, he shall be liable to a penalty not exceeding twenty pounds nor less than one pound.

107. No closet shall be erected, or cesspit formed, except in such position as shall be approved of by the Council or their authorized officer, such closet or cesspit to stand at least twenty feet from any dwelling-house or factory, where practicable.

108. All the closets where the dwelling-house consists of more than (3) three rooms shall be built with cesspits of not less than (4) four feet by (3) three feet clear, internal measure, and not less than (4) four feet or more than (6) six feet below the ground surface, and the top of every cesspit shall not be less than (6) six inches higher than the highest part of the ground immediately adjoining it. Every such closet shall be provided with a flue or ventilating shaft at least (9) nine inches by (6) six inches, and shall reach from the cesspit to the roof.

109. Every closet shall have a manhole of the clear internal dimensions (2) two feet (3) three inches by (2) two feet outside the walls of the closet, and connected with the pit as shown on the drawing exhibited at the Council Chambers, and constructed of the same material specified for the construction of the soil pit, and covered closely with such material as the Council may approve of.

110. The walls of every cesspit shall be built of brick or stone laid in cement, of a thickness if of brick, not less than (9) nine inches, and if of stone, not less than (12) twelve inches, and shall be cemented ($\frac{3}{4}$) three-quarters of an inch thick inside at the bottom and on the walls, and the walls and bottom shall be puddled with clay on the exterior surface to the depth of (6) six inches at least, in such a manner as to make it watertight to the satisfaction of the Council or their authorized officer.

111. Every closet shall be built (7) seven feet high from the floor to the wall-plate of the roof, and shall not be less than (3) three feet (6) six inches wide, and (4) four feet (6) six inches long, and shall be provided with a door capable of being fastened from the inside, and shall have ventilating holes ($4\frac{1}{2}$) four and a-half inches wide, or a window that will open.

112. When two or more closets adjoin each other, there shall be a brick or stone dividing-wall of not less than (9) nine inches in thickness between every two closets, and each wall shall extend from the bottom of the cesspit to the roof of the closets, so as to affect a complete separation.

113. A separate closet shall be provided for each tenement, and a breach of this By-law shall make the owners or occupiers of any premises upon which there shall be a joint closet, liable to a penalty not exceeding (£20) twenty pounds, nor less than (£1) one pound.

114. The place of deposit for night-soil shall be upon land to be obtained by the Council for the purpose.

115. That all night-soil shall be removed in a water-tight vehicle by the servants of or contractors with the Council, between the hours of eleven o'clock in the evening and five o'clock in the morning.

116. The Inspector of Nuisances or other officer appointed by the Council may visit or inspect any premises, or do any work authorized by the "Nuisances Prevention Act of 1875," on all days except Sundays and public holidays, betwixt the hours of ten o'clock in the morning and four o'clock in the evening, and he shall at once report to the Council of any existing nuisance coming under his notice.

117. Any person desirous of erecting an earth closet, or any other improved plan of closet, shall be at liberty to do so after giving notice of his intention to the Council or authorized officer, subject to the Council's approval, but all night-soil shall be removed therefrom at least once in four days, and buried in the earth.

118. Every person shall be at liberty to use on his own premises all night-soil collected thereon from any earth closets, but if any nuisance shall arise therefrom he shall be liable to a penalty not exceeding twenty pounds, nor less than one pound.

119. No person shall be at liberty, without the permission of the Council, to use on his own premises any night-soil brought from elsewhere.

120. If any alteration shall be requisite in the opinion of the Inspector of Nuisances or other officer appointed by the Council, for preserving public health or decency in the case of any existing cesspit or closet, he shall report the same to the Council, and if they consider such cesspit or closet injurious to health, or through soakage, drainage, or otherwise opposed to decency by exposure or otherwise, the same shall be altered, within fourteen days of notice being given, by the owner or occupant of such premises. Should they neglect or refuse to do so, the same shall be done by the Inspector of Nuisances, or other person or persons authorized by the Council, and the cost of such alteration shall be paid by the owner or occupier of such premises whereon the same may be.

121. The Council may recover, and the owner or occupier of the premises shall pay, such sums for the emptying of cesspits as may be decided upon from time to time by resolution of the Council.

Interpretation Clauses.

122. The words "Municipality" or "Municipality of Orange" (where necessary) shall be deemed to apply to, and shall be taken to be included in every clause of these By-laws, whether the same shall be expressly mentioned or not, and no objection shall be taken or allowed by reason of the absence of such words or any or either of them in any part of these said By-laws. And where anything is directed to be done, or prohibited from being done, whether in any road, street, lane, or thoroughfare, or other public place, or in any manner whatsoever, howsoever, or by whomsoever, the same shall be taken to mean within the Municipality of Orange, anything herein contained to the contrary notwithstanding.

123. Any words in these By-laws appearing in the singular number shall be taken to include the plural number, and any words in the plural number shall be taken to include the singular number, and any words in the masculine gender shall be taken to include the feminine gender, and *vice versa*.

124. The word "animal" shall for the purpose of these By-laws be held to include cattle, sheep, pigs, calves, and lambs, and the words "die of any disease" shall be held to apply to all cases of death, other than death caused by killing or slaughtering.

125. All penalties imposed under these By-laws may be sued for, and recovered in a summary way before any two Justices of the Peace.

126. All words occurring in the foregoing By-laws made and passed under the "Nuisance Prevention Act of 1875," which also occur in that Act, shall have the like meanings assigned to them as are provided in the 4th Section of the same Act.

Made and passed by the Municipal Council of Orange, this sixth day of January, in the year one thousand eight hundred and eighty.

(L.S.) JAMES TORPY,
Mayor,

GEORGE TOWSON,
Council Clerk.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES ACT OF 1867 AND NUISANCES
PREVENTION ACT OF 1875.

(BOROUGH OF BATHURST—BY-LAWS.)

Presented to Parliament, pursuant to Acts 31 Vic. No. 12, sec. 158, and 39 Vic. No. 14, sec. 18.

Colonial Secretary's Office,
Sydney, 21st October, 1879.

THE following By-laws, made by the Council of the Borough of Bathurst, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867 and the Nuisances Prevention Act of 1875.

HENRY PARKES.

THAT the owners or occupiers of all enclosed lands within the Municipality shall keep such lands free from the Bathurst burr, the Scotch thistle, and other noisome weeds, failing which after notice the said owners or occupiers shall be subject to a penalty of not more than £5 nor less than 10s.

Standing Committees.

30. Besides such Special Committees as may from time to time be found necessary, there shall be four standing Committees, viz.—a By-Law Committee, a Finance Committee, an Improvement Committee, and a Lighting Committee.

Rates to be paid at Office of Council Clerk.

54. All persons liable to pay any rates as aforesaid, shall pay the amount thereof within the time prescribed by the Act into the office of the Council Clerk during office hours, that is to say, every Monday, Tuesday, and Thursday, between the hours of 10 a.m. and 1 p.m. and 2 p.m. and 4 p.m.

Bailiff to appoint Deputy.

62. The Bailiff, with the permission in writing of and signed by the Mayor or any Alderman who may for the time being be duly authorized to perform the duties of that office, may employ any person or persons to act temporarily as his deputy or deputies and assistant or assistants in carrying into effect any distress warrant: Provided always that in such case the Bailiff shall be held responsible for the acts and omissions of all and any such persons so employed by him.

Cost of distress.

63. There shall be payable to the Bailiff for the use of the Council, for every levy and distress made under these By-laws, the costs and charges as follows:—

	s.	d.
Distress warrant	1	0
Levying distress and making inventory	1	6
Man in possession each day or part of a day ...	5	0
Advertising (whatever amount has been paid) and 5 per cent. on the net proceeds of the goods.		

Driving carriages or throwing filth on footways.

81. Any person who shall throw, cast, or lay, or shall cause, permit, or suffer to be thrown, cast, or laid, or to remain, any ashes, rubbish, offal, dung, soil, dead animal, blood, or other filth, surface water, or annoyance, or any matter or thing, in or

upon the carriage-way or foot-way of any street or other public place in the said Borough; or shall kill, slaughter, dress, scald, or cut up any beast, swine, calf, sheep, lamb, or other animal, in or so near to any such street or other public place as that any blood or filth or surface water shall run or flow upon, or over, or be on any or either of any such carriage or foot way; or shall run, roll, drive, draw, place, or cause, permit, or suffer to be run, rolled, driven, drawn, or placed upon any of the said foot-ways of any such street or public place, any carriage, buggy, gig, dog-cart, waggon, cart, dray, sledge, or other carriage, or any wheel, wheel-barrow, hand-barrow, or truck, or any hogshead, cask, or barrel; or shall wilfully lead, drive, or ride any horse, ass, mule, or other beast upon any such foot-way, shall upon conviction forfeit and pay for the first offence a sum not exceeding forty shillings nor less than five shillings, for the second offence a sum not exceeding five pounds nor less than ten shillings, and for a third and every subsequent offence a sum not exceeding ten pounds nor less than one pound for each such offence.

Passed at a meeting of the Bathurst Borough Council, held on Friday, March 21st, 1879.

(L.S.) WM. BUTLER,
Mayor.

JNO. R. DURHAM,
Town Clerk.

BY-LAW respecting the Lighting of Vehicles.

That all vehicles plying for hire within the Borough of Bathurst after sunset shall be provided with a light on each side, and shall keep the same lighted till sunrise, if so long being driven. Every driver of any such vehicle shall, if he disregard the provisions of this By-law, be liable to a penalty not exceeding five pounds (£5), and not less than ten shillings (10s.)

Passed at a meeting of the Bathurst Council, held on March 21st, 1879.

(L.S.) WM. BUTLER,
Mayor.

JNO. R. DURHAM,
Town Clerk.

BY-LAWS under the powers conferred upon the Bathurst Borough Council by the "Nuisances Prevention Act of 1875."

1. Every person about to erect a closet or form a cesspit shall, before he shall commence any such work, give to the Council Clerk seven days' notice in writing of his intention, and of the proposed position of such closet or cesspit, and in default thereof, or in case of his commencing such work without such notice, he shall be liable to a penalty not exceeding £20, nor less than £1.

2. No closet shall be erected or cesspit formed, except in such position as shall be approved of by the Council or their authorized officer, such closet or cesspit to stand at least 20 feet from any dwelling-house or factory where practicable.

3. All closets where the dwelling-house consists of more than (3) rooms shall be built with cesspits not less than (4) four feet by (3) three feet clear, internal measure exclusive of the manhole hereafter mentioned, and not less than (4) four feet nor more than (6) six feet below the ground surface, and the top of every cesspit shall not be less than (6) six inches higher than the highest part of the ground immediately adjoining it.

4. Every closet shall have a man-hole of the clear internal dimensions (2) two feet (3) three inches by (2) two feet outside the walls of the closet, and connected with the pit as shown on the drawing exhibited at the Council Chambers, and constructed of the same material specified for the construction of the soil-pit, and covered closely with such material as the Council may approve of.

5. The walls of every cesspit shall be built of brick or stone of a thickness of not less than (9) nine inches, and shall be cemented (1) three-quarters of an inch thick inside at bottom and on the walls in such a manner as to make it perfectly watertight, to the satisfaction of the Council or their authorized officer.

6. Every closet shall be built (7) seven feet high from the floor to the wall-plate of roof, and shall not be less than (3) three feet (6) six inches wide, and (4) feet (6) inches long and shall be provided with a door capable of being fastened from the inside, and shall have ventilating holes (4½) four and a half inches wide, or a window that will open.

7. When two or more closets adjoin each other, there shall be a brick or stone dividing wall of not less than (4½) four and a half inches thickness between every two closets, and each wall shall extend from the bottom of the cesspit to the roof of the closets, so as to effect a complete separation.

8. A separate closet shall be provided for every tenement, and a breach of this By-law shall make the owners or occupiers of any premises upon which there shall be a joint closet liable to a penalty not exceeding (£20) twenty pounds or less than (£1) one pound.

9. The place of deposit for night-soil shall be upon (10) ten acres of land, situate on the town common and set aside by the Government for that purpose, or on any other place where the Council may appoint.

10. That all night-soil shall be removed in watertight covered vehicles by the servants of or contractors with the Council, between the hours of eleven o'clock in the evening and four o'clock in the morning. (See By-law No. 83).

11. The Inspector of Nuisances or other officer appointed by the Council may visit or inspect any premises, or do any work authorized by the "Nuisances Prevention Act of 1875" on all days except Sundays and public holidays, betwixt the hours of (10) ten o'clock in the morning and (4) four o'clock in the evening and he shall at once report to the Council of any existing nuisance coming under his notice.

12. Any person desirous of erecting an earth closet or any other improved plan of closet, shall be at liberty to do so after giving notice of his intention to the Council or authorized Officer, subject to the Council's approval, but all night soil shall be removed therefrom at least once in four days, and buried in the earth.

13. Every person shall be at liberty to use on his own premises all nightsoil collected thereon from any earth closets, but if any nuisance shall arise therefrom he shall be liable to a penalty not exceeding (£20) twenty pounds nor less than (£1) one pound.

14. No person shall be at liberty without the permission of the Council, to use on his own premises any nightsoil brought from elsewhere.

15. If any alteration shall be requisite, in the opinion of the Inspector of Nuisances or other Officer appointed by the Council for preserving public health or decency, in the case of any existing cesspit or closet, he shall report the same to the Council, and if they consider such cesspit or closet injurious to health, or through soakage, drainage, or otherwise, opposed to decency, by exposure or otherwise, the same shall be altered within fourteen days of notice being given by the owner or occupier of such premises. Should they neglect or refuse to do so, the same shall be done by the Inspector of Nuisances or other person or persons properly authorized by the Council; and the cost of such alteration shall be paid by the owner or occupier of such premises whereon the same may be.

16. The Council may recover, and the owner or occupier of the premises shall pay, such sums for the emptying of cesspits as may be decided upon from time to time by resolution of the Council.

17. All words occurring in these By-laws, and which also occur in the "Nuisances Prevention Act, 1875," shall have the like meaning assigned to them as are provided in the 4th section of the same Act.

Passed at a meeting of the Bathurst Borough Council, held on Wednesday, the 13th November, 1878.

(L.S.) F. HALLIDAY,
Mayor.

J. STANLEY,
Acting Council Clerk.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES ACT OF 1867 AND NUISANCES
PREVENTION ACT 1875.

(BOROUGH OF TAMWORTH—BY-LAWS.)

Presented to Parliament, pursuant to Acts 31 Vic. No. 12, sec. 158, and 39 Vic. No. 14, sec. 18.

Colonial Secretary's Office,
Sydney, 3rd December, 1879.

The following By-laws made by the Council of the Borough of Tamworth, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867, and the Nuisances Prevention Act, 1875.

HENRY PARKES.

PART I.

Ordinary and Special Meetings.

1. The Council shall meet for the transaction of ordinary business on every alternate Tuesday, at 7-30 o'clock p.m., unless such day shall happen to be a public holiday. In the latter case the meeting shall be held on such other day as the Mayor may appoint. Special meetings may be called by the Mayor, or, in his absence, by any two Aldermen.

Election of Chairman in absence of Mayor.

2. If at any meeting of the Council the Mayor be absent, at the expiration of fifteen minutes after the time appointed for holding such meeting, the Aldermen then present (being a quorum), shall proceed to elect for themselves a Chairman for such meeting.

Business of Ordinary Meetings.

3. The following shall be the order of business of all meetings of the Council, other than Special Meetings :—

1. The minutes of the last preceding meeting be read, corrected if erroneous, and signed by the Mayor or other Chairman. No discussion to be permitted except as to whether the minutes are correct.
2. Correspondence to be read and orders made thereon, if expedient.
3. Petitions, if any, to be read and dealt with.
4. Reports from Committees and minutes from the Mayor to be presented, and orders made thereon.
5. Questions as to matters under the jurisdiction or within the official cognizance of the Council to be put and replied to, and statements as to any facts, matters, or circumstances requiring attention by the Council or any of the Committees or officers to be made. Sufficient notice of questions to be given. Answers not compulsory.
6. Motions of which notice has been given to be dealt with in the order in which they stand on the business paper.
7. Orders of the day to be disposed of as they stand on the business paper.

Provided that the Council may, by resolution without notice, entertain any particular motion out of its regular order on the business paper, and may in like manner direct that any particular motion or matter of business shall have precedence at future meetings.

Business at Special Meetings.

4. At special general meetings of the Council, the business—after the minutes shall have been read and signed, which shall be done in the same manner as at ordinary meetings—shall be taken in such order as the Mayor, or the Aldermen at whose instance such special meeting shall have been called, may have directed; and no other business shall be transacted.

Business paper for Ordinary Meetings.

5. The business paper for every meeting of the Council, other than special meeting, shall be made up by the Council Clerk not less than one nor more than three days before the day appointed for such meeting.

He shall enter on such business paper a copy or the substance of every notice of motion, and of every requisition or order as to business proposed to be transacted at such meeting, which he may have received or shall have been required or directed so to enter, in due course of law, and as hereinafter provided. Every such entry shall be made (subject to the provisions of section 3 of this "Part" of these By-laws) in the same order as such notice, requisition, or direction shall have been received, and a copy of such business paper shall be served or posted to all members of the Council.

Business paper for Special Meeting.

6. The business paper for each special meeting shall contain only such matters as shall have been specially ordered to be entered thereon by the Mayor or Alderman calling such meeting.

How business paper to be disposed of.

7. The business paper for each meeting of the Council shall at such meeting be laid before the Mayor or Chairman, who shall make a note upon such business paper of the mode in which each matter entered thereon has been dealt with, and such business paper so noted shall be a record of the Council.

Notices, &c., to be the property of the Council.

8. After the business paper shall have been made up as aforesaid, all notices of motion, requisitions, and directions as to which entries have been made thereon, shall be the property of the Council, and shall not be withdrawn, altered, or amended without leave having been first obtained from the Council for such withdrawal, alteration, or amendment.

Motions—how to be made.

9. Except by leave of the Council, motions shall be moved in the order in which they stand on the business paper, and if not so moved or postponed, shall be struck from such business paper, and shall be considered to have lapsed.

Absence of mover.

10. No motion of which notice shall be entered on the business paper shall be proceeded with in the absence of the Alderman by whom such notice shall have been given, unless by some other Alderman producing a written authority for that purpose from such first mentioned Alderman.

Motion to be seconded.

11. No motion in Council shall be discussed unless and until it be seconded.

Amendment may be moved.

12. When a motion or amendment shall have been made or seconded, any Alderman shall be at liberty to move an amendment thereon, but no such amendment shall be discussed unless and until it be seconded.

Motions and amendments to be in writing.

13. No motion or amendment shall be discussed until it shall have been reduced into writing.

Only one amendment at a time.

14. No second amendment shall be taken into consideration until the first amendment shall have been disposed of.

Amended questions—further amendment may be moved thereon.

15. If an amendment be carried, the question amended thereby shall become itself the question before the Council, whereupon any further amendment upon such question may be moved.

How subsequent amendments may be moved.

16. If any amendment either upon an original question or upon any question amended as aforesaid, shall be negatived, then a further amendment may be moved, and so on: Provided that not more than one question and one proposed amendment thereof shall be before the Council at any one time.

Motions for adjournment

17. Any motion for adjournment, shall, if seconded, be put at once without discussion. If negatived, a similar motion shall not be made until half-an-hour has elapsed after moving the one that has been negatived.

Orders of the day.

18. The orders of the day shall consist of any matters other than motions on notice which the Council shall at a previous meeting thereof have directed to be taken into consideration, or which the Mayor shall have directed to be entered on the business paper for consideration.

How they are to be dealt with.

19. The Alderman who has the usual charge of, or who has previously moved in reference to the particular business to which any such order of the day relates, shall be the person called upon to move: Provided that, the Mayor may, as to any order of the day entered by his direction, move the same.

Petitions to be respectfully worded.

20. It shall be incumbent on every Alderman presenting a petition to acquaint himself with the contents thereof, and to ascertain that it does not contain language disrespectful to the Council; the nature and prayer of every such petition shall be stated to the Council by the Alderman presenting the same.

Petitions—How received.

21. All petitions shall be received only as the petitions of the parties signing the same.

How petitions to be dealt with.

22. No motion, other than for the reception of a petition, shall, unless as hereinafter provided, be permissible on presentation thereof, except that the same be referred to a Committee, or that its consideration stand an order of the day for some future meeting: Provided, however, that if any Alderman shall have given due notice of a motion in reference to the subject of any petition, or if the consideration of the subject of any petition shall have been made an order of the day, and such petition shall have been presented before such motion or order of the day shall have been called on, such order of the day or the said motion, if otherwise unobjectionable, shall be considered in order.

Correspondence.

23. The Mayor shall have the same duty in reference to letters addressed to the Council before directing the same to be read, as by section of this Part of these By-laws, is imposed upon Aldermen presenting petitions—if not read to be returned to the writer and reported to the Council. The Mayor shall direct as to the order in which all correspondence shall be read, and no letters addressed to the Council, or any of its officers, shall be presented or read by any Alderman. If the Mayor be absent, and shall not have examined any such letters, or have given any such directions as aforesaid, then the duties imposed by this section, shall devolve upon the presiding Alderman.

Section to apply to letters.

24. Section of this part of these By-laws shall be considered as fully applicable to letters addressed to the Council or any of its officers as to petitions.

Reports from Committees.

25. Every report from a Committee shall be in writing, and signed by the Chairman of such Committee, or, in his absence, by some other member of the same.

Mayor's Minutes.

26. The Mayor shall have the right of directing the attention of the Council to any matter or subject within its jurisdiction or official cognizance, by a minute in writing, signed by him.

How reports, &c., are to be dealt with.

27. No motion shall, unless as hereinafter provided, be permissible on the presentation of a report from a Committee or a minute from the Mayor, except that the same be received, or that it be received and its consideration stand an order of the day for some future meeting: Provided that if any Alderman shall have given due notice in reference to any such report or minute, or if the consideration of any such report or minute shall have been entered among the orders of the day, such order of the day or such motion, if otherwise unobjectionable, may be moved and considered in due course. And whenever any such report or minute embodies any recommendation which cannot legally be carried out without due notice, and it is desirable that such report or minute should be entered upon during the meeting of the Council at which such report or minute is presented, it shall be the duty of the Chairman or member of such Committee signing such report, or of the Mayor, as the case may be, to give or transmit to the Council Clerk such a notice of motion requisition as will enable the Council Clerk to make the necessary entry on the business paper, and to give such due notice.

Questions and statements.

28. No question or statement shall be allowed to be put or made which is inconsistent with good order.

Questions to be put without argument.

29. Every question must be put categorically, without any argument or statement of fact.

No discussion on question, &c., right of objection and of subsequent motion reserved.

30. No discussion shall be permitted as to any question, or as to any reply or refusal to reply thereto, or as to any statement at the time when such question is put, or such reply or refusal to reply is given, or such statement is made: Provided, however, that nothing herein contained shall prevent the taking of any objection as to any such question or statement being out of order, or shall prevent the discussion after due notice as hereinafter provided, of any matters properly arising out of or relating to any such question, or reply or refusal to reply, or any such statement as aforesaid.

Mode of addressing the Council.

31. Every Alderman who shall make or second any motion or shall take part in any debate or discussion, or shall put or reply to any question, or shall make any statement, or shall in any other way or for any other purpose address observations to the Council, shall, while doing so stand up in his customary place, unless he shall be prevented from so doing by reason of some bodily infirmity, and shall address himself to the Mayor or other Chairman then presiding: Provided that in the case of a question, such question may by permission of such Mayor or Chairman be put directly to the Alderman or officer to be questioned, and may be replied to in like manner. But in every such case, the question so put and the answer thereto, shall be subject to every legal objection on the ground of disorder or irrelevancy. And all members of the Council shall on all occasions when in such Council, address and speak of each other by their official designations, as Mayor, Chairman, or Alderman, as the case may be.

Speaker not to be interrupted.

32. No Alderman shall be interrupted while thus speaking, unless for the purpose of calling him to order as hereinafter provided.

Limitation as to number of Speakers.

33. Every mover of an original motion shall have a right of general reply to all observations which may have been made in reference to such motion, and to any amendments moved thereon, as well as a right to speak upon every such amendment. Every Alderman, other than the mover of such original motion, shall

have a right to speak once upon such motion and once upon every amendment thereon. No Alderman shall speak oftener than once upon any question other than a question of order, unless when misrepresented or misunderstood, in which case he shall be permitted to explain without adding any further observation than may be necessary for the purpose of such explanation.

Mover and Seconder.

34. An Alderman who has moved any motion or amendment shall be considered to have spoken thereon, but an Alderman who shall have seconded any such motion or amendment without any further observations than that he seconded the same shall be at liberty to speak once again on such motion or amendment.

Speaker not to digress, &c.

35. No Alderman shall digress from the subject under discussion, or shall make personal reflections on, or impute improper motives to, any other Alderman.

Adjournment of debate.

36. A debate may be adjourned to a later hour in the day, or to any other day specified, and the Alderman upon whose motion such debate shall have been so adjourned shall be entitled to pre-audience on the resumption of the same.

Mayor to decide as to pre-audience.

37. If two or more Aldermen shall rise to speak at the same time, the Mayor or Chairman shall decide which of such Aldermen shall be first heard.

Mayor to decide points of order.

38. The Mayor or Chairman shall preserve order, and his decision upon points of order or practice shall be final.

Mayor may address the Council.

39. The Mayor shall have the same right as any other Alderman to speak upon every subject or amendment.

Mayor may call a member to order.

40. The Mayor or Chairman may, without the interposition of any other member of the Council, call any Alderman to order whenever in opinion of such Mayor or Chairman there shall be a necessity for so doing.

Decision of points of order.

41. The Mayor or Chairman when called upon to decide points of order or practice shall state the provision, rule, or practice which he shall deem applicable to the case, without discussing or commenting on the same.

Motions out of order to be rejected.

42. Whenever it shall have been decided as aforesaid that any motion, amendment, or other matter before the Council is out of order the same shall be rejected.

How questions to be put.

43. The Mayor or Chairman shall put to the Council all questions on which it shall be necessary that a vote be taken, and shall declare the sense of the Council thereon.

Divisions—Penalty for refusing to vote.

44. Any Alderman may call for a division and the vote shall be taken by a show of hands, and the names and votes of the Aldermen present shall be recorded. Any Alderman present when a division is called for who shall not vote on such division, not being disabled by law from so voting, shall be liable for every such offence to a penalty of not less than five shillings nor more than two pounds.

Rules applicable to business in Committee.

45. Sections 12, 13, 14, 15, 16, 31, 32, 35, 37, 38, 39, 40, 41, 42, 43, and 44, of this part of these By-laws shall be taken to apply to the business in Committees of the whole Council, except that it shall not be necessary that any motion or amendment in Committee shall be seconded.

How call of Council to be made.

46. A call of the Council may be made by any resolution of which due notice has been given, for the consideration of any motion or matter of business before the Council.

Such call to be compulsory in certain cases.

47. No motion, the effect of which if carried would be to rescind any resolution, order, or decision of the Council, shall be entered on the business paper unless a call of the Council has been duly made and granted for such purpose.

Mode of proceeding.

48. The call shall be made immediately before the motion, or business for which such call has been ordered, shall be moved or considered. The Council Clerk shall call the names of all the members in alphabetical order; and if any members are absent, a record shall be made of such absence; but if leave of absence to any such member shall have been previously granted, or if such an excuse shall have been received in writing by the Mayor or Council Clerk as the majority of the Council then present shall consider satisfactory, such absent member shall stand excused, and a record shall be made of such excuse and of the reason for the same.

Penalty for absence.

49. Any member of the Council who, having had notice of the call, shall be absent without having been legally excused as aforesaid, and shall fail to show that, by reason of illness or other sufficient cause, he was unable to send an excuse in writing as aforesaid, or who, having answered to his name, shall not be present when a vote is taken on the motion or business as to which such call was made, shall for every such offence be liable to a penalty of not less than five shillings nor more than two pounds.

Standing and Special Committees.

Standing Committee.

50. Besides such special Committees as may from time to time be found necessary there shall be three standing Committees of the Council, each consisting of not less than three members, namely:—A Finance Committee, an Improvement (or Works) Committee, and a General Committee.

Finance Committee.

51. The Finance Committee shall examine and check all accounts, and shall watch generally over the collection and expenditure of the municipal revenues. They shall inquire and report from time to time as to all matters which they may consider to affect the finances of the said Municipality, and as to such matters or subjects of the like nature as they may be directed by resolution of the Council to inquire and report upon.

Improvement Committee.

52. The Improvement Committee shall have the general direction of all works ordered or sanctioned by the Council, and the general inspection of all streets, roads, ways, and other public places under the care and management of the Council. They shall also inquire and report from time to time as to such improvements or repairs as they may think necessary or as they may be directed by resolution of the Council to inquire and report upon.

Chairman of Committees.

53. Every Committee of which the Mayor shall not be a member shall elect a permanent Chairman of such Committee, who may direct the Council Clerk to call meetings whenever he shall think it desirable.

Cost of works to be estimated before undertaken.

54. No works affecting the funds of the Municipality, except as hereinafter is mentioned, shall be undertaken until the probable expense thereof shall have been first ascertained by the Council.

Cases of emergency and current expenses.

55. For emergent matters, and for necessary current expenses during the intervals which may elapse between the meetings of the Council, outlays to the following extent may be incurred:—

1. By order of the Improvement Committee, or of Mayor and one member of such Committee, for repairs or emergent works, to the extent of three pounds.
2. By order of the Mayor for necessary current expenses, to the extent of two pounds,

Completion of works to be reported by Improvement Committee.

56. No works undertaken by the Council shall be deemed to have been completed, and no order shall be made for the payment in full of the same, except upon a report or certificate to that effect from the Improvement Committee, except for emergent works as provided for in section 58 of this "Part" of these By-laws.

Common seal—how secured.

57. The seal shall be secured by a cover or box, which shall be kept at the Council Chambers in the custody of the Council Clerk. There shall be two locks to this cover, the key of one shall be kept by the Mayor, and the key of the other by the Council Clerk.

When and how Common Seal to be used.

58. The seal of the Council shall not be affixed to any document without the express authority of the Council, and every impression thereof so authorized shall be verified by the signature of the Mayor, or in case of illness or absence of the Mayor, by two Aldermen, and countersigned by the Council Clerk.

How books of account, &c., are to be kept.

59. All books, deeds, memorials, letters, documents, and other records of the Council, except as hereinafter mentioned, shall be kept at the Council Chambers in the custody and care of the Council Clerk, who shall be responsible for the safe custody of the same; but the Mayor may for any special purpose, authorize their removal.

Books &c., not to be shown or exposed without leave.

60. No member or officer of the Council shall be at liberty to show, lay open, or expose any of the books, papers, or records of the Council to any person not a member of the Council, without the written permission of the Mayor, unless as otherwise provided by law. Any member or officer who shall commit a breach of this section shall be liable on conviction to a penalty of not less than five shillings nor more than two pounds.

Records not to be removed.

61. Any person removing any such book, paper, or record from the Council Chambers without leave of the Mayor in writing first obtained, shall be subject to a penalty of not less than ten shillings or more than ten pounds. And nothing herein contained shall be held to affect the further liability of any person who shall have removed such book, paper, or record, and shall not have returned the same, to any action at law for the detention of such book, paper, or record, or to prosecution for stealing the same, as the case may warrant.

Penalty for defacing or destroying records.

62. Any person destroying, defacing, or wilfully or improperly altering any book, paper, or record, shall for every such offence be liable to a penalty of not less than five pounds nor more than twenty pounds.

Bonds for good conduct.

63. All bonds given by officers or servants of the Council for the faithful performance of their duties, shall be deposited in such custody as the Council may order; and no member, officer, or servant of the Council shall be received as a surety for any officer or servant.

Duties of Council Clerk.

64. The Council Clerk shall perform all duties which, by the Municipalities Act of 1867, or by the present or any other By-laws hereunder, he may be required to perform. He shall be Clerk of all Revision Courts held in the Municipal Borough under the provisions of the Municipalities Act. He shall also under the direction of the Mayor conduct all correspondence which may be necessary on part of the Council, and shall generally assist the Mayor in carrying out the orders of the Council and the duties of such Mayor.

Special powers of Mayor.

65. The Mayor may from time to time define the duties of all officers and servants of the Council, and shall exercise a general supervision over all such officers and servants; and may order the preparation of any such return or statement, or the giving of any such explanation or information, by any such officer or servant as he may think necessary; unless the Council shall have expressly forbidden or dispensed with the preparation of such return or statement or the giving of such explanation or information.

Drafts of intended By-laws.

66. A draft of any intended By-law shall lie on the table in the office of the Council at least seven days before such draft shall be taken into consideration by the Council, and shall be open to the inspection of any ratepayer who may desire to inspect the same.

Motions for rescission of previous orders.

67. Whenever a motion, the effect of which, if carried, would be to rescind any order, resolution, or vote of the Council, shall have been negatived, no other motion to the same effect shall be permissible until a period of three months shall have elapsed from the time of negativing such first mentioned motion.

Suits and prosecutions for penalties.

68. Suits or informations for the enforcement of penalties for or in respect of breaches of the Municipalities Act of 1867, or of any By-law made thereunder, or of any Statute, the operation of which may have been extended to the Municipality, shall be commenced or laid, as follows, viz.:—When against a member of the Council or any Auditor or any officer of the Corporation, by such officer as shall be named for that purpose by the Council; when against any other person, by the officer to whom the carrying out of the statutory provision or By-law imposing the penalty sought to be enforced has been entrusted; and if there shall be no such officer, then by such officer or person as shall be appointed for that purpose by the Council or the Mayor as the case may be, on directing such suit or information as aforesaid. And no such suit shall be brought or information laid as aforesaid against any member of the Council or Auditor, except by order of such Council; nor shall any similar proceeding be taken against any officer of the Council, except on the order of the Council or of the Mayor. And the conduct or prosecution of any suit or information may, on the order of the Council, or of the Mayor, be entrusted to an attorney.

Power to suspend, temporarily, any portion of these By-laws.

69. Any of the foregoing By-laws which relate to or affect the proceedings at Meetings of the Council may be suspended *pro tempore* without notice in cases of emergency, if all the members of the Council then present shall deem such suspension necessary.

PART II.

Collection and enforcement of Rates.

Rate when due and payable.

1. All rates levied and imposed by the Council shall be held to be due and payable on and after such day or days as the Council shall by resolution from time to time appoint.

Time and place of payment.

2. All such rates shall be paid at the Council Chambers during the hours appointed by the Council for that purpose.

Defaulters.

3. Every person not paying his or her rates as aforesaid within thirty days after the day so appointed for payment thereof, shall be deemed a defaulter, and it shall be the duty of the Council Clerk to furnish the Mayor from time to time with a list of the names of all persons so in default.

Mayor to enforce payment.

4. It shall be the duty of the Mayor to take proceedings to enforce the payment of all rates in default either by action at law or by issuing warrants of distress upon the goods and chattels of the defaulter.

Bailiff how appointed.

5. The Bailiff of the Municipal Borough shall be appointed by the Council, and may from time to time be removed by them.

Bailiff to find sureties.

6. The Bailiff shall find two sureties to the satisfaction of the Mayor, to the extent of (£50) fifty pounds each for the faithful performance of his duty.

Duties of Bailiff.

7. It shall be the duty of the Bailiff to make levies by distraint for the recovery of rates in the manner hereinafter provided.

Warrant of Distress.

8. All levies and distresses shall be made under warrant under the hand of the Mayor or any Alderman who may for the time being be authorized to perform the duties of that office, such warrant to be in the form or to the effect of the schedule hereunto annexed and marked A.

Inventory.

9. At the time of making a distress warrant the Bailiff shall make a written inventory in the form or to the effect of the schedule marked B, which inventory shall be delivered to the occupant of the land or premises or the owner of the goods so distressed, or to some person resident in the place where the distress shall be made; and in case there shall be no person at such place with whom such inventory can be left as aforesaid, then such inventory shall be posted in some conspicuous part of the land or premises on which the distress is made; and the Bailiff shall deliver a copy of such inventory to the Council Clerk.

Distress and sale, &c.

10. It shall be lawful for the Bailiff or his deputy and such assistants as he may take with him to enter into any part of the land, building, tenement, or other property in respect of which such rate or rates shall have been made as aforesaid, and to distrain the goods therein or thereon, and to remain in such building, tenement, or other property in charge thereof. And if the sum for which any such distress shall have been made or taken, together with the costs of such distraint, shall not have been paid on or before the expiration of two clear days, the Bailiff or his deputy may, between the hours of eleven in the morning and two in the afternoon, on the next day thereafter, cause the goods so distrained, or a sufficient portion thereof, to be sold by public auction, either on the premises or at such other place within the Municipal Borough as the Bailiff may think proper to remove them for such purpose, and shall pay over the surplus (if any) that may remain, after deducting the amount of the sum distrained for and the costs of such distraint, to the owner of the goods so sold on demand by such owner.

Goods may be impounded.

11. The Bailiff on making a distress as aforesaid may impound or otherwise secure the goods and chattels so distrained of what nature and kind soever, in such part of the land or premises chargeable with rate, or in such other place as shall be most fit and convenient for that purpose; and it shall be lawful for any person whosoever, after the expiration of two clear days as hereinbefore mentioned, to come and go to and from such part of the said land and premises where such goods or chattels shall be impounded and secured as aforesaid in order to view and buy, and in order to carry off and remove the same on account of the purchaser thereof.

Owner to direct order of sale.

12. The owner of any goods or chattels so distrained upon may, at his or her option, direct and specify the order in which they shall be successively sold, and the said goods or chattels shall in such cases be put up for sale according to such directions.

Proceeds of distress.

13. The Bailiff shall hand over to the Council Clerk, all proceeds of every such distress within twenty-four hours after having received the same.

Deputy.

14. The Bailiff may, with the sanction in writing of the Mayor, or in his absence with the sanction of any two Aldermen of the Municipal Borough, authorize by writing under his hand any person to act temporarily as his deputy; and the person so authorized shall have and exercise all the powers of the Bailiff himself, but the Bailiff and his sureties shall in every such case be responsible for the acts of such deputy.

Costs.

15. There shall be payable to the Bailiff for every such levy and distress made under these By-laws, the costs and charges in the Schedule hereunto annexed, marked C.

SCHEDULE A.

Warrant of distress.

I, _____, Mayor of the Municipality of the Borough of Tamworth, do hereby authorize you, _____, the Bailiff of the said Municipality, or your deputy, to distrain the goods and chattels in the dwelling-house or in or upon the land or premises of _____, situate at _____, for _____, being the amount of rates due to the said Municipality to the day of _____, for the said dwelling-house, land, or premises (as the case may be), together with the costs of this distraint, and to proceed thereon for the recovery of the said rates and costs according to law.—Dated this day of _____, 187 _____.

Mayor.

SCHEDULE B.

Inventory.

I have this day, by virtue of the warrant under the hand of the Mayor of the Municipality of the Borough of Tamworth, date _____, 187 _____, of which a copy is attached hereto, distrained the following goods and chattels, in the dwelling-house, or in or upon the land or premises of _____, situate at _____, within the said Municipality for _____, being the amount of rates due to the said Municipality to the day of _____, and also the costs of this levy.—Dated this day of _____, 187 _____.

Bailiff.

(List to be appended.)

SCHEDULE C.

Costs.

	s.	d.
For making an entry and inventory.....	2	6
For man in possession for period of not longer than two hours	5	0
For man in possession for every other day or part of day	5	0
For sale and delivery of goods one shilling in the pound on the gross proceeds of the sale, in addition to cost of advertisements (if any).		

PART III.

Preventing and extinguishing fires.

Fire or combustible material.

1. Every person who shall place, or knowingly permit to be placed, in any house, yard, workshop, out-office, or other premises within the said Municipality, fire, gunpowder, or combustible or inflammable materials of any kind, in such a manner as to endanger any buildings, shall, on conviction thereof, for every such offence forfeit and pay a penalty of not more than five pounds, and shall forthwith remove such fire, gunpowder, or combustible or inflammable materials; and for each and every period of twenty-four hours after such conviction, that such person shall suffer fire, gunpowder, or combustible, or inflammable materials to remain as aforesaid, such person shall be deemed guilty of a further offence against this By-Law.

Setting fire to matter without notice.

2. Any person who shall wilfully set fire to any inflammable matter whatever in the open air, within five yards of any dwelling-house or other building or boundary or dividing-fence within the said Municipality, without having given notice in writing to the occupiers of the land adjoining the land upon which such matter shall be of his intention so to do, or between the hours of six in the afternoon of any day and six in the morning of the following day, shall, for every such offence, forfeit a sum not exceeding five pounds.

Erecting brushwood fences, &c.

3. Every person who shall erect any fence of brushwood, bushes, or other inflammable material, or shall make or place any stack of hay, corn, straw, or other produce, or place as or for the covering any such stack any inflammable materials, so as to endanger any contiguous buildings or properties, or any trees, shrubs, or other produce thereof, or any chattels therein, shall forfeit, on conviction for every such offence, a penalty of not more than five pounds, and shall remove such fence, stack, or covering within a reasonable time after such conviction, and any person failing to remove such fence, stack, or covering within a reasonable time after any such conviction as aforesaid, shall be deemed guilty of a further offence against this By-law.

Fireworks.

4. Every person who shall discharge any firearms without lawful cause, or who shall light any bon-fire, tar-barrel, or fireworks upon or within ten yards of any public or private street or any public place, or shall sell gunpowder, squibs, rockets, or any other combustible matter by gas, candle, or other artificial light within the said Municipality, shall forfeit a sum not exceeding five pounds.

Wilfully setting fire to chimneys.

5. Any person who shall wilfully set or cause to be set on fire any chimney, flue, smoke-vent, or stove-pipe, herein called in common "chimney" within the said Municipality, shall forfeit a sum not exceeding five pounds: Provided always, that nothing herein contained shall exempt the person so setting or causing to be set on fire any chimney from liability to be proceeded against or prosecuted before any Criminal Court for such act as for an indictable offence.

Negligently suffering chimneys to be set on fire.

6. If any chimney accidentally catch or be on fire, the person occupying or using the premises in which such chimneys are situated, shall forfeit a sum of not exceeding forty shillings: Provided always, that such forfeiture shall not be incurred if such person prove to the satisfaction of the Justices before whom the case be heard that such fire was in nowise owing to the omission, neglect, or carelessness, whether with respect to cleansing such chimneys or otherwise, of himself or his servants.

Water-carts attending fires.

7. There shall be paid out of the funds of the said Municipality to the owner of every licensed water-cart, who shall have attended with any water at the place of any fire as herein provided, and deliver the same as required for the extinguishing such fire, such reasonable compensation as the Council shall by resolution have appointed in that behalf; and also to such owners of such carts as shall have first and second in order, attended with loads of water, such further sums by way of reward as the Council may by similar resolution have fixed.

PART IV.

Licensing Public vehicles.

1. From and after the 1st day of July, one thousand eight hundred and seventy-nine, no vehicle shall ply for hire, nor shall any person act as driver or conductor of any such vehicle within the Borough of Tamworth until and unless licensed for such purpose in the manner hereinafter mentioned, nor during the suspension or after the cancellation of such license as hereinafter provided.

2. Before any license for plying any vehicle, or for driving or conducting the same shall be granted, the party requiring such license shall obtain from the Council Clerk, free of charge, a requisition in the form of Schedule A hereto, or to the like effect and shall duly fill up and sign the same and deliver it to the Council Clerk, and shall also insert in such requisition in addition to the particulars set forth in Schedule A hereto, tables of rates and fares proposed to be charged by such party for any such vehicle.

3. The Mayor for the said Borough for the time being shall be and is hereby authorized to issue all such licenses in the name and on behalf of the said Borough Council, and the Mayor shall by indorsement on such license signify his approval of the scale of rates proposed to be charged for the hire of any such vehicle so licensed.

4. Licenses for proprietors, drivers, or conductors of vehicles shall be in the form of Schedule B hereto or to the like effect, and shall be made out, numbered, and registered by the Council Clerk.

5. Every license granted by the Mayor shall be signed by the Mayor and countersigned by the Council Clerk, and shall be in force until the thirty-first day of December next ensuing the date thereof, and no such license shall include more than one vehicle, and shall state the number of passengers such vehicle shall be permitted to carry.

6. For every vehicle license, and for every renewal thereof, there shall be paid to the said Borough Council the sum of two pounds annually, if the license be granted on or after the first day of January and on or before the thirty-first day of March in

every year, and if after that date, then in in the following proportions:—If on or before the thirtieth day of June the sum of thirty (30) shillings, if on or before the thirtieth day of September the sum of twenty (20) shillings, and if after that date the sum of ten (10) shillings.

7. For every conductor's or driver's license, and for every renewal thereof, there shall be paid to the said Borough Council the sum of five shillings.

8. The person or persons in whose name or names a license shall have been obtained shall be deemed the proprietor of the vehicle in respect of which such license shall have been taken out.

9. No license shall be granted to any person to drive any vehicle unless he be above seventeen years of age, nor to act as conductor unless he be fourteen years of age.

10. Any proprietor transferring or selling his licensed vehicle shall immediately give notice thereof to the Council Clerk, and the transferee or purchaser shall thereupon apply to have the license transferred to him, and shall sign his name in the books of the said Borough Council and on the license, and until this By-law shall have been complied with the transferor or seller shall remain liable as owner for breach of any of these By-laws, and no transferee or purchaser shall use such vehicle or allow it to ply for hire until the By-law shall have been so complied with.

11. No driver or conductor of any licensed vehicle shall lend or part with his license, nor shall the proprietor of any such vehicle employ an unlicensed person as the driver or conductor thereof.

12. Every proprietor, driver, or conductor of any vehicle, and every vehicle shall be deemed to be licensed under these By-laws on the production by the Inspector of the License Register Book containing a copy of any such license; and it shall not be necessary to call upon the person prosecuted to produce the original license to enable the prosecutor to give secondary evidence of its contents.

13. The license of the proprietor, driver, or conductor of any vehicle may be cancelled or suspended by the Mayor for the time being of the said Borough Council as he shall deem right (after three days notice in writing signed by the Council Clerk and served upon such proprietor, driver, or conductor, or left at his usual place of abode, calling upon him to show cause why such license should not be cancelled or suspended, and opportunity given such proprietor, driver, or conductor to show such cause), in case either the proprietor, driver, or conductor shall have been convicted of two offences against these By-laws committed within a period of six months next preceding.

14. Such person or persons as may from time to time be appointed by the said Borough Council shall be the Inspector or Sub-Inspector of all licensed vehicles plying for hire within the said Borough, and such Inspector or Sub-Inspector shall as often as he or they may deem necessary inspect all licensed vehicles, and also the harness and horse or horses or other animal or animals used in drawing the same; and if such vehicles, horse or horses, animal or animals shall in his or their opinion be unfit for public use he shall report the same in writing to the Mayor, who shall have power to suspend the license of such vehicle until such vehicle, harness, horse or horses or other animal or animals used in or drawing the same shall be in a fit state for public use, and it shall be the special duty of such Inspector at all times to see that as far as possible these By-laws are duly observed and enforced.

15. No proprietor, driver, or conductor of any vehicle, nor any other person, shall hinder or obstruct such Inspector or Sub-Inspectors in the execution of any of his or their duties.

16. The number of the license granted for every omnibus or car, in figures not less than four inches in height, and for every hackney carriage, cab, or buggy, in figures not less than two inches in height and of proportionate breadth, white upon a ground of black, shall be printed or painted outside on the panel of the door or doors of such vehicles, or on a plate or plates fixed thereon, and also upon each lamp used upon such vehicle as the Inspector may direct, and the proprietor of such omnibus or car, hackney carriage, cab, or buggy, shall keep such number on such panel of the door or doors, or on such plate or plates as aforesaid, legible and undefaced during the time such vehicle shall ply or be used for hire.

17. The number of the license of every omnibus or car, or hackney carriage, or cab, or buggy, on a card or plate six inches by three inches, printed or painted in clear legible figures, and the table of fares so indorsed by the Mayor upon such license as aforesaid, shall be affixed at the upper part of the front panel, or in such other place inside of such omnibus or car, or hackney carriage, or cab, or buggy, as the Inspector may direct, and the proprietor of such omnibus or car, hackney carriage, cab, or buggy, shall keep such card or plate so affixed and legible and undefaced during all the time the omnibus or car, hackney carriage, cab, or buggy shall ply or be used for hire.

18. No proprietor or driver of any licensed vehicle shall demand more than the several fares indorsed on the license of such vehicle.

19. No driver or conductor of any vehicle shall, whilst driving, loading, or unloading, or attending any vehicle, or whilst on any public stand wilfully or negligently do, or cause or suffer to be done, any damage to the person or property of any one, or be guilty of any breach of the peace, misconduct, or ill-behaviour, or be intoxicated, or make use of any threatening, obscene, indecent, profane, abusive, or insulting language, sign, or gesticulation, but shall at all times be sober and careful in the discharge of his duties.

20. Every driver whilst engaged in taking up or setting down any passenger, shall during such taking up or setting down place his vehicle as near as conveniently may be to that side of the street (and at a line with the kerbstone or edge of the foot-path) at which such taking up or setting down is required.

21. Every driver of any vehicle shall keep the same on the left or near side of the road, and shall permit any other vehicle to pass, having the right so to do, and when about to stop such driver shall raise his whip straight up so as to warn the driver of any vehicle that may be behind.

22. No omnibus shall pass another omnibus proceeding in the same direction if the latter be proceeding on its journey at a pace faster than a walk.

23. No licensed vehicle shall be drawn at a pace faster than that commonly known as trotting. And in the event of the conviction of any driver for a breach of this By-law his license shall be cancelled by the Mayor.

24. The proprietor of every vehicle shall, at all times when the same is plying or employed for hire, make and keep it clean, strong, and in good order in all respects, and if with windows they shall be sound and unbroken, with the leathers or lifts suitably attached to the frames. The horse or horses shall be able and sufficient for their work, free from disease, and properly broken in to harness; the harness for each horse shall be perfect, good, and sufficient for the purpose; and every driver or conductor shall be clean in his person, and wear a good hat and other clean and respectable clothes, and conduct himself in a proper and decorous manner.

25. No person suffering from an infectious or contagious disease shall ride in or upon any licensed vehicle, and no driver or conductor shall knowingly carry, or permit to be carried, any such person, or (except to some police office or watch-house) any corpse or any person in a state of intoxication, or who is so noisily or violently conducting himself, or otherwise so misbehaving as to occasion any annoyance or to disturb the public peace. And no passenger shall carry inside any vehicle any animal or any substance of an offensive character, or that might soil or damage the vehicle, or the apparel of other passengers; and no driver or conductor shall sleep in or upon any licensed vehicle, or use the same for eating his meals therein.

26. No driver of any vehicle shall carry more passengers than his vehicle is licensed to carry, nor shall the driver of any cab carry any passenger or other person on the driver's box or step behind the same, nor shall the driver or conductor of any omnibus or omnibus car permit or suffer any person, except the conductor, to be on the footsteps at the back of any such omnibus or omnibus car.

27. No driver or conductor shall smoke tobacco, cigars, or other thing, whilst driving or conducting any licensed vehicle engaged on any fare, nor shall any passenger smoke inside or on any vehicle without the permission of the driver, or against the wish of any passenger.

28. The driver and conductor of every licensed vehicle (if such vehicle has a conductor) shall be constantly attendant upon the same whenever standing, or whilst plying or engaged for hire.

29. Every licensed vehicle shall be provided with a lamp on each side of the same outside, and the driver of such vehicle, when plying for hire, between sunset and sunrise, shall light and keep such lamps lighted.

30. The driver of every omnibus and omnibus car, shall provide and keep a lamp properly lighted in such a position inside of every such licensed vehicle as the Inspector may direct, whenever such vehicle be plying for hire or engaged at any time between sunset and sunrise.

31. Every lamp used on the outside of any vehicle shall be such and so placed as to appear white on the front and outside and red behind.

32. When an application is made for a license for any other omnibus than those in use at the time of the passing of these By-laws, it shall be the duty of the Inspector to see that the fittings and furniture are complete, as detailed and provided for in the last preceding By-law, are properly affixed to such omnibus, and the Inspector shall not grant a certificate to any such omnibus unless it shall be of the dimensions set out in such By-law.

33. Any person having engaged any licensed vehicle and not paying the charge so endorsed as aforesaid upon the license of such vehicle when demanded, shall on conviction forfeit and pay the proprietor or driver of such vehicle such charge, together with such further sum for damages, costs, and expenses for loss of time or otherwise as the convicting Justices shall in their discretion think proper.

34. No vehicle which shall be let to hire by special agreement only, or only when bespoken at the stables or residence of its owner, and which shall never publicly ply for hire off the premises of its owner, shall be deemed a licensed vehicle within the meaning of these By-laws; nor shall the proprietor, driver, or conductor of such vehicle be subject to the provisions thereof in any respect whatever.

35. The word "vehicle" in the forgoing By-laws shall include and apply to every omnibus, car, hackney carriage, cab, or buggy. An omnibus shall mean a vehicle upon four wheels drawn by one or more horses, and a car shall mean a vehicle upon two wheels, for which omnibus licenses have been taken out, and a hackney carriage shall mean a vehicle upon four wheels drawn by two or more horses, and a cab shall mean a vehicle upon two wheels drawn by one horse, and a buggy shall mean a vehicle upon four wheels, drawn by one or more horses, plying for hire within the Borough of Tamworth; and in the construction of these By-laws any word importing the singular number shall be understood to include several persons or things as well as one person or thing, and any word importing the plural number, shall be applied to one person or thing, and every word importing the masculine gender shall extend and be applied to a female as well as a male.

36. For every offence against the provisions of these By-laws the offender shall be liable to and shall pay a penalty not exceeding ten pounds nor less than five shillings; and such penalty shall be recoverable before any two Justices in Petty Sessions according to the provisions of the Act fourteen Victoria number forty-three and the Acts therein adopted.

SCHEDULE A.

A Requisition for License.

To the Borough Council of Tamworth.

I, _____ residing in _____ Street do hereby request that a license may be granted _____ within the said Borough.

Dated the _____ day of _____, 187 .

SCHEDULE B.

License.

This is to certify that _____ is hereby licensed to _____ within the Borough of Tamworth, from the day of the date hereof to the thirty-first day of December next, subject nevertheless to all and every the By-laws, Rules, and Regulations in force relating thereto.

Given under the Common Seal of the Borough Council of Tamworth, this _____ day of _____ 187 .
Mayor.

PART V.

Public Exhibitors.

Exhibitions &c. to be licensed.

1. No exhibitions other than such as may be licensed under the provisions of the Act 14 Vic. number 23, or exhibitions of a temporary character, hereinafter especially provided for, shall be held or kept for hire or profit within the said Municipality, nor shall any bowling-alley or other place of public amusement, other than a place licensed as aforesaid, or a place for temporary amusement hereinafter specially provided for, be used as such for hire or profit within the said Municipality unless and until the same shall be duly registered as hereinafter prescribed.

Temporary license by Mayor - Penalty for exhibiting, &c., without license.

2. The Mayor may, by writing under his hand, permit any such exhibition as aforesaid, other than any exhibition requiring to be licensed under the said Act, for not more than one week, and in like manner and for a like time may allow any place to be used for purposes of public amusement other than for entertainments requiring to be licensed as aforesaid; and any person holding or keeping any such exhibition or using any place within the said Municipality for public amusement as aforesaid without such permission of the Mayor, shall forfeit and pay a sum of not less than one pound nor more than five pounds for every day that such exhibition shall be so held or kept at such place, shall be so used for public amusement as aforesaid.

Buildings, &c., to be registered.

3. Every occupier of any building or ground in which any exhibition is held or kept, or any public amusement conducted as aforesaid, shall in each year register at the office of the Council such building or ground, and a description of the exhibition or public amusement proposed to be kept, held, or conducted as aforesaid; and the name of such occupier, and every person who causes, and every occupier of any building or land who permits, any such exhibition or public amusement to be held, kept, or conducted for more than one week in or upon such building or land not registered for the purpose, or without having obtained a certificate of registration as hereinafter mentioned, shall forfeit and pay for every offence a sum not less than one pound nor more than ten pounds.

Certificate of registration, &c.

4. The Council, upon the written application of any such occupier as aforesaid stating the particulars aforesaid, may cause the aforesaid premises to be registered, and grant to the applicant a certificate of such registration, unless upon inspection the building or land shall be found to be unsuitable for the purpose of exhibition or amusement, or unless it shall appear to the Council that such exhibition is likely to entail any violation of public decency or endanger the public peace, or be a nuisance to any inhabitant of the Municipality.

Inspection.

5. Any officer or person appointed for that purpose by the Council may at all reasonable times enter into or upon and inspect any such building or land.

No exhibitions, &c., on Sunday, &c.

6. No such exhibition or place of public amusement as aforesaid shall be held or kept open or used for such public amusements on Sunday, Christmas Day, or Good Friday; and every person offending against this By-law shall on conviction forfeit and pay a sum not exceeding five pounds nor less than one pound for every such offence.

Registration fee, &c.

7. For every registration as aforesaid the occupier of the building or land so registered shall pay to the Council Clerk, for the benefit of the Municipality, a fee of one pound; and every such registration, whenever the same may be made, shall (subject to the power of suspension or cancellation herein contained) be in force until the 31st day of December thence next ensuing and no longer.

Suspension or revocation of license.

8. The effect of any such registration as aforesaid may be suspended, or such registration may be cancelled, as the Council shall think fit, for any of the following causes, namely:—

Whenever the occupier of any registered building or land, or the manager of any such exhibition or amusement as aforesaid held, kept, conducted, or carried on, in, or upon such building or ground, shall have been twice convicted of offences against these By-laws within a period of twelve months; or whenever it shall be shown to the satisfaction of the Council that the superintendent, director, manager, or other person in charge of any such exhibition or amusement is a confirmed drunkard; or that any such exhibition or amusement is being conducted in such a manner as to violate public decency, to endanger the public peace, or become a nuisance to any inhabitant of the said Municipality: Provided that before any such suspension or cancellation as aforesaid such occupier shall have notice that the Council is about to consider whether there shall be any such suspension or cancellation and of the causes for this proceeding, and shall be allowed to show cause against the same.

Gaming, cruelty to animals, &c., prohibited.

9. No license shall be granted as aforesaid to or for any building or land wherein or whereon any games with dice or other games of chance for money, or any bull-baiting, dog-fighting, cock-fighting, or other exhibitions or amusements opposed to public morality, or involving cruelty to animals, or likely to cause a breach of the peace, are proposed to be had, held, or carried on; and the occupier of any building or land so registered as aforesaid who shall permit any such game of chance, or exhibition, or amusement as are in the section beforementioned to be had, held, or carried on, in, or upon such building or land, shall for every such offence forfeit and pay a sum of not less than ten shillings or more than ten pounds.

Construction of term "Occupier." Change of occupancy.

10. Any person who shall superintend, direct, or manage, or shall be otherwise in charge of any such exhibition or public amusement as aforesaid in or upon any such building or land as aforesaid, or who shall reside in or upon any such building or land wherein or whereon any such exhibition or public amusement shall be held, kept, or carried on, or who, whether resident or not, shall use any such building or land for the purposes of any such exhibition or public amusement, shall be deemed the occupier of such building or land for all the purposes of these By-laws, shall be held to be as applicable in every case to any number of such occupiers as to any single occupier; and every such occupier whose name shall have been so registered as aforesaid shall be deemed and be taken to be and continue such occupier for all purposes of these By-laws: Provided that in event of any change in the occupancy of any such building or land as aforesaid the parties concerned shall notify the same in writing to the Council Clerk; and if after such inquiry as the Council may deem necessary an entry thereof shall be made in the Registry and a new certificate shall be issued, which (subject as aforesaid) shall be in force until the then next thirty-first day of December, and no longer; and for every such certificate a fee of five shillings

shall be paid to the Council Clerk for the benefit of the Municipality; and any person who shall make any false statement in any such notice or application as aforesaid as to any of the facts or particulars required by these By-laws to be stated in such application or notice shall for every such offence forfeit and pay a sum not less than one pound nor more than ten pounds.

PART VI.

Streets and Public Places, Public Health, Decency, &c.

New roads to be reported upon.

1. No new public road, street, way, or other place proposed to be dedicated to the public shall be taken under the charge or management of the Council until after such road, street, way, or place shall have been examined by the Improvement Committee or other Committee appointed for this purpose, and reported upon to the Council by such Committee.

Plan of proposed new road, &c., to be deposited.

2. Whenever any proprietor or proprietors of land within the Municipality shall open any road, street, or way, or lay out any place for public use or recreation through or upon such land, and shall be desirous that the Council shall undertake the care and management thereof, he or they shall furnish the Council with a plan or plans, signed by himself or themselves, showing clearly the position and extent of such road, street, way, or other place as aforesaid.

Dedication of new roads.

3. If the Council shall determine to take charge of any such road, way, or place as aforesaid, the plan or plans signed as aforesaid shall be preserved as a record of the Council, and the proprietor or proprietors shall execute such further instrument, dedicating such road, way, or place to public use or recreation as aforesaid as may be considered necessary by the Council, which said instrument shall be preserved as a record of the Council.

Who to mark out roads, &c.

4. The Surveyor of the Municipal Borough or other officer or person duly authorized by the Council in that behalf, shall be the proper officer for marking out when and where necessary the roads, streets, lanes, and thoroughfares, which now are, or shall hereafter be under or subject to the care, construction, or management of the Council, and the carriage or foot ways in each of such roads, streets, lanes, or thoroughfares.

No encroachment, &c.

5. No person shall be at liberty to encroach beyond the building-line in any street or lane by the erection of houses, verandahs, doorsteps, fences, or any other obstruction whatever, and all proprietors or lessors of houses within the Borough having a frontage to any main thoroughfare shall be bound to have the same sufficiently spouted with down-pipe to carry under the surface of the footway in the street gutter.

No balcony, &c.

6. No balcony shall be erected, unless the construction of the same shall have been approved by the Council.

Footways may be levelled.

7. When any footway shall have been marked out in manner herein directed, the surveyor or other person as aforesaid may cause the same to be levelled and made as nearly as practicable of equal height and breadth, and with an equal slope and inclination, and may remove any flagging steps or other matter, thing, or obstruction that may injure or obstruct the said footway or render it unequal or inconvenient, and which now is or may hereafter be erected or placed on the space marked out for the said footway.

The Improvement Committee to fix street level.

8. The Improvement Committee or any officer of the Council acting under the supervision of such Committee shall, subject to such orders as may from time to time be made by the Council in that behalf, fix and lay out the level of all public roads, streets, and ways, within the Municipality, and the carriage-ways and footways thereof: Provided that there shall be no change of levels in any such public road, street, or way, until the same shall have been submitted to and certified by the Council as hereinafter directed.

Change of street levels.

9. Whenever it may be deemed necessary to alter the level more than one foot of any such public road, street, or way as aforesaid, the Improvement Committee shall cause a plan and section showing the proposed cuttings and fillings, to be exhibited at the Council Chambers fourteen days for the information and inspection of the ratepayers, and shall notify by advertisement in some newspaper circulating within the Borough that such plan is open for inspection. At a subsequent meeting of the Council the said plan and section shall, if adopted, be signed by the Mayor or Chairman of such meeting and countersigned by the Council Clerk; and such plan and section so signed and countersigned shall be a record of the Council.

No turf, gravel, &c., to be removed from streets without permission.

10. Any person who shall form, dig, or open any drain or sewer, or remove, or cause to be removed, any turf, gravel, sand, loam, or other material in or from any part of the carriage or footway of any street or road, or any reserve or other public place within the Municipality, without leave first had and obtained from the Council or from the Mayor, or who shall wantonly break up or damage any such carriage or footway, shall on conviction forfeit and pay for every such offence a sum not exceeding five pounds nor less than one pound.

Temporary stopping of traffic for repairs, &c.

11. The Mayor or any officer or person acting under the authority of the Council may at any time cause the traffic of any street, lane, or thoroughfare, or any portion thereof, to be stopped for the purpose of repairing the same, or for any necessary purpose; and any person or persons offending against this By-law—either by travelling on such street, lane, or thoroughfare, or by destroying or removing any obstruction that may be placed thereon for the purpose of suspending the traffic—shall forfeit and pay a penalty and sum not exceeding five pounds.

Cellars or openings beneath the footways prohibited.

12. Any person who shall make any cellar or opening, door or window in or beneath the surface of the footway of any street or public place, unless the plans thereof have been previously submitted to and approved by the Council, and the erections and openings made to the satisfaction of the Council, shall on conviction forfeit and pay the sum of five pounds over and above the expense of filling up, remedying, or removing such cellar, opening, door, or window, so as the same shall not exceed fifty pounds.

Holes to be enclosed.

13. Any person who shall dig or make, or cause to be dug or made, any hole, or leave or cause to be left any hole adjoining or near to any street or public place within the said Municipality, for the purpose of making any vault or vaults, or the foundation or foundations of any other building or house, or for any other purpose whatsoever, or shall erect or pull down any building, and shall not forthwith enclose the same, and keep the same enclosed in a good and sufficient manner, to the satisfaction of the surveyor or other officer or person as aforesaid, or shall keep up, or cause to be kept up and continued, any such enclosure for any time longer than shall be necessary in the opinion of the surveyor or other officer or person aforesaid, and shall not place lights upon each side of the said enclosure, and keep the same constantly burning between sunset and sunrise during the continuance of such enclosure,—shall forfeit and pay for every such refusal or neglect any sum not less than forty shillings nor exceeding five pounds.

Open spaces and steps adjoining the footways to be enclosed under penalty.

14. Every owner or occupier of any house, building, premises, or land within the said Municipality having any entrance area, garden, or other open space adjoining the footway or public place in such Municipality, or any quarry, excavation, or opening in the ground, or any premises within six feet of any such footway or public place, shall protect and guard the same by good and sufficient fences, rails, or other enclosures, so as to prevent danger to persons passing and repassing; and any such owner or occupier of any house, building, premises, or land having any steps adjoining the footway of any such street or public place shall in like manner protect and guard the same by fences, rails, or other enclosures, so as to prevent danger to persons passing and repassing; and on failure thereof of any such owner or occupier, as often as he shall be convicted of such offence, forfeit and pay any sum not being less than forty shillings nor more than five pounds. And every such owner or occupier as aforesaid who shall fail to erect such rails, fences, or other enclosures as aforesaid within one week after any conviction as aforesaid, shall be deemed guilty of a further offence against this By-law.

Wells to be covered over.

15. Every person who shall have a well situated between his or her dwelling-house, or the appurtenances thereof, and any road, street, or footway, or at the side thereof, or in any yard or place open or exposed to such road, street, or footway within the said Municipality, shall cause such well to be securely and permanently covered over; and if any person having such well aforesaid shall fail to cover and secure the same within twenty-four hours after notice in writing shall have been given to him or her by any officer of the Council, or shall have been left for such person at his or her last known place of abode or the said premises, shall on conviction forfeit and pay a sum of ten shillings; and for every day after such notice that such well shall remain open or uncovered, contrary to the provisions hereof, such person shall be deemed guilty of a separate offence against this By-law.

Throwing filth on roads, driving carriages and leading horses on footways.

16. Any person who shall throw, cast, or lay, or shall cause permit, or suffer to be thrown, cast, or laid or remain, any dead animal, offal, dung, soil, ashes, rubbish, or any other filth or annoyance, or any matter or thing in or upon the footway or carriage-way of any street, road, lane, or other public place within the said Municipality, or shall kill, slaughter, dress, scald, or cut up any beast, swine, calf, sheep, lamb, or other animal in or so near to any street or other public place as that any blood shall run or flow upon or over, or be on any carriage or footway, or shall run, roll, drive, draw, place, or cause, permit, or suffer to be run, rolled, driven, drawn, or placed upon the footway of any street, road, or public place, any waggon, cart, dray, sledge, or other carriage, or any wheelbarrow, wheel, or truck, or any hogthead, cask, or barrel—or shall wilfully lead, drive, ride, or stand any horse, ass, mule, or other beast upon any such footway, shall upon conviction forfeit and pay for the first offence a sum not exceeding forty shillings nor less than five shillings, and for the second and every subsequent offence a sum not less than ten shillings nor more than forty shillings.

Disposal of rubbish.

17. Provided that rubbish of an innocently decaying nature may be deposited on the following localities, viz. :—

Bourke Ward.

1. On one-tenth part of an acre being a square block, the boundaries whereof, being one chain each, are indicated by four posts painted white, and lettered T.M.C., situated near the police paddock.
2. On two-tenth parts of an acre, the boundaries whereof are respectively, two lines one chain long, and two lines two chains long, and indicated by four posts painted white, and lettered T.M.C., situated near the incidence of Brisbane-street with the Peel River.

Cohen Ward.

3. On four-tenth parts of an acre, the boundaries whereof are respectively two chains each, and indicated by four posts painted white, and lettered T.M.C., situated near the incidence of Fitzroy-street and the Peel River.
4. On about four-tenths of an acre, the boundaries whereof are respectively, two of two chains and fifty links, and two of one chain and seventy-seven links long, indicated by four posts painted white, and lettered T.M.C., situated near the incidence of Hill-street with Peel River.

King Ward.

5. On one-tenth part of an acre, the boundaries whereof are each one chain long, and indicated by four posts painted white, and lettered T.M.C., situated near the incidence of Church-street and ana-branch of Goonoo Goonoo Creek.

Throwing filth into watercourses.

18. Any person who shall cast any filth, rubbish, or any dead animal, or any animal with intent of drowning such animal, into any public watercourse, waterhole, river, creek, or canal, or shall obstruct or divert from its channel any sewer, canal, or watercourse within the said Municipality, shall forfeit a sum not exceeding five pounds nor less than ten shillings, and shall in addition to such penalty pay the cost of removing such filth or obstruction, or of restoring such watercourse, sewer, or canal to its proper channel, so as the same shall not exceed fifty pounds.

Throwing slops on carriage or footways.

19. Any person who shall cast or throw, or shall cause, suffer, or permit to be cast or thrown, upon any carriage-way or footway, any soapuds, slops, or refuse water, or any refuse vegetables, or any other matter or thing, or shall cause, suffer, or permit the same to run or flow from any premises in his or her occupation, over any such footpath or carriage-way, within the said Municipality, shall for every such offence forfeit and pay a sum not exceeding two pounds nor less than five shillings.

Rain not to be carried on to footpaths.

20. It shall not be lawful for any person whomsoever to carry by means of pipes, gutters, or other contrivances, any rainwater from the roof of his or her premises or house upon any of the footways of any street or public place within the said Municipality; or any owner or occupier of any such house or premises who shall neglect or refuse to remedy or remove any such pipes, gutters, or contrivances, when required to do so by any officer of the Council, shall, on conviction, forfeit and pay any sum not exceeding ten shillings, and a like sum for every day or part of a day that the same shall not be remedied or removed: Provided that the owner or occupier of any such house or premises may convey any such rain water by means of pipes laid under the surface of such footways into the gutters adjoining the same: And provided also that all such pipes shall be laid down to the satisfaction and under the superintendence of the Town Surveyor or any other person appointed by the Council.

Placing carriages, goods, etc., on footways—not removing them when required—replacing the same after removal.

21. Any person who shall set or place, or cause to be set or placed, any stall, board, chopping-block, show-board, basketwares, merchandise, casks, or goods of any kind whatsoever; or who shall hoop, place, wash or cleanse, or who shall cause to be hooped, placed, washed or cleansed, any pipe, barrel, cask, or vessel, in or upon any carriage or footway in any street, road or public way within the said Municipality, or shall set, lay out, or place, or shall cause to be set, laid out, or placed, any coach, cart, waggon, wain, dray, sledge, truck, or other carriage, upon any such carriage-way except for the purpose of loading or unloading the same, or taking up or setting down any fare, or waiting for passengers when actually hired, or when actually engaged in harnessing and unharnessing the horses or other animals from such coach, cart, wain, waggon, dray, sledge, truck, or other carriage; or if any person shall set or place, or cause to be set or placed, in, upon, or over such carriage-way or footway, any stone, brick, lime, timber, or other material or things for building (except as hereinbefore provided); or who shall hang out or expose, or shall cause or permit to be hung out or exposed, any meat or offal, or any other matter or thing whatsoever, from any house or premises, over any part of such footway or carriage-way, or over any area of any house or other building or premises, or any other matter or thing, from and on the outside of the house or front or any other part of any house or houses or other buildings or premises over or next unto any such street, road, or public place and shall not immediately remove the same upon being required so to do by the Council or any officer thereof; or if any person who, having in pursuance of any such requisition as aforesaid, removed, or cause to be removed, any such stall, board, show-board, chopping-block, basketware, merchandise, barrow, sledge, truck, carriage, timber, stones, bricks, lime, meat, offal, or other matter or thing, shall at any time thereafter again set, lay, place, expose, or put out, or cause, procure, permit, or suffer to be set, laid, placed, exposed, or put out, the same or any of them, or any other stall-board, show-board, chopping-block, basketwares, merchandise, goods, timber, stones, bricks, lime, coach, cart, wain, waggon, dray, truck, barrow, sledge, meat, offal, or other things or matters whatsoever (save and except as aforesaid), in or upon or over any such carriage or footway, of or next unto any such street, road, or public place as aforesaid, shall, on conviction for every such offence, forfeit and pay for the first offence a sum not exceeding forty shillings nor less than five shillings; and for every second and every subsequent offence, a sum not exceeding forty shillings nor less than ten shillings.

Not to prevent the erection of awnings.

22. Nothing in these By-laws contained shall be deemed to prevent any person from placing a movable awning in front of his or her shop or house; Provided that such awning be at least eight feet high above the proper level of the footway, and the posts be kept close up to the curbstone or outer edge of such footway, and that the said posts or any framework be erected to the satisfaction of the Council, and as may from time to time be directed.

Damage to public buildings.

23. Any person who shall damage any public building, lamp, wall, parapet, sluice, bridge, road, street, sewer, watercourse, or other property of the Council of the said Municipality, or improperly extinguish any lamp set for public or private convenience, shall pay the cost of repairing the same; and if the same be wilfully done, shall forfeit and pay a sum not exceeding twenty pounds, nor less than five pounds, in addition to the cost of repairing the same, so as the same shall not exceed fifty pounds.

Drawing or trailing timber, &c.

24. Any person who shall haul or draw, or shall cause to be hauled or drawn upon any of the streets, roads, or public ways or places within the said Municipality any timber, stone, or other material or thing which shall be carried principally or in part upon any wheeled carriage or barrow to drag or trail upon any part of any such street, road, or public place, to the injury thereof, or to hang over any part of such carriage or barrow so as to occupy or obstruct the street or road, shall upon conviction, forfeit and pay for every such offence a sum not exceeding forty shillings nor less than ten shillings over and above the damage occasioned thereby.

Riding in drays, careless driving, &c.

25. If the driver of any waggon, wain, cart or dray of any kind shall ride upon any such carriage in any street, road, or thoroughfare within the said Municipality, not having some person on foot to guide the same (such carts as are drawn by one horse and driven or guided with reins only excepted), or if the driver of any carriage whatsoever shall negligently be at a distance from such carriage or in such situation whilst it shall be passing along such street, road, or thoroughfare that he cannot have the direction and government of the horse or horses or cattle drawing the same; or if the driver of any waggon, cart, dray, or coach or other carriage whatsoever, meeting any other carriage, shall not keep his waggon, cart,

dray, or coach or other carriage on the left or near side of the road, street, bridge, or thoroughfare, or if any person shall in any manner wilfully prevent any other person or persons from passing him or any carriage under his care upon such street, road, or thoroughfare; or by negligence or misbehaviour prevent, hinder, or interrupt the free passage of any carriage in or upon the same, every such driver or person so offending shall upon conviction forfeit and pay for every such offence a sum not exceeding forty shillings nor less than ten shillings.

Riding or driving furiously.

26. Any person who shall ride or drive through or upon any street, road, or public place within the said Municipality so negligently, carelessly, or furiously that the safety of any other person shall or may be endangered, shall on conviction forfeit and pay a sum not exceeding five pounds nor less than two pounds.

Breaking horses, &c.

27. It shall not be lawful for any person or persons in any street, road, or public place within the Municipality to drive any carriage or carriages for the purpose of breaking, trying, or exercising horses, or to ride, drive, or lead any horse, mare, or gelding for the purpose of airing, exercising, trying, breaking, showing, or exposing for sale any such horse, mare, or gelding otherwise than by passing quietly through such streets or public places: Provided further, that no person or persons shall be allowed within the said Municipality to furiously or carelessly drive any horse, mare or gelding to or from any public watering place, creek, or river, or pasturage, or elsewhere; and the person or persons in charge thereof shall be *prima facie* presumed to be the owner of the said animal or animals, and shall be liable accordingly; and every person so offending shall forfeit and pay for every such offence any sum not exceeding forty shillings nor less than five shillings.

Hours for driving cattle.

28. No person shall drive or cause to be driven, through any street or public thoroughfare of the said Municipality any live stock, between the hours of 8 o'clock a.m. and 10 o'clock a.m., or between the hours of 12 o'clock a.m. and 2 p.m., or between the hours of 4 o'clock p.m. and 9 o'clock p.m., except calves and foals under the age of one year, quiet milk cows, horses or cattle broken to saddle or draught, and pigs, sheep, and goats. And any person or persons who shall drive or cause to be driven any live stock except those above enumerated, through any street or public thoroughfare of the Municipality between the hours above mentioned, shall on conviction before any Justice or Justices of the Peace forfeit and pay a sum not exceeding five pounds for every such offence.

Horses, Cattle, &c.

29. Any person who shall breed, feed, or keep any kind of swine in any house, yard, or enclosure, situate and being in, or within forty yards of any street or public place within the Municipality, or who shall suffer any kind of swine, or any horse, ass, cattle, mule, sheep, goat, or any other animal of the like nature belonging to him or her, or under his or her charge, to stray or to go about or to be tethered or depastured in any street, road, or public place within the said Municipality, excepting on the permanent and temporary commons, shall forfeit and pay for every such offence a sum not exceeding forty shillings nor less than five shillings.

Inspector may impound.

30. The Inspector of Nuisances, or any other person duly authorized by the Council, shall have power to impound in the Tamworth Public Pound, all animals of every description found straying in any street, roadway, or thoroughfare within the said Municipality of Tamworth, and shall also have power to destroy all goats found straying in any street, roadway, or public place within the said Municipality.

Burning shavings, &c., in the streets.

31. Any person who shall burn any shavings, rubbish, or any other matter or thing in any road, street, lane, or public place within the said Municipality, or who shall within ten yards of any dwelling-house burn rags, bones, corks, or other offensive substance, shall for every such offence forfeit and pay a sum not exceeding forty shillings nor less than five shillings.

Placards not to be affixed on walls nor bridges without consent.

32. It shall not be lawful for any person to paste or otherwise affix any placard or other paper upon any wall, house, fence, or other erection, nor deface any such wall, house, fence, bridge, or erection with chalk, paint, or other matter, unless with the consent of the owner thereof; and every person who shall be guilty of any such offence shall forfeit and pay a sum not exceeding twenty shillings nor less than five shillings.

Any person or persons who shall wantonly or maliciously break or injure any lamp or lamp-post or injure or extinguish any light set up for public safety and convenience within the said Borough, shall, over and above the necessary expense of repairing the injury committed, forfeit and pay any sum not less than one pound nor more than five pounds.

No rock to be blasted without notice to the Mayor, &c.

33. Any person who shall be desirous of blasting any rock within fifty yards of any road, street, public place, or private dwelling within the said Municipality, shall give notice in writing twenty-four hours previously to the Mayor or any two Aldermen, who shall appoint a time when the same shall take place, and give such directions as he or they may deem necessary for the public safety; and if any person shall blast, or cause to be blasted, any rock within the limits aforesaid, without giving such notice, or shall not conform to the directions given to him by the Mayor or any two Aldermen aforesaid, he shall on conviction forfeit and pay for every such offence any sum not less than one pound nor more than ten pounds.

Cleansing private avenues.

34. Any owner or occupier of any house or place and premises who shall neglect to keep clean all private avenues, passages, yards, and ways within the said premises, so as by such neglect to cause a nuisance by offensive smell or otherwise, shall forfeit and pay a sum not exceeding forty shillings nor less than ten shillings for every such offence.

Placing dead animals on premises.

35. Any person who shall place, or who shall cause or suffer to be placed, upon any land or premises within the said Municipality any dead animal, blood, offal, night-soil, or other offensive matter, shall on conviction suffer and pay a penalty not exceeding five pounds nor less than ten shillings for every such offence.

Allowing dead animals to remain on premises.

36. Any owner or occupier of any land or premises who shall suffer or permit any dead animal, blood, offal, night-soil, or any other offensive matter to remain upon the said land or premises, after notice shall have been given by the Inspector of Nuisances to remove the same, shall be subject to a penalty of not exceeding two pounds nor less than ten shillings for every day that the same shall so remain.

Hog-styes and nuisances not removed on notice, &c.

37. In case any privy, hog-stye, any sink, cesspool, yard, or enclosure, or any matter or thing which shall at any time be in any place within the said Municipality, shall be or become a nuisance, it shall be lawful for the Council, after due investigation, by notice in writing to order the removal of the said nuisance within seven days after such notice shall have been given to the owner or occupier of the premises wherein such nuisance is situated, or shall have been left for such owner or occupier at his or her last or usual place of abode or on the said premises; and every such owner or occupier refusing or neglecting to remove or abate such nuisance pursuant to such notice, and to the satisfaction of the Council, shall forfeit and pay a sum not exceeding ten pounds nor less than forty shillings.

Penalty for not removing offensive matter on notice—Council may abate nuisance—Right of entry for such purposes.

38. Any person who shall suffer any waste or stagnant water, or any muck, filth, soil, or other offensive matter to remain in any cellar or place within any dwelling house or premises within the said Municipality for the space of twenty-four hours after written notice to him or to her from the Inspector of Nuisances or other officer of the Council to remove the same, or shall allow the contents of any water-closet, privy, or cesspool to overflow or soak therefrom, shall for every such offence forfeit and pay a sum not exceeding forty shillings nor less than ten shillings, and a further sum of ten shillings for every day the offence shall be continued; and the Council may remove or abate, or cause to be removed or abated, every such nuisance, and do what shall be needful for preventing a continuation or recurrence thereof; and the officers of the said Council shall for such purpose have power from time to time to enter any house or premises, and the expense incurred in carrying out the provisions of the By-law shall be paid to the said Council by the occupier or owner of the premises upon which the same exists, in addition to the penalty aforesaid, so as the same do not exceed fifty pounds in the whole.

Cleansing butchers' shambles, &c.,

39. For preserving the cleanliness of the said Municipality and the health of the inhabitants thereof, it shall be lawful for the Inspector of Nuisances or for any other officer appointed by the Council from time to time, and when and as often as he or either of them shall see occasion to visit and inspect the butchers' shops, soap and candle manufactories, fellmongering establishments and tanneries, private avenues, passages, yards, and ways within the premises of any owner or occupier within the said Municipality, and to give such direction with respect to the cleansing of the same respectively both within and without as to him shall seem needful. And any owner or occupier of any such premises aforesaid who shall refuse or neglect to comply with such directions within a reasonable time, shall forfeit and pay a sum not exceeding five pounds nor less than one pound.

Damaging trees, &c.

40. Any person who shall wilfully, or without the authority of the Council, cut, break, bark, root-up, or otherwise destroy or damage, the whole or any part of any growing or live tree,

sapling, shrub, or underwood, growing in or upon any reserve or place under the management of the Council, shall forfeit and pay a sum not exceeding ten pounds nor less than one pound.

Extirpation of noxious weeds.

41. Any owner or occupier of land within the said Municipality who shall permit or suffer to grow and ripen seed on the said land the weeds known as the Bathurst burr and thistle, and who shall fail to extirpate, remove, or destroy the same within ten days after the receipt of a notice in writing, by post or otherwise, from the Council so to do, shall, for every such offence, forfeit and pay a sum not exceeding five pounds nor less than one pound. Provided that if no owner nor occupier can be proceeded against the Municipal Council shall incur the necessary expense.

Newly-slaughtered carcass.

42. Every person who, within the said Municipality shall carry or convey, or cause to be carried or conveyed, in any public street or place, the carcass or any part of the carcass, of any newly-slaughtered animal, without sufficient and proper cloth or covering to conceal the same from public view, shall be liable on conviction to a penalty of any sum not exceeding forty shillings for every such offence.

Bathing prohibited within certain limits.

43. Any person who shall bathe near to, or within view of, any inhabited house, public bridge, street, road, or other place of public resort within the limits of the said Municipality, between the hours of seven o'clock in the morning and half-past six in the evening shall, on conviction, forfeit and pay for every such offence a sum not exceeding twenty shillings.

Indecent exposure of person.

44. Any person who shall offend against decency by exposure of his or her person in any street or public place within the said Municipality, or in view thereof, shall on conviction forfeit and pay for every such offence a sum not exceeding five pounds nor less than one pound.

Inspector of Nuisances may take legal proceedings.

45. The Inspector of Nuisances or other person appointed by the Council may take legal proceedings against any person or persons committing any offence or offences against any of the By-laws of the said Municipality.

Penalties to be paid over to Treasurer.

46. All penalties under any of these By-laws shall be paid over to the Treasurer of the said Municipality, to be appropriated as the Council may direct.

Interpretation of "Mayor" and "Municipality."

47. Whenever in any of these By-laws the word "Mayor" is made use of, it shall, unless a context shall indicate a contrary distinction, be construed also to signify and include any Alderman lawfully acting for the time being in the place or stead of the Mayor; and whenever the word "Municipality" is made use of in the said By-laws, it shall be understood to signify the "Municipality of the Borough of Tamworth."

As to interference with officer of the Council in enforcing By-laws.

48. Any person who shall obstruct or interfere with any officer of the Council or other person doing or performing any duty or act under any of the By-laws of the said Municipality, shall forfeit and pay a penalty of not exceeding twenty pounds nor less than two pounds.

PART VII.

Closets and night-soil.

1. Notice in writing shall be given to the Inspector of Nuisances by every person about to construct new or alter existing closets or cesspits seven days before the commencement of such work, so as to enable the Inspector of Nuisances to visit and determine the situation of any proposed new closet or cesspit, and approve or otherwise the alteration of any existing closet or cesspit, and every closet or cesspit constructed or altered without such notice having been given shall be removed or altered, if judged necessary by the Council, by the owner or occupant of the premises whereon such closet or cesspit shall be within such time as the Council shall by written notice to such owner or occupant appoint; and if any new closet or cesspit or any existing closet or cesspit shall be constructed or altered or shall be commenced to be constructed or altered without such notice as aforesaid having been given, the owner or occupant of the premises whereon such closet or cesspit shall have been constructed or altered or commenced to be constructed or altered shall be liable to a penalty not exceeding twenty pounds nor less than two pounds, and also to a further penalty not exceeding one pound nor less than shillings for every day that such closet or cesspit shall remain unremoved or unaltered after notice to remove or to alter the same as aforesaid.

2. No new closet or cesspit shall be made or placed upon the premises of any person excepting in a spot thereon authorized by the Inspector of Nuisances or by the Council or by such officer other than the Inspector of Nuisances as the Council may for that purpose appoint.

3. All closets hereafter to be made shall be constructed as follows:—Each closet shall be built with a cesspit not less than 4 feet long by 3 feet wide clear internal measurement, exclusive of the man-hole hereafter mentioned, and not less than 4 feet nor more than 6 feet below the surface of the ground, and the top shall be built at least 6 inches above the surface of the ground, and if from the nature of the ground a greater depth or a greater height above the surface of the ground shall be required, the same shall be determined by the Council, or such officer as they may appoint. The walls of every cesspit shall be constructed of brick not less than 9 inches thick. Each closet shall have a man-hole of the clear internal dimensions of 3 feet by 2 feet outside the walls of the closet, constructed of brick and covered closely with planking of hardwood 2½ inches thick. And any person refusing or neglecting to comply with this by-law or any part thereof, shall be liable to a penalty not exceeding twenty pounds nor less than two pounds.

4. A separate closet shall be provided for every tenement, and in dwellings where the ordinary number of inmates exceeds 10, the capacity of the cesspit shall be increased by three cubic feet for every person beyond such number, or a separate closet provided for every 10 persons. In schools and factories where a number of persons exceeding 12 shall reside or be engaged, one closet shall be provided for every 30 persons, with a cesspit of a capacity of 80 cubic feet, and separate closets shall be provided for each sex. In the case of schools, closets may be erected containing not more than 10 seats each, and at least one seat shall be provided for every 40 children attending school. Closets shall have walls not less than 7 feet high to the wall-plate, and not less than 3 feet 6 inches wide and 4 feet 6 inches long, and be provided with a door to fasten on the inside. Where two or more closets adjoin each other, there shall be a dividing wall between each, 9 inches thick, from the bottom of the cesspit to the roof, so as to effect a complete separation. And any person offending against the provisions of this By-law or any of them, shall be liable to a penalty not exceeding twenty pounds nor less than two pounds.

5. If in the opinion of the Inspector of Nuisances any alteration be required in any existing closet or cesspit he shall report the same to the Council, who shall determine what alteration is necessary for the preservation of health or decency, and such alteration shall be made by the owner or the occupant of the premises within one month after notice to do so shall have been given by the Inspector of Nuisances to such owner or occupant, who shall be liable to a penalty not exceeding five pounds nor less than one pound for every week's neglect or delay in effecting such alteration.

Hours for removing night-soil.

6. Any person who, within the said Municipality, shall remove any night-soil or ammoniacal liquor, bones, or other offensive matter, or shall come with carts or carriages for that purpose, between the hours of six o'clock in the morning and eleven o'clock at night, or shall at any time remove any such night-soil or ammoniacal liquor otherwise than in properly covered and watertight carts or vehicles, or in such a manner as to upset, cast, spill, or strew any of the said night-soil, ammoniacal liquor, slop, urine, or filth in or upon or near to any streets, roads, public places, or footways of the Municipality, or shall deposit or throw night-soil, ammoniacal liquor, bones, or other offensive matter nearer to any street, road, or dwelling-house than shall from time to time be directed by the Council or by the Inspector of Nuisances; or shall allow vehicles used for that purpose to stand on any premises nearer to any road, street, or dwelling-house than shall from time to time be directed by the Council or Inspector of Nuisances, shall upon conviction forfeit and pay for every such offence a sum not exceeding five pounds nor less than one pound; and, in case the person or persons so offending cannot be found, then the owner or owners of such carts, carriages, or other vehicles employed in and about emptying or removing such night-soil, bones, or other offensive matter; and also the employer or employers of the person or persons so offending shall be liable to and forfeit and pay such penalty as aforesaid.

7. The night-soil shall be deposited in the places hereafter appointed for the purpose, and covered with soil 6 inches thick.

8. The Inspector of Nuisances shall have power to visit and inspect any closet or cesspit on all days except Sundays and public holidays between the hours of 10 a.m. and 4 p.m., and any person refusing admittance to or obstructing or hindering such Inspector in the discharge of his duty shall be liable to a penalty not exceeding five pounds nor less than one pound.

9. The owner or occupant of any premises requiring any cesspit which may be included in his premises to be emptied shall send a written notice thereof to the Council or the Inspector of Nuisances.

10. Earth closets may be used on intimating to the Council the plan and arrangements for their construction and management, and on obtaining the Council's approval thereto.

11. Every person offending against any of these By-laws shall unless otherwise herein specially provided be liable to a penalty not exceeding twenty pounds nor under two pounds.

12. The following sites are appointed for the deposit of night-soil, viz.—On one acre in Pine-scrub, bounded by a line commencing at a peg bearing north 72 degrees east 32 chains from the intersection of Carthago-street and Murray-street, and running south 3°33 chains; thence west 3 chains; thence north 3°33 chains; thence east 3°00 chains, to the point of commencement. One acre, bounded by a line commencing at a peg near the south boundary-line of the permanent common, bearing about north 35 chains from the intersection of Jewry and Marius-streets, and running south 3°33 chains; thence west 3°00 chains; thence north 3°33 chains; thence east 3°00 chains, to the point

of commencement. One acre, bounded by a line commencing at a peg bearing south-west by south from intersection of Belmore and Gipps Streets, in the township laid out by the Peel River Land and Mineral Company (Limited), and running south 3°33 chains; thence west 3°00 chains; thence north 3°33 chains; thence east 3°00 chains, to the point of commencement, for which arrangements have been made with the said Company.

Adopted by the Municipal Council, August 5, 1879.

PHILLIP GIDLEY KING,
Mayor.

The Corporate Seal was affixed by order of the Council, on the 14th October, 1879.

(L.S.) PHILLIP GIDLEY KING,
Mayor.

D. F. W. VENESS,
Council Clerk.

1879-80.

NEW SOUTH WALES.

MUNICIPALITIES ACT OF 1867 AND NUISANCES
PREVENTION ACT, 1875.

(BOROUGH OF CAMPERDOWN—AMENDED BY-LAWS.)

Presented to Parliament, pursuant to Acts 31 Vic. No. 12, sec. 158, and 39 Vic. No. 14, sec. 18.

Colonial Secretary's Office,
Sydney, 24th April, 1880.

BOROUGH OF CAMPERDOWN.

AMENDED BY-LAWS.

THE following amended By-laws, made by the Council of the Borough of Camperdown, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867, and the Nuisances Prevention Act of 1875.

HENRY PARKES.

BOROUGH OF CAMPERDOWN.

BY-LAWS of the Borough of Camperdown, made under the Municipalities Act of 1867, and Nuisances Prevention Act, 1875, respectively.

PART I.

By-laws repealed.

1. That all existing By-laws of the Council of the Borough of Camperdown, save and except such as refer to the Free Public Library, and published in the Government Gazette from time to time prior to the adoption of the following, be and are hereby repealed.

Proceedings of the Council and Committees, preservation of order at Council's meetings, duties of officers, and servants, &c.

Meetings of the Council.

Ordinary Meetings.

2. Unless otherwise ordered, the Council shall meet for the despatch of business on every alternate Tuesday, at the hour of half-past seven p.m., unless such day shall happen to be a public holiday. In the latter case the meeting shall be held on the day following.

Election of Chairman in absence of Mayor.—Adjournment for want of quorum.

3. If at any meeting of the Council the Mayor be absent at the expiration of fifteen minutes after the time appointed for holding such meeting, the Aldermen then present shall proceed to elect from among themselves a Chairman for such meeting. Whenever there shall be an adjournment of any such meeting for want of a quorum, the names of the members present shall be taken down, and recorded in the minute-book.

Course of Procedure.

4. The following shall be the course of procedure at such meetings, viz. :—

1. The reading and confirmation of the minutes of the proceedings of the previous meetings.
2. Questions and complaints.

3. Statement of accounts, showing the moneys received and paid since last meeting, with the balance in the Bank to the credit of the Municipality.
4. The reading of correspondence.
5. The presentation of reports and petitions.
6. Adjourned motions and motions of which notice has been given.
7. Such other business as may lawfully be brought before the Council.

Business at Special Meetings.

5. At special meetings of the Council the business, after the minutes shall have been read and verified, which shall be done in the same manner as at an ordinary meeting, shall be taken in such order as the Mayor or the Alderman at whose instance the special meeting shall have been called, may have directed.

Absence of proposed mover.

6. No motion, of which notice shall have been entered on the business paper, shall be proceeded with in absence of the Alderman by whom such notice shall have been given, unless by some other Alderman producing a written authority for that purpose from such first-named Alderman.

Motion to be seconded.

7. No motion shall be discussed unless and until it be seconded.

Motion to be in writing and not withdrawn without leave.

8. Every motion of which notice has been given shall be in writing—shall be signed by the mover, and no motion when seconded shall be withdrawn without leave of the Council.

Amendments may be moved.

9. When a motion shall have been moved and seconded, any Alderman shall be at liberty to move an amendment thereon, but no such amendment shall be discussed unless and until it be seconded.

Only one amendment at a time.

10. No second or subsequent amendment shall be taken into consideration until the previous amendment shall have been disposed of.

Petitions.

11. The Council may at any meeting resolve, without previous notice, that any petition be received, and that the same, or any correspondence read, be referred to a Committee for report, or that the requests therein contained be granted.

Mayor to preserve order.

12. The mayor shall preserve order, and may at any time call to order any Alderman who may appear to him to be out of order.

Calls to order.

13. Any Alderman may at any time call the attention of the Mayor to any Alderman being out of order, or to any point of order.

Mayor's decision on points of order final.

14. Every point of order shall be taken into consideration immediately upon its arising, and the decision of the Mayor thereon shall be conclusive, except as hereinafter provided.

Power of Council as to laying down general rules, &c.

15. Any Alderman who is dissatisfied with the decision of the Mayor or Chairman on any such question of order or of practice may, by motion on notice, respectfully worded, invite the Council to lay down a different rule or principle for the determination of any similar question of order or of practice which may thereafter arise. Any rule or principle thus laid down shall be binding upon all parties, unless and until it be rescinded, but shall have no retrospective operation.

Mayor may take part in proceedings.

16. The Mayor may take part in all the proceedings of the Council or Committees thereof.

Questions put by Mayor.

17. The Mayor shall put all questions, first in the affirmative and then in the negative (provided that where an amendment is moved to any motion the amendment shall be first put), and may do so as often as may be necessary to enable him to determine the sense of the Council thereon, and thereupon he shall declare his decision, which shall be final, unless a division be called for.

Mayor to decide as to pre-audience of Aldermen.

18. If two or more Aldermen rise to speak at the same time the Mayor shall decide which of them shall be entitled to pre-audience.

No Alderman to speak twice on same question or amendment, except in Committee.

19. No Alderman shall speak twice on the same question, unless in Committee or in explanation, where he shall have been misrepresented or misunderstood: Provided that any Alderman, although having previously spoken, may speak once on every amendment, and that the mover of every question shall always have a right of final reply.

No Alderman to make personal reflections.

20. No Alderman shall digress from the matter under discussion, or make personal reflections on, or impute motives to, any other Alderman.

No Alderman to speak for more than ten minutes.

21. No Alderman shall speak upon any motion or amendment for a longer period than ten minutes without the consent of the Council.

Alderman using offensive expressions to apologise.

22. When any member of the Council shall make use of any language or expression offensive, or capable of being applied offensively, to any Alderman, the member so offending shall be required to withdraw such language or expression, and to make an apology satisfactory to the Council.

Debate may be adjourned.

23. A debate may be adjourned to a later hour of the same day, or to another day.

Alderman adjourning debate entitled to precedence on resumption.

24. The Alderman upon whose motion any debate shall be adjourned shall be entitled to precedence on the resumption of the debate.

Adjournments.

25. Any motion for adjournment, if seconded, shall be immediately put without discussion; but if such motion be negatived, it shall not be competent for any Alderman to make a similar motion until thirty minutes shall have elapsed.

Any Alderman may divide Council.

26. It shall be competent for any Alderman to divide the Council on any question, both in full Council and in Committee of the whole Council; and no Alderman shall leave his seat or place till the names of the Alderman and how voting shall have been taken down by the Council Clerk, or person officiating for him.

Divisions to be entered on minutes.

27. All divisions of the Council shall be entered on the minutes of the proceedings.

Questions to be read when required.

28. Any Alderman may require the question or matter under discussion to be read once for his information, and upon such request the question or matter under discussion shall be read.

Suspension of By-laws.

29. Any of these By-laws relating to or affecting proceedings at meetings of the Council may be suspended *pro tempore* in cases of emergency by resolution of the Council.

Rescinding motion already passed.

30. No motion to rescind any decision of the Council shall be entertained except at a Council of the whole specially called for the purpose.

Standing and Special Committees.**Standing Committees.**

31. There shall be a Committee of Works, a Finance Committee, and a Committee for general purposes. These Committees shall be re-appointed every year at the first meeting of the Council which shall be held after the election of the Mayor.

Committees of Works.

32. The Committees of Works shall have the general direction of all works ordered or sanctioned by the Council; and the general inspection of all streets, roads, ways, bridges, public reserves, and other places under the care and management of the Council. They shall also inquire and report from time to time upon such improvements, repairs or other matters, as they may think necessary, or as they may be directed by resolution of the Council to inquire and report upon.

Finance Committee.

33. The Finance Committee shall examine and check all accounts, and shall watch generally over the collection and expenditure of the Municipal revenues. They shall inquire and report from time to time as to all matters which they may consider to affect the finances of the Borough; and as to such matters or subjects of the like nature as they may be directed by resolution of the Council to inquire and report upon.

Committee for general purposes.

34. The Committee for general purposes shall take cognizance of every matter, subject, or question within the jurisdiction of the Council, not coming within the province of one or other of the beforementioned Standing Committees, and shall from time to time inquire into and report upon any such subject, matter, or question as they may think necessary, or as they may be directed by resolution of the Council to inquire into and report upon.

Special Committees.

35. Special Committees may consist of any number of members, and may be appointed for the performance of any duty which may be lawfully entrusted to a Committee, and for which, in the opinion of the Council, a Special Committee ought to be appointed. And no Standing Committee shall interfere with the performance of any duty which may for the time have been entrusted to any such Special Committee. The appointment of every such Special Committee shall be made by resolution, and it shall be incumbent on the mover of such resolution to embody therein a statement of the duties proposed to be entrusted to such Special Committee. The mover of any such resolution may name therein any such members as, in his opinion, ought to constitute such Committee, or he may propose that such Committee consist of a certain number of members to be appointed by ballot; or an amendment to the effect that such Special Committee be appointed by ballot, may be carried.

Duration of Special Committees.

36. Special Committees shall continue until the specific duty for which they have been appointed shall have been discharged: Provided that such Committees may at any time be dissolved by vote of the Council.

Rules to be observed in committee.

37. The rules of the Council shall be observed in a Committee of the whole Council, except the rule limiting the number of times of speaking.

Reports of committee to be signed.

38. Every report of a Committee shall be signed by the Chairman thereof.

Protection of Funds and Records.**Member or officer of Council not to be surety.**

39. In cases where surety is required by the Municipalities Act, it shall not be competent for the Council to accept as surety any of their members, or any person holding office under the Council.

Custody of records, seal, &c.

40. The common seal and all charters, deeds, muniments, books, papers, and records of the Council shall be kept in the Council Chambers or office of the Council in the custody of the Council Clerk, unless the Council shall otherwise order for any purpose; and the common seal shall not be used, except with the signature of the Mayor.

Records, &c. not to be defaced or altered.

41. Any person who shall deface, alter, or destroy, or attempt to deface, alter, or destroy any such common seal, charter, deed, muniment, book, paper, or record shall, on conviction thereof, forfeit and pay for the first offence a penalty not exceeding fifty pounds nor less than five pounds, and upon every subsequent conviction a penalty of not less than twenty pounds.

Nor removed.

42. Any person who shall remove or attempt to remove (except for the purpose of any legal proceedings) any such seal, charter, deed, muniment, book, paper, or record from the Council Chamber, without leave from the Council first had and obtained, shall, on conviction thereof, forfeit and pay a penalty of not more than twenty pounds nor less than two pounds, and for every subsequent offence a penalty of not less than five pounds.

Expense of proposed works to be first ascertained.—Accounts to be examined by Finance Committee.

43. No work shall be undertaken until the probable expense thereof shall have been ascertained by the Council; and all accounts to be paid by the Council shall be examined by the Finance Committee and reported on by them before any warrant shall be issued for the payment thereof.

Outlay in urgent cases.

44. In cases of emergency arising between meetings of the Council, it shall be lawful for necessary works to be ordered without vote of the Council, viz.: By the Mayor to the extent of £10. Provided that in the absence of the Mayor any three Aldermen shall have that power.

*Levying Rates, &c.**Duo dates for rates.—Defaulters.*

45. The rates and taxes levied by the Council shall be held to be due and payable on such day or days as the Council shall, by resolution, from time to time appoint. Every person not paying his or her rates or taxes at the office of the Council, or to the Council Clerk or other proper officer of the Council, within thirty days after any of the days so appointed for payment thereof, shall be deemed a defaulter: Provided that due notice of such rate shall have been given in manner as required by the Municipalities Act of 1867.

Council clerk to furnish lists of defaulters.

46. It shall be the duty of the Council Clerk to furnish the Mayor and Council, or any Committee as directed, with lists of all persons so in default.

Mayor to enforce payment.

47. It shall be the duty of the Mayor to cause such defaulters to be sued for the amount of such rates in any Court of competent jurisdiction, or to issue distress warrants against all such persons, and to cause such warrants to be enforced.

Rates on damaged premises.

48. In the event of any premises being wholly or partially destroyed by fire or other accident, the Council shall have power to accept an equitable proportion of the assessed rates of such premises for the remainder of any municipal year.

*Streets and Public Places, &c.**New roads to be reported upon.*

49. No new public road, street, way, park, or other place proposed to be dedicated to the public, shall be taken under the charge and management of the Council until after such road, street, way, or park shall have been examined by a Committee for Works and reported upon to the Council by such Committee.

Plans of proposed new road, &c., to be deposited.

50. Whenever any proprietor or proprietors of land within the said Borough shall open any road, street, or way, or lay out any park or other place for public use or recreation, through or upon such land, and shall be desirous that the Council shall undertake the care and management of such road, street, way, park, or other place, he or they shall furnish the Council with a plan or plans, signed by himself or themselves, showing clearly the position and extent of such road, street, way, park, or other place as aforesaid. And he or they shall execute any instrument dedicating such road, street, way, park, or other place as the Council may consider necessary.

Roads and streets, and encroachments thereon, &c.

51. The Surveyor of the Borough, or other officer or person duly authorized by the Council in that behalf, shall be the proper officer for marking out, and shall fix, mark, and lay out the levels of all public roads, streets, lanes, and thoroughfares, and the carriage and footways thereof, which now are or shall hereafter be under or subject to the control, construction, care, or management of the Council. In marking out such roads, streets, lanes, and thoroughfares, recourse shall be had, when practicable, to the plans under which the land, with frontage to the road, street, lane, or thoroughfare in question shall have been sold or let. And it shall be the duty of such surveyor or officer to place posts at the corners or intersections of such streets, roads, lanes, and thoroughfares, whenever the same may be deemed necessary or desirable by the Council, so as to give a width of 42 feet for the carriage way and 12 feet for the footway on each side, where the road, street, lane, or thoroughfare, shall be 66 feet wide, and in proportion, and in the discretion of the Council in any such road, street, lane, or thoroughfare, or other public place, of other width than 66 feet. Provided that there shall be no change of level in any such public road, street, lane, thoroughfare, or public place, until the same shall have been submitted to and adopted by the Council as hereinafter provided.

Change of street levels.

52. Whenever it may be deemed necessary to alter the level of any such public road, street, or way, as aforesaid, the Committee for Works shall cause a plan and section showing the proposed cuttings to be exhibited at the Council Chamber for fourteen days, for the information and inspection of ratepayers, and shall notify, by advertisement in some newspaper circulating in the Borough, that such plan is so open to inspection. At a subsequent meeting of the Council the said plan and section shall, if adopted, be signed by the Mayor or Chairman, and the proposer and seconder of the motion for such adoption, and countersigned by the Council Clerk. And such plan and section so signed and countersigned shall be a record of the Council.

Footways may be levelled, &c.

53. When any footway shall have been marked out in manner hereinbefore directed, the Surveyor or such officer or person so authorized as hereinbefore mentioned may cause the same to be levelled and made as nearly as practicable of equal height and breadth, and with an equal slope and inclination; and for this purpose may remove any flagging, steps, or other matter, thing, or obstruction that may injure or obstruct the said footway, or render it unequal or inconvenient, and which now is or may hereafter be erected or placed on the space marked out for any of the said footways.

Temporary stoppage of traffic for repairs, &c.

54. The Council may at any time cause the traffic of any street, lane, or thoroughfare, or any portion thereof, to be stopped for the purpose of repairing the same, or for any necessary purpose; and any person or persons offending against this By-law, either by travelling on such street, lane, or thoroughfare, or by removing or destroying any obstruction that may be placed thereon for the purpose of suspending the traffic, shall forfeit and pay a penalty of any sum not exceeding five pounds for every such offence.

No encroachment allowed on streets, &c.

55. Whenever any road, street, lane, or thoroughfare has been marked out in manner herein provided, no house, shop, fence, or other structure shall be allowed, except as hereinafter mentioned, to project or encroach on any part thereof; and in order that the due alignment of the roads, streets, lanes, or thoroughfares within the said Borough shall be observed, and that no encroachment shall be made thereon, it shall not be lawful for any person, unless for any temporary or other purposes permitted by the Council, to erect or put up any building, erection, obstruction, fence or enclosure; or make any excavation or hole on, under, or near such road, street, lane, or thoroughfare, unless due notice of the same shall have been given to the Council of the Borough at least one week before any such building, erection, obstruction, fence or enclosure, excavation or hole, as aforesaid, shall be commenced to be erected or put up, or made, and the assent of the Council first obtained. And in default of the same, the person so offending shall forfeit and pay for every such offence a sum not exceeding five pounds nor less than forty shillings; and on every successive conviction for a similar offence, shall forfeit and pay a penalty of not less than three pounds.

Obstructing public pathways.

56. If the owner or occupier of any land situate on the side of any street or road in this Borough shall permit any tree, shrub, or plant, kept for ornament or otherwise, to overhang any footpath or footway on the side of any such street or road, so as to obstruct the passage thereof, and on demand made by the Council shall not cut, lop, or cause to be lopped, all such trees, shrubs, or plants to the height of eight feet at the least, the said Council, by their servants, labourers, and workmen may

cut or cause to be cut or lopped, all such over-hanging trees, plants, and shrubs, and to remove or burn any portion of such trees, plants, or shrubs so cut or lopped, without being deemed a trespasser or trespassers; and in case any person or persons shall resist or in any manner forcibly oppose the said Council or their servants, labourers, or workmen in the due execution of the powers given in this behalf by virtue of the Municipalities Act of 1867, every person so offending shall, on conviction for every such offence, forfeit and pay any sum not exceeding ten pounds.

No balcony, &c., to project more than 18 inches.

57. With regard to buildings hereafter to be built or rebuilt, it shall not be lawful for any awning, verandah, portico, balcony, coping, parapet, overhanging eaves, cornice, windows, string-cornice, stringcourse dressing, or other architectural decoration forming part of, or attached to, any external wall, to project more than eighteen inches beyond the general line of front in any street or road, except with the consent of the Council first obtained; nor shall any balcony, or any other external projection as aforesaid, which may hereafter be added to any existing building, be allowed to project more than eighteen inches, as aforesaid, under a penalty not exceeding five pounds nor less than one pound, except with the consent of the Council first obtained.

Encroachments must be removed on notice.

58. The Surveyor or other such officer or person may at any time, on the order of the Council, and upon due notice of thirty days, direct the removal of any building, fence, or other obstruction or encroachment in and upon any road, street, lane, or thoroughfare under the charge of the Council. Notice shall, in this case, be served either personally or at the usual or last known place of abode of the person to whom such obstruction or encroaching structure belongs, or who has erected the same, or caused it to be erected.

Council may remove encroachments.

59. In any case where, after service of notice for the removal of any obstruction or encroachment as aforesaid, the person causing the same shall not remove it within a reasonable time, it shall be lawful for the Council to direct the removal of the same under the superintendance of its own proper officer, and at the cost of the person so offending, provided that the expenses thereby incurred shall in no case exceed the sum of ten pounds, or, at the Council's option, to proceed against the offender for breach of by-law, the penalty not to exceed twenty-five pounds, nor be less than one pound; and, in case of every successive offence, the penalty, on conviction, not to be less than five pounds.

Or may proceed by action.

60. In every case where the obstruction or encroachment cannot be removed unless at a greater cost than ten pounds, it shall be open to the Council, either to direct such removal and to pay all the costs thereof above ten pounds from the funds of the Council, or to proceed by action for trespass against the person causing such obstruction or encroachment, or to proceed as for a breach of such by-laws as aforesaid.

To apply also to obstructions by digging, &c.

61. The foregoing provisions shall be equally applicable to all obstructions by digging or excavation; and any person who shall wilfully obstruct or interfere with the Surveyor or other officer as aforesaid, or any person acting for or under him, or either of them in the exercise of any of the duties or powers by these By-laws imposed or cast on the said surveyor or officer, shall, on conviction, forfeit and pay a penalty of not less than two pounds or more than twenty pounds.

Offences, Nuisances—General good order of the Borough.

Damaging public buildings, &c.

62. Any person who shall damage any public building, wall, parapet, sluice, bridge, road, street, sewer, watercourse, or other property of the Municipality, shall pay the cost of repairing the same; and if the same be wilfully done, shall also forfeit and pay a sum not exceeding twenty pounds nor less than five pounds: Provided that such cost and penalty shall not exceed in the whole the sum of fifty pounds.

Injuring public fountains, &c.

63. Any person who shall injure any public fountain, pump, cock, or water-pipe, or any part thereof, shall pay the cost of repairing the same; and if the injury be wilfully done shall also forfeit a sum not exceeding twenty pounds nor less than one pound; and any person who shall have in his possession any private key for the purpose of opening any cock, or who shall in any manner clandestinely or unlawfully appropriate to his own use any water from any public fountain or pipe, shall forfeit a sum not exceeding twenty pounds nor less than five pounds; and any person who shall open or leave open any cock of any public fountain or pump, so that the water shall or may run to waste, shall forfeit a sum not exceeding two pounds nor less than five shillings; and any person who shall wash any clothes, omnibus, carriage, cart, or other vehicle, or any horse, at any public fountain or pump, shall forfeit and pay a sum not exceeding one pound nor less than five shillings.

Injuring or extinguishing lamps.

64. Any person who shall wantonly or maliciously break or injure any lamp or lamp-post, or extinguish any lamp set up for public convenience in the said Borough, shall, over and above the necessary expense of repairing the injury committed, forfeit and pay for such offence any sum not less than one pound nor more than five pounds.

Damaging trees.

65. Any person who shall wilfully, and without the authority of the Council, cut, break, bark, root up, or otherwise destroy or damage the whole or any part of any tree, sapling, shrub, or underwood, growing in or upon any street or place under the management of the Council, shall forfeit any sum not exceeding ten pounds nor less than two pounds.

Throwing dead animals, &c., into any watercourse, &c.

66. Any person who shall throw or cast any filth, rubbish, or any dead animal, or any animal with intent to drown the same, into any watercourse, waterhole, river, creek, or canal, or who shall permit or suffer slops, suds, nightsoil, sewerage matter or filth of any kind to flow or be cast from his or her premises into any such watercourse, waterhole, river, creek, or canal, or who shall permit or suffer any such slops, suds, or filth to flow from his or her premises over any of the footways or streets of the Borough, or shall permit, or cause by means of pipes, shoots, chunnels, or other contrivances, nightsoil, sewerage matter, slops, suds, or filth of any kind whatsoever to flow or be cast into any watercourse, waterhole, river, creek, or canal, or shall obstruct or divert from its channel any sewer or watercourse, river, creek, or canal, shall forfeit any sum not exceeding five pounds nor less than one pound, and shall in addition to any such forfeiture, pay the cost of removing such filth or obstruction, or of restoring such watercourse or canal into its proper channel.

Throwing filth on roadway, &c.

67. If any person shall, in any street, road, lane, or public place, throw, cast, or lay, or shall cause, permit, or suffer to be thrown, cast, or laid any ashes, rubbish, dung, soil, dead animal, blood, or other filth, or shall kill, slaughter, dress, scald, or cut up any beast, swine, calf, sheep, lamb, or other animal, in or so near to any of the said streets or roads as that any blood or filth shall run or flow upon or over, or be on any carriage or footway, or shall run, roll, drive, draw, place, or cause, permit or suffer to be run, rolled, driven, drawn, or placed upon any footway, any waggon, cart, dray, sledge, or other carriage, or any wheelbarrow, or truck, or any ca-k, or shall wilfully lead, drive, or ride any horse or other beast upon any footway aforesaid, shall forfeit and pay a sum not exceeding five pounds nor less than one pound.

Placing goods, &c., on roadway, &c.

68. If any person shall set or place, or cause or permit to be set or placed, any stall, show-board, basket, or goods of any kind whatsoever, or shall hoop, place, wash or cleanse, or cause to be hooped, placed, washed, or cleansed, any ca-k or vessel in or upon, or over any road, footway, or public place, within the said Borough, or shall set out, lay or place or, shall cause or procure, permit or suffer to be set out, laid, or placed, any coach, cart, dray, barrow, truck, or other carriage, upon any footway, or if any person shall set or place, or cause to be set or placed, in, upon, or over any of the said carriage or footways, any timber, stones, bricks, lime, or other materials or things for building whatsoever (unless the same shall be enclosed as hereinafter directed), or any other matters or things whatsoever; or shall hang out or expose, or shall cause or permit to be hung out or exposed, any meat or offal, or other thing or matter whatsoever from any house or premises, over any part of such footways or carriage-ways, or over any area of any house, or premises, or any other matter or thing from and on the outside or any part of any house or premises, or over or next to any such street or road, and shall not immediately remove all or any such matters or things, being thereto required by the Council or any officer thereof, and shall not continue and keep the same so removed; or if any person having, in pursuance of any such requisition as aforesaid, removed, or caused to be removed, any such stall, showboard, basket, goods, coach, cart, dray, barrow, truck, carriage, timber, stone, brick, lime, meat, offal, or other matters or things, and shall at any time thereafter again set, lay, or place, expose, or cause, procure, permit, or suffer to be set, laid, placed, or exposed, the same or any of them, or any other article or thing whatsoever (save and except as aforesaid) in, upon, or over any of the carriage or footways of or next unto any streets or roads as aforesaid,—in every such case every person so offending shall forfeit and pay a sum not exceeding forty shillings nor less than ten shillings.

Drawing or trailing timber, &c.

69. If any person shall haul or draw, or cause to be hauled or drawn, upon any part of any street, road, or public place, any timber, stone, or other thing, otherwise than upon wheeled carriages, or shall suffer any timber, stone, or other thing which shall be carried principally or in part upon wheeled carriages, to drag or trail upon any part of such street or public place to the

injury thereof, or to hang over any part of such carriage so as to occupy or obstruct the street or road beyond the breadth of the said carriage, every such person so offending shall forfeit and pay for every such offence the sum of forty shillings over and above the damages occasioned thereby: Provided that such penalty and damages shall not together exceed the sum of fifty pounds.

No turf, gravel, &c., to be removed from streets with leave, &c.

70. Any person who from any part of the roads, streets, thoroughfares, or public places shall remove or cause to be removed any turf, clay, sand, soil, gravel, stone, or other material, without leave first had and obtained from the officers or persons having lawful charge of such roads, streets, thoroughfares, or public places, or who shall wantonly break up or otherwise damage any part of the said roads, streets, thoroughfares, or public places, shall, on conviction, forfeit and pay for every such offence any sum not exceeding five pounds nor less than five shillings, and for every subsequent offence shall forfeit and pay a sum of not less than one pound.

No driver to ride on vehicle without a person to guide his beasts (vehicles with reins excepted), or go to a distance from his vehicle, or drive on wrong side, &c.

71. If the driver of any waggon, cart, dray, or vehicle of any kind, shall ride upon the same in any street, road, or thoroughfare, not having some person on foot to guide the animals drawing the same (such vehicles as are drawn by horses driven or guided with reins only excepted), or if the driver of any carriage or vehicle whatsoever shall wilfully be at such a distance from such carriage or vehicle, or in such a situation whilst it shall be passing upon such street, road, or thoroughfare, that he cannot have the direction or government of the horse or horses, or cattle drawing the same; or if the driver of any waggon, cart, dray, coach, carriage, or other vehicle, shall not drive on the left or near side of any such road, street, or thoroughfare; or if any person shall in any manner wilfully prevent any other person or persons from passing him or her, or any vehicle under his or her care, upon such street, road, or thoroughfare, or by negligence or misbehaviour prevent, hinder, or interrupt the free passage of any person or vehicle, or carriage, in or upon the same—every such driver or person so offending shall forfeit and pay for every such offence any sum not exceeding forty shillings nor less than ten shillings.

As to riding or driving improperly through streets, &c.

72. Any person who shall ride or drive through any road, street, or public place negligently, carelessly, or furiously, or so as to endanger the life or limb of any person, or to the common danger of the passengers, shall forfeit and pay a sum not exceeding ten pounds, nor less than two pounds.

Affixing placards on walls, and chalking thereon.

73. It shall not be lawful for any person to paste or otherwise affix any placard or other paper upon any wall, fence, house, or building, nor to deface any such wall, fence, house, or building by chalk or paint, or in any other manner, unless with the consent of the owner thereof. And any person who shall be guilty of any such offence shall forfeit and pay a sum not exceeding ten shillings.

Cattle, &c., not to wander about streets, &c.

74. It shall not be lawful for any person to suffer any kind of cattle, horse, ass, mule, sheep, swine, or goat belonging to him, or under his charge, to stray or go about, or to be depastured in any road, street, or public place, in this Borough; and any person who shall so offend shall forfeit and pay, in respect of every such offence a sum not exceeding forty shillings nor less than five shillings.

Restrictions on certain trades, &c.

75. It shall not be lawful for the business of soap-boiler, tallow-melter, tripe-boiler, tanner, carrier, or pig-keeper, or any other occupation, trade, or manufacture of an obnoxious or unwholesome nature, prejudicial to the health of or otherwise offensive to any of the inhabitants thereof, to be commenced or established within the limits of this Borough; and that from and after the first day of May, in the year of our Lord one thousand eight hundred and eighty, the business of a soap-boiler, tallow-melter, tripe-boiler, tanner, carrier, or pig-keeper, or any other obnoxious, offensive, or unwholesome occupation, trade, or manufacture, as aforesaid, which has been already commenced or established shall not be continued or carried on within the limits of this Borough; and whosoever shall offend against this By-law shall forfeit and pay, on conviction, a penalty not exceeding fifty pounds nor less than ten pounds; and a further sum of two pounds for each and every day during which he continues to offend: Provided that notice in writing shall be given to the person engaged in any such trade, manufacture, or occupation, and if he shall discontinue the same within six months from the day on which he receives such notice, he shall not be liable to any penalty in that regard.

Removal of nightsoil.

76. It shall not be lawful for any person or persons to drive, or cause to be driven, any cart or carriage of any kind with any night-soil, ammoniacal liquor, slop, urine, or channel dirt or filth, in or upon or near to any of the said streets, roads, or other public places; and in order to prevent nuisances it shall not be lawful for any person to deposit night-soil, ammoniacal liquor, or other offensive matter, nearer to any street, road, or dwelling-house than shall be directed by the said Council or its officer; and all night-soil and other offensive matter shall be removed within the hours hereinafter prescribed, in properly-covered and water-tight carts or other vehicles; and no vehicles used for this purpose shall be allowed to stand on any premises nearer to any road, street, or dwelling-house than shall be directed by the said Council or its officer; and every person offending against this By-law shall for every such offence forfeit and pay a sum not exceeding five pounds nor less than ten shillings.

Hours for removing nightsoil, &c.

77. If any person shall take away night-soil from any house or premises within the said Borough, or shall come with carts or carriages for that purpose, except between the hours of 10 at night and 5 in the morning, or if any person or persons shall cast, or permit to leak or slop out of any cart or tub, or otherwise, any night-soil in or near any of the streets or public places, he shall forfeit and pay a penalty of five pounds for every such offence; and in case the person or persons so offending cannot be found, then the owner or owners of such cart, carriage, or other vehicle employed in and about emptying and removing such night-soil, and also the employer or employers of the person or persons so offending, shall be liable to and forfeit and pay such penalty as aforesaid.

Inspection of premises. Yards, &c., to be kept clean.

78. Upon the reasonable complaint of any householder, that the house, premises, yards, closets, or drains of the neighbouring or adjoining premises, are a nuisance or offensive, the Inspector of Nuisances, or any other person appointed by the Council, shall make an inspection of the premises complained of; and the officers of the Council shall have full power, without any other authority than this By-law, to go upon such premises for the aforesaid purpose. Any owner or occupier of any house or place within the said Borough who shall neglect to keep clean all private avenues, passages, yards, paddocks, and ways within, attached to, or occupied in conjunction with the said house or place so as by such neglect to cause a nuisance by offensive smell, shall forfeit and pay a sum not exceeding forty shillings and not less than ten shillings.

Discharging firearms, &c.

79. Any person who shall discharge any firearms without lawful cause, or let off any fireworks or other explosive matter in or near to any road or street, shall forfeit and pay a sum not exceeding five pounds nor less than ten shillings.

No rock to be blasted without notice to the Surveyor, &c.

80. Any person who shall be desirous of blasting any rock within the distance of 100 feet of any dwelling-house, street, road, or other public place, shall give notice in writing twenty-four hours previously, to the said Council or Surveyor thereof, who shall appoint in writing a time when the same may take place, and give such other directions as they or he may deem necessary for the public safety; and if any person shall blast or cause to be blasted any rock within the limits aforesaid, without giving such notice, or shall not conform to the directions given to him by the said Council or Surveyor, he shall forfeit and pay for every such offence a sum not exceeding twenty pounds nor less than one pound, and for every subsequent offence shall pay a penalty of not less than five pounds.

Entrance to cellars, &c., to be covered, &c.

81. If the owner or occupier of any premises, having any rails or bars over the areas or openings to any kitchen or cellars or other part of the said premises beneath the surface of the footway of any streets or public places, or having any doorway or entrance into the basement or cellar story thereof, shall not either keep the same, or the rails of such kitchen, cellars, or other parts, in sufficient and good repair, or constantly keep the same securely guarded by rails, or cover the same over with a strong flap or trap-door, according to the nature of the case, and so as to prevent danger to persons passing and re-passing; or if any such owner or occupier shall leave open, or not sufficiently or substantially keep covered and secured, any coal or other hole, funnel, trap-door, or cellar-flap, belonging to or connected with his premises (save and except only during reasonable time for use, alteration, or repair); or, if such owner or occupier shall not repair, and from time to time keep in good and substantial repair, all and every or any such rails, guard-rails, flaps, trap-doors, and other covering, then and in every such case the person neglecting so to do shall, for every such offence, forfeit and pay a sum not exceeding five pounds nor less than forty shillings.

Cellars or openings beneath footways prohibited.

82. It shall not be lawful for any person to make any cellar, or any opening, door, or window in or beneath the surface of the footway of any road, street, or public place, within the said Borough, except by permission of the Council; and if any person shall so offend, he shall forfeit and pay any sum not exceeding five pounds over and above the expense of remedying or removing any such cellar, opening, door, or window, such expense to be assessed and allowed by the convicting Justice or Justices: Provided that such expense and penalty shall not together exceed fifty pounds.

Wells to be covered over, &c.

83. Every person who shall have a well situated between his dwelling-house or the appurtenances thereof, and any public place, road, street, or footway, within the limits of the said Borough, or at the side of such public place, road, street, or footway, or in any yard or place open and exposed to such public place, road, or footway, shall cause such well to be securely and permanently covered over; and if any person having such well as aforesaid shall fail to cover and secure the same within twenty-four hours after notice in writing shall have been given to him or her by any officer of the said Council, or shall have been left at such person's usual or last known abode, or at the said premises, in the manner and with such materials as the Council or its officer shall direct, and to their satisfaction, such person shall forfeit and pay a sum not exceeding ten shillings for every day that such well shall remain open or uncovered contrary to the provisions hereof: Provided that, with respect to wells open at the time when this By-law shall come into operation, such penalty shall not be recoverable if the same be properly covered within one week thereafter.

Holes made for vaults, &c., to be enclosed, &c.

84. If any person shall dig or make, or cause to be dug or made, any hole, or leave, or cause to be left, any hole in or adjoining any street, road, lane, or public place, for the purpose of making any vault or vaults, or the foundation or foundations to any house or other building, or for any other purpose whatsoever, and shall not forthwith enclose the same in a good or sufficient manner, and keep up or cause to be kept up and continued, any such enclosure, or shall not, when thereunto required by the said Council or officer thereof, well and sufficiently fence or enclose any such hole, within the time and in the manner provided by the preceding By-laws, and shall not place a light upon the said enclosure and keep the same constantly burning, from sunset to sunrise, during the continuance of such enclosure, then and in every such case the person so offending shall forfeit and pay for every such offence and for every such refusal or neglect, any sum not exceeding five pounds nor less than ten shillings, and on conviction for every subsequent offence not less than one pound.

Excavation, &c., to be protected by fence or wall.

85. It shall not be lawful for any person to make any quarry, excavation, or opening in the ground, on any property adjoining or near to any public road or footpath within the limits of this Borough, until the owner or occupier of the said property shall have erected a good substantial fence or wall at the least four feet high around such parts of the said property as adjoin such public road or foot-path; and any person neglecting or refusing to enclose any premises upon which any such quarry or excavation shall be made, shall forfeit and pay for every such offence a sum not exceeding five pounds nor less than ten shillings; and all existing quarries, excavations, or precipices situated within the limits of this Borough shall be closed and protected in the manner aforesaid, within one month after due notice to that effect shall have been given by the said Council; and in the event of the failure or neglect of the owner or occupier of any such lastmentioned property to enclose the same, after notice as aforesaid, such persons so offending shall be subject to the penalty beforementioned.

Various obstructions and annoyances.

86. Every person who, in any street or other public place or passage within the said Borough, shall commit any of the following offences, shall on conviction for any and every such offence forfeit and pay a penalty of not more than two pounds:—

Every person who shall hoist, or cause to be hoisted, or lower, or cause to be lowered, goods of any description from any opening in any house fronting any street or public place, and close to the footway thereof, without sufficient and proper ropes and tackling.

Every person who shall carry or convey, or cause to be carried or conveyed in any street or public place, the carcase, or any part of the carcase of any newly slaughtered animal, without a sufficient and proper cloth covering the same, for the concealment from public view, or shall hawk or carry about butchers' meat for sale, without covering the same as aforesaid.

Every person who shall place any line, cord, or pole across any street, lane, or passage, or hang or place clothes thereon to the danger or annoyance of any person.

Every person who shall place any flower-pot in any upper window, near to any street or public place without sufficiently guarding the same from being thrown down.

Every person who shall throw or cast from the roof, or any part of any house or other building, any slate, brick, wood, rubbish, or other material or thing (unless within a hoard or enclosure, when any house or building is being erected, pulled down, or repaired).

Every blacksmith, metal-founder, lime-burner, brick-maker, potter, or other person, using a forge, furnace, or kiln, and having a door, window, or aperture fronting or opening into or towards any street, lane, or passage, and not enclosing such door, or not fastening the shutters or other fastenings of such window, and closing such aperture, or placing a screen before the same every evening, within one hour after sunset, so as effectually to prevent the light from showing through the doorway, window, or aperture next or upon such street, lane or passage.

Every person who shall, within the distance of one hundred yards from any dwelling-house, burn any rags, bones, cork, or other offensive substance (garden refuse excepted), to the annoyance of any inhabitant.

Every person who shall carry goods or any frame to the annoyance of any person upon any public footway.

Every person who shall be the keeper of or have any dog or other animal which shall attack or endanger the life or limb of any person in any street or other public place within the said Borough.

Noisome and offensive trades.

No noisome or offensive trades to be carried on to injury of any inhabitant.

87. No person shall carry on any noisome or offensive trade within the said Borough, so as to injure or be a nuisance as hereinafter stated to the inhabitants thereof.

Definition of "noisome and offensive trades."

88. Any manufacture, trade, calling, or operation, in the conducting, following, or carrying on of which, or in consequence of, or in connection wherewith, or from the premises where the same is conducted, followed, or carried on, any gas, vapour, effluvia, liquid, or any large quantities of smoke shall be evolved or discharged, which gas, vapour, effluvia, liquid, or smoke, shall be calculated to injure animal or vegetable life, or in any other way to injure or be a nuisance to the inhabitants of the said Borough, shall be considered "a noisome and offensive trade" within the meaning of these By-laws.

Complaint—Inquire and report—Order of Council thereon—Notice to discontinue, &c.—Penalty.

89. Upon complaint, in writing, by any householder that any noisome or offensive trade is being so followed, conducted, or carried on in the vicinity of his or her residence or property, as to injure his or her health, or the health of any member of his or her family, or to be a nuisance to such householder, and to his or her family, the Inspector of Nuisances, or any other person or persons appointed by the Council, shall make an inspection of the premises where such trade is alleged to be so conducted, followed, or carried on, and of the premises or property of the complainant, and shall inquire into the grounds for such complaint, and shall report thereon to the said Council; and if the said Council shall, on the consideration of such report, or after any such further inquiry as may be deemed necessary, be of opinion that the said complaint is well founded, and that any manufacture, trade, calling, or operation so complained of, and so being conducted, followed, or carried on as aforesaid, is a "noisome or offensive trade" within the meaning of these By-laws, notice shall be given to the person or persons conducting, following, or carrying on such trade, to cease and discontinue the same within such reasonable time, not being less than thirty days, nor more than sixty days, as the said Council may direct, or so to conduct, follow, or carry on his, her, or their manufacture, trade, calling, or operation, as that within such reasonable time as aforesaid, the same shall wholly and permanently cease to be noisome and offensive within the meaning of these By-laws, either to the said complainant, or to any other resident within the said Borough; and if such trade shall not be discontinued or shall not be so conducted as that it shall wholly cease to be noisome and offensive within the time named in such notice as aforesaid, any person conducting, following, or carrying on such trade as aforesaid, shall for the first offence forfeit and pay a sum of not less than forty shillings, nor more than five pounds; for a second offence a sum of not less than five pounds, nor more than twenty-five pounds; and for a third and every subsequent offence, a sum of not less than ten pounds nor more than fifty pounds.

Mode of proceeding when "noisome or offensive trade" is about to be commenced—Penalty.

90. The like proceedings shall be taken whenever there shall be a complaint as aforesaid that any manufacture, trade, calling, or operation is about to be commenced or entered upon which is likely to prove "noisome and offensive" within the meaning of these By-laws, and the notice to be given as aforesaid shall be given to the person or persons about to commence or enter upon such manufacture, trade, calling, or operation, and shall require him, her, or them, not to commence or enter upon the same, and the Council shall take such measures as shall effectually and permanently prevent the same from becoming "noisome or offensive" within the meaning of these By-laws to any resident within the Borough. And any person who shall in any such case commence, enter upon, or continue any such manufacture, trade, calling, or operation, so that the same shall be in any way "noisome or offensive" within the meaning of these By-laws, shall for every such offence forfeit and pay a sum of not less than ten pounds, nor more than fifty pounds.

Service of notice—Liabilities.

91. Service of any such notice as aforesaid upon the occupier or owner of any premises or land wherein or whereon any such manufacture, trade, calling, or operation is being conducted, followed, or carried on, or is about to be commenced or entered upon, or at the last known place of abode of such occupier or owner, or upon any person on the said premises or land, shall be a good and sufficient service of such notice for all the purposes of these By-laws. And every person who shall be actually engaged in superintending, directing, or managing, or who shall be in any other way actually engaged or employed in any such manufacture, trade, calling, or operation as aforesaid, shall be liable to be regarded and treated as a person conducting, following, or carrying on such manufacture, trade, calling, or operation, within the meaning and for all the purposes of these By-laws.

Public Health.

Houses to be purified on certificate of two medical practitioners.

92. If, upon the certificate of any duly qualified medical practitioner, it appear to the Council that any house, or part thereof, or the premises occupied in connection therewith, within the limits of the said Borough, is in such a filthy or unwholesome condition that the health of any person is or may be liable to be affected or endangered thereby, and that the whitewashing, cleansing, purifying, or fumigating of any house, or part thereof, or the premises occupied in connection therewith would tend to prevent or check infectious or contagious disease, the said Council shall give notice, in writing, to the owner or occupier of such house or part thereof or the premises occupied in connection therewith, to whitewash, cleanse, purify, or fumigate the same, as the case may require; and if the person to whom notice is so given shall fail to comply therewith within the time specified in the said notice, he or she shall be liable to a penalty not less than forty shillings nor more than ten pounds. Provided that each day during which such house shall, after such notice as aforesaid, remain uncleansed or unfumigated, shall be a separate offence. Provided also that no such penalties shall collectively amount to any greater sum than fifty pounds.

Sale or letting of infected premises or goods.

93. If any person shall sell, let, or cause to be sold or let, any dwelling house or part thereof, or premises occupied in connection therewith in the said Borough, which then is, or shall have been within thirty days prior to the date of such sale or letting, occupied by any person suffering from any infectious or contagious disease, without giving due notice thereof to the person or persons purchasing, renting, or hiring any such house or premises, the person so selling, letting, or causing to be sold or let, shall be liable to a penalty not exceeding fifty pounds nor less than ten pounds. And any person who shall sell, let, or cause to be sold or let, in the said Borough any article of furniture, bedding, household, or personal effects, knowing the same to have been within three months prior to the date of such sale or letting used by any person or persons suffering from any infectious or contagious disease, shall forfeit and pay a sum not exceeding fifty pounds nor less than ten pounds.

Exposing infected articles.

94. Any person who shall expose, or cause to be exposed, in any road, street, public place, or unenclosed land adjacent to any dwelling, road, street, public place, any article whatsoever, knowing the same to have been in the use or occupation of any person suffering from any infectious or contagious disease within thirty days prior to the date of such exposure as aforesaid, shall forfeit and pay a sum not exceeding fifty pounds nor less than ten pounds.

95. No kind of rubbish or offensive matter shall be thrown upon any public or private property within the Borough without permission first obtained from the Municipal Council and the owner or owners of such property. Persons found guilty of a breach of this By-law shall forfeit and pay for every such offence any sum not exceeding two pounds nor less than ten shillings.

Sewerage and Drainage.

No private sewers to be made to communicate with the public sewers without notice.

96. It shall not be lawful for any person, without notice to the Council or otherwise than according to such plans and directions as such Council make and give, to make or branch any private drain or sewer into any of the public drains or sewers, or into any drain or sewer communicating therewith; and in case any person or persons shall make or branch any private drain or sewer communicating or to communicate therewith without such notice, or otherwise than as aforesaid, every person so offending shall for every such offence forfeit and pay any sum not exceeding fifty pounds, and shall, at his own expense, make good all roads, streets, kerbing, &c., which shall have been injured by or through any such work; and all such repairs shall be performed to the satisfaction of such officer as the Council shall appoint to superintend such work; and any person who shall do or perform anything contrary to this clause, or shall neglect to make good all such damage as aforesaid, shall on conviction thereof forfeit and pay any sum not exceeding fifty pounds nor less than one pound.

Proprietors of private sewers, &c., to repair and cleanse same.

97. All private drains or sewers communicating with any public drain or sewer shall from time to time be repaired and cleansed under the inspection and direction of the Council or officer thereof, at the costs and charges of the occupiers of the houses, buildings, lands, and premises to which the said private sewers or drains shall respectively belong; and in case any person shall neglect to repair and cleanse, or cause any such private drain or sewer to be repaired and cleansed according to the directions of the said Council, he shall forfeit and pay for every such offence any sum not exceeding five pounds.

Water from roofs, &c.

98. Every owner or occupier of any dwelling-house, shop, or other building who shall permit rainwater to fall from any roof, balcony, or other projection, upon any street, road, lane, or footway, or shall cause or permit any such roof or rainwater to be discharged by any pipe, upon any such street, road, lane, or footway, shall, if such nuisance be not abated within seven days after notice to abate the same shall have been given by the Council, forfeit and pay for every such offence a sum not exceeding five pounds nor less than one pound.

Drains in footpaths.

99. No surface-drain shall be made in any foot-path, nor any pipes laid under or across the same, without the authority of the Council; and no such pipe or drain shall be used for the discharge into any street or roadway of any offensive liquid or matter of any kind whatsoever; and any person who shall so offend shall forfeit and pay any sum not exceeding fifty pounds nor less than one pound.

Drains for discharge of surface water from land.

100. Every owner or occupier of land so situated that surface or storm water from or upon the same shall overflow, or shall tend naturally, if not otherwise discharged, to overflow any road, lane, or footway, shall within seven days next after the service of notice by the Council abate such nuisance where possible; and in default of compliance with any such notice within the period aforesaid, such owner or occupier shall forfeit any sum not exceeding five pounds; and if within seven days after such conviction such owner or occupier shall still have failed to comply with such notice, or be otherwise in default as aforesaid, he shall forfeit and pay any sum not less than one pound nor more than ten pounds, and for every further such offence he shall forfeit and pay any sum not less than two pounds nor more than twenty pounds: And every such owner or occupier who shall still have made default as aforesaid for more than seven days after such second or any future conviction, shall be held guilty of a further offence within the meaning of this section.

Natural watercourses.

101. Any person who shall close or intercept any natural watercourse, by building or otherwise, shall provide another outlet for the surface-water with pipes or sewers of a size, and in a manner to be approved by the Council, and any person failing to comply with the provisions of this By-law shall forfeit and pay a sum not exceeding fifty pounds nor less than five pounds.

Preventing and extinguishing fires.

Fire or combustible materials, &c.

102. Every person who shall place, or knowingly permit to be placed, in any house, yard, workshop, out-offices, or other premises, fire, gunpowder, or combustible or inflammable article of any kind, in such a manner as to endanger contiguous buildings (except with the consent of the owners and occupiers thereof), shall on conviction for every such offence forfeit and pay a penalty of not more than five pounds nor less than one pound; and shall forthwith remove such fire, gunpowder, or combustible or inflammable article. And every such person who shall suffer any such fire, gunpowder, or combustible or inflammable article to remain as aforesaid for forty-eight hours after any such conviction shall be deemed guilty of a further offence against this By-law.

Inflammable fences, &c.

103. Every person who shall erect any fence of brushwood, bushes, or other inflammable material, or shall make or place any stack of hay, corn, straw, or other produce, or place as or for the covering of any such stack, any inflammable material or shall place, keep, or store any hay, straw, or other inflammable material in any building, so as to endanger contiguous buildings or properties, or any trees, shrubs, or other produce of such properties, or any chattels in or upon such buildings or properties, shall forfeit, on conviction for every such offence, a penalty of not more than five pounds nor less than one pound, and also shall remove such fence, stack, covering, or inflammable material within forty-eight hours after such conviction. And any person failing to remove such fence, stack covering, or inflammable material within a reasonable time after any such conviction as aforesaid shall be deemed guilty of a further offence against this By-law.

Burning shavings, &c. in streets.

104. Any person burning any shavings, or other matters or things, in any street, road or public place, shall forfeit and pay a sum not exceeding forty shillings nor less than five shillings.

Fireworks.

105. Every person who shall light any bon-fire, tar barrel, or firework upon or within sixty feet of any building, public or private street, or any public place, or shall sell gunpowder, fireworks, or other combustible matter by any artificial light, other than gas, shall forfeit a sum not exceeding five pounds.

Wilfully setting fire to Chimneys.

106. Every person who wilfully sets, or causes to be set on fire, any chimney, flue, smoke-vent, or stove-pipe, herein called in common a "Chimney," shall forfeit a sum not exceeding five pounds.

*Public Amusements.**Unlawful Games.*

107. No games with dice or other games of chance for money, prize fighting, or any dog-fighting, cock-fighting, or other exhibition or entertainment opposed to public morality, or involving cruelty to animals, or likely to cause a breach of the peace, shall be established, held or given within this Borough, and any person or persons who shall establish, hold, give, or cause to be established, held or given any such game, exhibition or entertainment shall for every such offence forfeit and pay a sum of not less than ten pounds or more than fifty pounds.

*Water Supply.**Polluting water, reservoirs, &c.*

108. Whosoever shall bathe in any stream, reservoir, conduit, aqueduct, or other water-works belonging to or under the management or control of the Council, or shall wash, cleanse, throw, or cause to enter therein, any animal, whether alive or dead, or any rubbish, filth, or thing of any kind whatsoever, or shall cause or permit to suffer to run, or to be brought therein, the water of any sink, sewer, drain, engine, or boiler, or other filthy, unwholesome, or improper liquid, or shall wash any clothes at any public fountain or pump, or in or at any such stream, reservoir, conduit, aqueduct, or other waterworks as aforesaid, or shall do anything whatsoever whereby any water or water-works belonging to the said Council, or under their management or control, shall be fouled, obstructed, or damaged, shall for the first offence forfeit and pay any sum not exceeding five pounds; for a second offence, any sum not less than one pound nor more than ten pounds; and for a third and every subsequent offence, any sum not less than five pounds nor more than twenty pounds.

Damming up water without consent.

109. Whosoever shall, without the consent in writing of the Council, construct or place any dam or embankment in or across any river, creek, or natural water-course, shall forfeit and pay any sum not less than one pound, nor more than twenty pounds, and shall remove such dam or embankment within a reasonable time after such conviction or shall forfeit and pay any sum not less than five pounds nor more than fifty pounds, and if after such second conviction, such person shall fail to remove such dam or embankment within a further reasonable time, he shall forfeit and pay a sum of not less than twenty pounds nor more than fifty pounds; and if within a reasonable time after a third or any further conviction he shall fail to remove such dam or embankment, he shall for every such offence forfeit and pay a sum of fifty pounds.

Supply of water in time of drought.

110. In time of drought or scarcity of water the Council may, by resolution to that effect, cause water to be supplied to the inhabitants of this Borough by water-carts or otherwise, and shall, by such resolution as aforesaid, fix a price to be charged for water so supplied.

Trees in streets.

111. The Council shall have power to plant trees in the streets and public ways of this Borough, and any person wilfully injuring or destroying any of such trees, or any railing or fence protecting the same, shall on conviction forfeit and pay a penalty of not more than ten pounds nor less than two pounds, in addition to the value of the tree, railing, or fence so injured or destroyed.

By-laws of the Borough of Camperdown, made under and for carrying into effect the provisions of the Nuisances Prevention Act, 1875.

1. Every person who shall be about to erect a closet, or form, excavate, or make a cesspit, shall, before he shall commence to erect such closet, or to form, excavate, or make any such cesspit, deliver to the Council Clerk of the said Borough of Camperdown a notice in writing of the intention of such person to erect such closet, or form, excavate, or make such cesspit, and of the place or position in which it is intended that such closet shall be erected or such cesspit formed, excavated, or made, and if any person shall commence to erect any closet, or to form, excavate, or make any cesspit within the said Borough, without having given such notice in writing as aforesaid, and before the expiration of seven days after the delivery of such notice (except by the written authority of the Inspector of Nuisances for the said Borough, or other officer for the time being appointed by the Council of the said Borough in that behalf) he shall forfeit and pay a penalty of not less than one pound nor more than five pounds.

2. No person shall erect or commence to erect any closet, or to form, excavate, or make any cesspit, except in such place or position as shall be approved by the said Inspector of Nuisances or other officer as aforesaid; and any person who shall erect or commence to erect any closet or to form, excavate, or make any such cesspit without having obtained the approval of the said Inspector or other officer, or in any place or position other than the place or position approved of by the said Inspector or other officer as aforesaid, shall forfeit and pay a penalty of not less than ten shillings nor more than forty shillings. But any person who shall feel aggrieved by the decision of such Inspector or other officer may appeal against the same to the Council.

3. Every cesspit shall be at least 4 feet long by 3 feet wide by internal measurement, and shall be at least 4 feet (but not more than 6 feet) below the service of the ground, and the top of such cesspit shall be at least 6 inches higher than the highest part of the surface of the ground immediately adjoining such cesspit, and every such cesspit shall have walls on each side of brick or stone of at least 4½ inches thick and such walls shall be built in cement and rendered at least ½ an inch thick inside with cement, in such manner as to make such walls thoroughly watertight, and no cesspit shall be formed, excavated, or made under any dwelling-house, nor at a less distance than 6 feet therefrom; and if any person shall form, excavate, or make any cesspit which shall not be in accordance with the provisions of this By-law, or shall form, excavate, or make any cesspit under any dwelling-house or at a less distance than 6 feet therefrom, he shall forfeit and pay a penalty of not less than one pound nor more than five pounds.

4. Every closet shall be built with walls 7 feet high, and shall not be less than 3 feet 6 inches wide, and 4 feet 6 inches long, and shall be provided with a door capable of being fastened inside; and every person who shall build or erect any closet which shall not be in accordance with this By-law shall forfeit and pay a penalty of not less than ten shillings nor more than forty shillings.

5. Where two or more closets adjoin each other there shall be a sufficient dividing wall not less than nine inches in thickness between every two closets, and such wall shall extend from the bottom of the cesspit through the roof of the closet, so as to effect a complete separation, and if any person shall erect any two or more closets adjoining each other and not in accordance with this By-law, he shall forfeit and pay a penalty of not less than ten shillings nor more than forty shillings.

6. A separate closet shall be provided for each tenement, and any person offending against the provisions of this By-law shall forfeit and pay a penalty of not less than two pounds nor more than five pounds.

7. In schools, factories, or other places of business where a number of persons exceeding twelve shall ordinarily reside, or be occupied, or employed, one closet shall be provided for every twenty persons, with a cesspit of a capacity of not less than 80 cubic feet, and separate closets shall be provided for each sex; and every owner, occupier or tenant of any such school, factory or other place of business, and every other person who shall offend against this By-law or fail to provide the number of closets and of the capacity in this By-law mentioned, shall forfeit and pay a penalty of not less than one pound nor more than five pounds.

8. If any alteration shall be requisite in the opinion of the Inspector of Nuisances or other officer appointed by the Council in their behalf, for preserving public health or decency in the case of any existing cesspit or closet, and the Council shall adjudge such cesspit or closet to be injurious to the health or opposed to decency by exposure or otherwise, and the owner or occupier shall not make the necessary alterations after receiving fourteen days' notice from the Council Clerk, it shall be lawful for the Inspector of Nuisances or other officer appointed by the Council to remove the said nuisance, and any expense incurred thereby may be sued for and recovered in a summary way before any two or more Justices of the Peace.

9. The place of deposit for night-soil shall be in such locality as may be from time to time determined upon by the Council.

10. Until otherwise provided for by the Council all night-soil shall be removed from cesspits, by contract, in watertight covered vehicles, between the hours of 10 o'clock in the evening and five o'clock in the morning, and if any person shall remove from any cesspit any night-soil in any other manner or at any other time than as provided by this By-law he shall forfeit and pay a penalty of not less than one pound nor more than five pounds.

11. In case the Council shall sell or give away any night-soil, the same shall be removed in the same manner and between the same hours as above provided, and on being removed from the vehicles in which it is carried, shall be deodorized by chemicals or in some other effective manner, or covered with earth so as to prevent any offensive smell arising therefrom; and if any offensive smell shall arise therefrom, the person or persons to whom the said night-soil shall be sold or given, shall forfeit and pay a penalty of not less than one pound nor more than five pounds.

12. The Inspector of Nuisances or other officer appointed by the Council, may visit and inspect any premises, or do any work authorized by the Nuisances Prevention Act of 1875 therein, on all days except Sundays and public holidays, between the hours of ten o'clock in the morning and four o'clock in the afternoon; and any person who shall hinder or obstruct any Inspector of

Nuisances or other officer as aforesaid upon any such visitation or inspection, or in the doing or performing of any work, shall forfeit and pay a penalty of not less than ten shillings nor more than forty shillings.

13. Any person desirous of erecting an earth closet, shall be at liberty to do so after giving notice of his intention to the Inspector of Nuisances or other officer appointed by the Council, but all night-soil shall be removed therefrom once in four days or oftener, and buried in the earth; and every person infringing or not complying with this By-law, shall forfeit and pay a penalty not less than one pound nor more than two pounds.

14. No person shall use on his own premises any night-soil other than that taken from the earth closet upon his own premises, and in the event of his so doing he shall forfeit and pay a penalty of not less than two pounds nor more than ten pounds.

15. All expenses incurred by the Council in emptying any cesspit shall be repaid to the Council by the owner or occupant of the premises whereon such cesspit is situated within one week after a written demand of the amount made by the Council or Inspector of Nuisances shall have been served upon him, otherwise the same may be recovered in a summary way before any two Justices of the Peace.

16. The Inspector of Nuisances shall furnish the Council with a monthly return showing the number of cesspits emptied, the amount due and payable for each cesspit, and the amount of arrears due for emptying cesspits. He shall collect the amounts so due and payable, and account therefor to the Council at the least once in every month, or as may be determined upon by such Council.

Passed by the Municipal Council of the Borough of Camperdown, on the fourth day of March, in the year of our Lord one thousand eight hundred and seventy-nine.

(L.S.) P. C. LUCAS,
Mayor.

1879.

NEW SOUTH WALES.

PUBLIC VEHICLES REGULATION ACT OF 1873.

(BY-LAWS UNDER.)

Presented to Parliament, pursuant to Act 36 Vic. No. 14, sec. 15.

Colonial Secretary's Office,
Sydney, 1st September, 1879.

METROPOLITAN TRANSIT COMMISSIONERS BY-LAWS.

THE following By-laws, made by the Metropolitan Transit Commissioners, to amend in certain particulars the By-laws heretofore in force under the Public Vehicles Regulation Act of 1873, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the provisions of the above cited Act.

HENRY PARKES.

WHEREAS it is expedient to amend in certain particulars the By-laws made and passed by the Metropolitan Transit Commissioners, constituted and empowered by the Public Vehicles Regulation Act of 1873, the said Metropolitan Transit Commissioners do by virtue of the powers and authorities in them vested hereby order and declare,—

Repeal of By-laws.

1. That By-laws numbered respectively eighteen and twenty-seven, made and passed on the fourth day of October, in the year of our Lord one thousand eight hundred and seventy-six, shall be and the same are hereby repealed.

Vehicles not to be withdrawn without notice.

2. No owner of any licensed vehicle shall without leave from the Commissioners withdraw the same from hire for two consecutive days or for any two days in any one week, except in case of accident. Any owner desirous of withdrawing his vehicle, may do so on giving five days notice of his intention to the Commissioners, and upon receipt of such notice the Commissioners may cancel the license granted to such vehicle.

Wilfully or negligently damaging property.

3. Any owner, driver, or conductor, who shall whilst driving, loading, unloading, or attending any vehicle, or whilst upon any public stand, wilfully or negligently do or suffer or cause any damage to be done to the person or property of any one, shall upon conviction forfeit and pay to the person whose person or property shall have been damaged such sum for compensation not exceeding ten pounds as the Justices hearing the case may award.

Drivers and Conductors guilty of misconduct.

4. No driver or conductor shall whilst acting as driver or conductor be guilty of any breach of the peace, misconduct or misbehaviour, or be intoxicated, or make use of any threatening, obscene, filthy, indecent, blasphemous, profane, abusive, or insulting language, sign or gesticulation, but shall at all times be sober and careful in the discharge of his duties.

Passengers guilty of misconduct.

5. No person using any licensed vehicle shall be guilty of any breach of the peace, misconduct or misbehaviour, or be intoxicated, or make use of any threatening, obscene, filthy, indecent, blasphemous, profane, abusive, or insulting language, sign or gesticulation, or wilfully or negligently injure or damage such vehicle or the driver or conductor thereof.

Driver to deliver Table of Fares.

6. The driver of any carriage shall immediately upon any person entering the same, give to such person a table of the fares payable for the hire of licensed vehicles, printed in clear and legible characters.

Penalty.

7. For any offence against the provisions of these By-laws the offender shall be liable to, and on conviction shall pay, a penalty not exceeding ten pounds nor less than five shillings.

Passed by the Board of Metropolitan Transit Commissioners, this sixteenth day of July, in the year of our Lord one thousand eight hundred and seventy-nine.

C. J. ROBERTS, Chairman.
(L.S.) MICL. CHAPMAN, Commissioner.
EDMUND FOSBERY, Commissioner.

W. J. MERRIMAN, Registrar.

1879-80.

NEW SOUTH WALES.

PUBLIC VEHICLES REGULATION ACT OF 1873.

(BY-LAWS UNDER.)

Presented to Parliament, pursuant to Act 36 Vic. No. 14, sec. 15.

Colonial Secretary's Office,
Sydney, 2nd September, 1879.

METROPOLITAN TRANSIT COMMISSIONERS' BY-LAWS.

THE following By-laws, made by the Metropolitan Transit Commissioners, under the Public Vehicles Regulation Act of 1873, for the Regulation of Public Vehicles during the Sydney International Exhibition of 1879, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the provisions of the above cited Act.

HENRY PARKES.

WHEREAS it is expedient that provision be made for the special regulation of Public Vehicles during the International Exhibition of 1879.

And the Metropolitan Transit Commissioners, duly appointed in that behalf, do by virtue of the power and authority vested in them by the Public Vehicles Regulation Act of 1873, hereby make and establish the following Omnibus and Cab Stands.

OMNIBUS STAND.

St. Mary's Road, at the Fountain, to rank east.

CAB STANDS.

Macquarie-street, north of Bridge-street, to rank north.

Phillip-street, east side, north of Bent-street, vehicles to rank north; first cab to stand on north side of Bent-street, west of Free Public Library.

Domain, east road, west side, north of Avenue, to rank north; first cab at north-east corner of Exhibition Ground.

Domain, Central road, east side, one hundred yards north of St. Mary's entrance gate, to rank north; the rank to end 30 yards south from Avenue.

That the Cab Stand in Macquarie-street, at Hunter-street and Legislative Assembly, is hereby repealed during the hours of the Exhibition.

Cabs and carriages only to enter at the near side gate at St. Mary's to put down or take up and leave by keeping to their near side after turning round at entrance to Exhibition Ground, at the south end.

Cabs and carriages to enter and leave by Palmer-street gate to Domain. Vehicles to enter only by way of road out of Macquarie-street, opposite Hunter-street.

Passed by the Board of Metropolitan Transit Commissioners, this twenty-seventh day of August, in the year of our Lord one thousand eight hundred and seventy-nine.

(L.S.)

C. J. ROBERTS, Chairman.
MICL. CHAPMAN, Commissioner.
EDMUND FOSBERY, Commissioner.

W. J. MERRIMAN, Registrar.

1879-80.

NEW SOUTH WALES.

PUBLIC VEHICLES REGULATION ACT OF 1873.

(BY-LAW UNDER.)

Presented to Parliament, pursuant to Act 36 Vic. No. 14, sec. 15.

Colonial Secretary's Office,
Sydney, 2nd December, 1879.

METROPOLITAN TRANSIT COMMISSIONERS' BY-LAW.

THE following By-law, made by the Metropolitan Transit Commissioners, appointing Public Stands and a Time-table for Omnibuses plying to and from Darling Point Road, Balmain, and Erskine-street, Sydney, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the provisions of the "Public Vehicles Regulation Act of 1873."

HENRY PARKES.

THE Board of Metropolitan Transit Commissioners, constituted and empowered by the Public Vehicles Regulation Act of 1873, do, by virtue of the power and authority in them vested by the said Act, hereby make and establish the following Public Stands for Omnibuses and Time-table for Omnibuses:—

OMNIBUS STANDS, with the Line of Road to and from the same.

Stand.	Line of Road.	Stand.
Darling Road, Balmain, east side, north of Western-street.	Darling Road, Beattie and Mullens Streets, Abattoir Road, Pyrmont Bridge Road, Harris, George, Barrack, Clarence, Erskine, Wynyard, George, and Harris Streets, Pyrmont Bridge Road, Abattoir Road, Mullens-street, and Darling Road.	Erskine-street, north side, at York-street.

TIME-TABLE for Omnibuses plying to and from Darling Road, Balmain, and Erskine-street, Sydney.

Omnibuses shall start from Darling Road for Erskine-street at 8 a.m. and every hour till 8 p.m., except at 1 p.m.; and shall start from Erskine-street at 9 a.m. and every hour till 9 p.m., except at 2 p.m. And each omnibus shall perform the journey in fifty minutes, and the parts thereof as follows:—

From Darling Road at Western-street, to Abattoir Road, in 15 minutes.
 „ Abattoir Road, at Mullens-street, to Pyrmont Bridge Road, in 10 minutes.
 „ Pyrmont Bridge Road, at Abattoir Road, to George-street, in 10 minutes.
 „ George-street, at Harris-street, to Liverpool-street, in 5 minutes.
 „ Liverpool-street to "Royal Hotel," in 5 minutes."
 „ "Royal Hotel" to Erskine-street, in 5 minutes.
 „ Erskine-street to "Royal Hotel," in 5 minutes.
 „ "Royal Hotel" to Liverpool-street, in 5 minutes.
 „ Liverpool-street to Harris-street, in 5 minutes.
 „ Harris-street, at George-street, to Pyrmont Bridge Road, at Abattoir Road, in 10 minutes.
 „ Pyrmont Bridge Road to Mullens-street, in 10 minutes.
 „ Mullens-street, at Abattoir Road, to Darling Road, at Western-street, in 15 minutes.

Passed by the Board of Metropolitan Transit Commissioners this seventh day of November, in the year of our Lord one thousand eight hundred and seventy-nine.

C. J. ROBERTS, Chairman.

(L.S.) MICHL. CHAPMAN, Commissioner.

EDMUND FOSBERY, I.G.P., Commissioner.

W. J. MERRIMAN, Registrar.

1879-80.

NEW SOUTH WALES.

PUBLIC VEHICLES REGULATION ACT OF 1873.
(AMENDED BY-LAW UNDER.)

Presented to Parliament, pursuant to Act 36 Vic. No. 14, sec. 15.

Colonial Secretary's Office,
Sydney, 31st December, 1879.

METROPOLITAN TRANSIT COMMISSIONERS' BY-LAW.

THE following By-law, made by the Metropolitan Transit Commissioners, amending certain By-laws heretofore in force under the Public Vehicles Regulation Act of 1873, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the provisions of that Act.

HENRY PARKES.

WHEREAS it is expedient to amend in certain particulars the By-laws made and passed by the Metropolitan Transit Commissioners, constituted and empowered by the Public Vehicles Regulation Act of 1873, the said Metropolitan Transit Commissioners, do, by virtue of the powers and authorities in them vested, hereby order and declare:—

That By-law numbered FIFTY, made and passed on the fourth day of October, in the year of our Lord one thousand eight hundred and seventy-six; also, By-law numbered SIX, made and passed on the sixteenth day of July, in the year of our Lord one thousand eight hundred and seventy-nine, shall be, and the same are hereby repealed.

The driver of every licensed carriage shall have the number of the license thereof and the table of fares now or hereafter to be fixed by the Commissioners, printed in large, legible, and conspicuous figures on a card six inches long by three inches wide, affixed to the back panel inside such carriage; and such card shall be kept so affixed, legible, and undefaced during all the time such carriage shall ply or be used for hire; and no owner or driver of a licensed carriage shall demand, receive, or take more than the several fares set forth in the schedule hereunto annexed marked F of the By-laws as passed by the Commissioners on the fourth day of October, in the year of Our Lord one thousand eight hundred and seventy-six.

The driver of every carriage shall whilst plying for hire keep affixed to the right-hand side under the window of his carriage, a leathern satchel of a pattern approved of by the Commissioners, which satchel shall always contain at least two copies of a ticket containing a table of the fares payable for the hire of licensed vehicles, number of vehicle, owners name and residence in the form given in schedule hereto, printed in clear and legible characters; and such satchel shall always be kept in such manner that the hirer may without difficulty obtain and take one such printed table.

For any offence against the provisions of these By-laws the offender shall be liable to, and on conviction shall pay a penalty not exceeding ten pounds nor less than five shillings.

SCHEDULE.

Cab and Hackney Carriages. M. T. C. By-law. No.

No.
Owner
Residence

The owner of every carriage must provide, and the driver is bound to give to every passenger on entering, a printed ticket containing the fares, the No. of the vehicle, and the owner's name and address.

See that the No. corresponds with that on the vehicle.
Keep this ticket—In case of complaint apply at the Metropolitan Transit Commissioners' Office, 164, Phillip-street, Sydney.

RATES AND FARES to be paid for any carriage (not an omnibus) within the limits of this By-law, in the City and Police District of Sydney.

	£	s.	d.
For a cab for any time not exceeding one quarter of an hour, to carry two passengers if required by hirer	0	1	0
For every subsequent quarter of an hour or part thereof	0	1	0
But if engaged for more than one hour, then to be paid at the rate of ninepence for every additional quarter of an hour or part thereof.			
For a hackney carriage for any time not exceeding one half-hour, to carry five persons if required by hirer	0	2	6
For every subsequent quarter of an hour or part thereof	0	1	3

But if engaged for more than one hour, then to be paid at the rate of one shilling, and three half-pence for every additional quarter of an hour or part thereof.

If the vehicle is discharged at any place that is beyond the following boundaries, viz. :—a straight line drawn from the undermentioned places to each succeeding one in the order in which they are placed, viz. :—

Double Bay Wharf ;
 Old South Head Road, at Cowper-street ;
 Randwick Road, at Denison-street ;
 Bunnerong Road, at south-west corner of Raccourse fence ;
 Botany Road, at M'Evoy-street ;
 Newtown Road, at Camperdown Road ;
 Parramatta Road, at Camperdown Road ;
 Abattoir Road, at Crescent-street,—

the driver thereof shall be entitled to his ordinary fare by time back to the City boundary, unless a special arrangement as to fare has been made at the time of hiring.

Vehicles to travel at a speed of not less than six miles an hour, except when otherwise ordered by the hirer.

The drivers of such vehicles respectively shall be bound to take, if required, exclusive of the driver four persons inside and one outside a hackney carriage, or two persons inside a hansom cab. The driver shall not be obliged to take any luggage exceeding fifty pounds in weight, being clean and of such a description as may be placed inside or outside the vehicle without injuring the same ; and the driver shall be entitled to claim one

shilling for every additional fifty pounds weight or portion thereof so carried, but the person hiring such vehicle shall be allowed eighty-four pounds weight of luggage when the number of persons is short of the number aforesaid. Whenever the number of persons carried shall exceed that named for each vehicle respectively, the driver shall be entitled to charge by time or distance, as the hiring may be,—one third more for each adult or two children over five and under fifteen years of age.

Tolls to be paid by the hirer.

Half-fare, in addition to the ordinary fare, after ten p.m. and before 5 a.m.

Passed by the Board of Metropolitan Transit Commissioners this third day of December, in the year of our Lord one thousand eight hundred and seventy-nine.

C. J. ROBERTS, Chairman.

(L.S.) MICHL. CHAPMAN, Commissioner.

EDMUND FOSBERY, Commissioner,
 Insp. Genl. of Police.

W. J. MERRIMAN, Registrar.

1879-80.

NEW SOUTH WALES.

PUBLIC VEHICLES REGULATION ACT OF 1873.

(BY-LAW UNDER.)

Presented to Parliament, pursuant to Act 36 Vic. No. 14, sec. 15.

Colonial Secretary's Office,
Sydney, 30th January, 1880.

METROPOLITAN TRANSIT COMMISSIONERS' BY-LAW.

THE following By-law, made by the Metropolitan Transit Commissioners, amending the Time-table for Omnibuses plying to and from Crescent-street, Enmore, and Erskine-street, Sydney, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the provisions of the "Public Vehicles Regulation Act of 1873."

HENRY PARKES.

THE Board of Metropolitan Transit Commissioners, constituted and empowered by the Public Vehicles Regulation Act of 1873, do, by virtue of the power and authority in them vested by the said Act, declare that the following Omnibus Time-table under By-laws, as adopted on the ninth day of May, in the year of our Lord one thousand eight hundred and seventy-seven, shall be and the same is hereby repealed, viz. :—

TIME-TABLE for Omnibuses plying to and from Erskine-street, Sydney, and Crescent-street, Enmore.

And that the following Time-table shall be adopted in lieu thereof :—

TIME-TABLE for Omnibuses plying to and from Crescent-street, Enmore, and Erskine-street, Sydney.

Omnibuses shall start from the north side of Crescent-street, Enmore, for Erskine-street, Sydney—

From 8 a.m. to 9.30 a.m. every 5 minutes.
 „ 9.30 a.m. to 4 p.m. every 10 minutes.
 „ 4 p.m. to 6.30 p.m. every 5 minutes.
 „ 6.30 p.m. to 10.30 p.m. every 8 minutes;

And shall start from Erskine-street for Crescent-street—

From 8.30 a.m. to 10 a.m. every 5 minutes.
 „ 10 a.m. to 4.30 p.m. every 10 minutes.
 „ 4.30 p.m. to 7 p.m. every 5 minutes.
 „ 7 p.m. to 11 p.m. every 8 minutes.

And each Omnibus shall perform the journey to and from Crescent-street, Enmore, and Erskine-street, Sydney, in 30 minutes, and the parts of the journey as follows :—

From Crescent-street to Fitzroy-street, in 6 minutes.
 „ Fitzroy-street to George-street West, in 5 minutes.
 „ George-street West at Newtown Road, to Railway Bridge, in 5 minutes.
 „ Railway Bridge to Liverpool-street, in 5 minutes.
 „ Liverpool-street to "Royal Hotel," in 5 minutes.
 „ "Royal Hotel" to Erskine-street, in 4 minutes.
 „ Erskine-street to "Royal Hotel," in 4 minutes.
 „ "Royal Hotel" to Liverpool-street, in 5 minutes.
 „ Liverpool-street to Railway Bridge, in 5 minutes.
 „ Railway Bridge to George-street West at Newtown Road, in 5 minutes.
 „ George-street West to Fitzroy-street, in 5 minutes.
 „ Fitzroy-street to Crescent-street by way of Enmore Road around Station-street and up Crescent-street to Stand, in 6 minutes.

Special omnibus accommodation from Newtown Road, south side at Missenden Road, to Erskine-street, Sydney, shall be provided to start at 8.35 a.m., 8.45 a.m., and 9 a.m., and perform the parts of the journey as shown in the above table, to Erskine-street.

Passed by the Board of Metropolitan Transit Commissioners this seventh day of January, in the year of our Lord one thousand eight hundred and eighty.

ROBT. FOWLER, Chairman.

(L.S.) MICHL. CHAPMAN, Commissioner.

EDMUND FOSBERY, I. G. Police, Commissioner.

W. J. MERRIMAN, Registrar.

1879-80.

NEW SOUTH WALES.

PUBLIC VEHICLES REGULATION ACT OF 1873.

(BY-LAW UNDER.)

Presented to Parliament, pursuant to Act 36 Vic. No. 14, sec. 15.

Colonial Secretary's Office,
Sydney, 8th April, 1880.

METROPOLITAN TRANSIT COMMISSIONERS' BY-LAWS.

THE following By-laws, made by the Metropolitan Transit Commissioners, amending the Time-tables for Omnibuses plying between George-street, Waterloo, and Wynyard Square, Balmain, and Wynyard Square, and Darlington and Miller's Point, having been confirmed by his Excellency the Governor, with the advice of the Executive Council, are published in accordance with the provisions of the "Public Vehicles Regulation Act of 1873."

HENRY PARKES.

THE Board of Metropolitan Transit Commissioners, constituted and empowered by the Public Vehicles Regulation Act of 1873, do, by virtue of the power and authority in them vested by the said Act, declare that the following Omnibus Time-tables under the By-laws now in force for regulating licensed vehicles, shall be and the same are hereby repealed, viz. :—

TIME-TABLE for Omnibuses plying to and from George-street, Redfern, and Wynyard Square East.

TIME-TABLE for Omnibuses plying to and from Old Newtown Road, Darlington, and Miller's Point.

TIME-TABLE for Omnibuses plying to and from Darling Road Balmain, and Erskine-street, Sydney.

And that the following Omnibus Time-tables shall be adopted in lieu thereof :—

TIME-TABLE for Omnibuses plying to and from George-street, Waterloo, and Wynyard Square East.

Omnibuses shall start from George-street, Waterloo, for Wynyard Square, at 8 a.m., and every 20 minutes till 9 p.m.; and shall start from Wynyard Square for George-street, Waterloo, at 8.25 a.m., and every 20 minutes till 9.25 p.m.; and each omnibus shall perform the journey to and from George-street, Waterloo, and Wynyard Square East, in 25 minutes, and the parts thereof as follows :—

From George-street at John-street, to Regent-street, in 6 minutes.
 „ Regent-street, at Cleveland-street, to Railway Bridge, George-street, in 5 minutes.
 „ Railway Bridge to Liverpool-street, in 5 minutes.
 „ Liverpool-street to "Royal Hotel," in 5 minutes.
 „ "Royal Hotel" to Wynyard Square, in 4 minutes.
 „ Wynyard Square to "Royal Hotel," in 4 minutes.
 „ "Royal Hotel" to Liverpool-street, in 5 minutes.
 „ Liverpool-street to Railway Bridge, in 5 minutes.
 „ Railway Bridge, George-street, to Cleveland-street, in 5 minutes.
 „ Cleveland-street, at Regent-street, to George-street, at John-street, in 6 minutes.

TIME-TABLE for Omnibuses plying to and from Old Newtown Road, Darlington, and Miller's Point.

Omnibuses shall start from Darlington for Miller's Point at 8 a.m., and every 8 minutes till 9.28 p.m.; and shall start from Miller's Point for Darlington at 8.30 a.m., and every 8 minutes

till 9.58 p.m.; and each omnibus shall perform the journey to and from Darlington and Miller's Point in 30 minutes, and the parts thereof as follows :—

From Alma-lane, to Railway Bridge, in 8 minutes.
 „ Railway Bridge to Liverpool-street, in 5 minutes.
 „ Liverpool-street to "Royal Hotel," in 5 minutes.
 „ "Royal Hotel" to Essex-street, in 5 minutes.
 „ Essex-street to Kent-street, in 7 minutes.
 „ Kent-street to Essex-street, in 7 minutes.
 „ Essex-street to "Royal Hotel," in 5 minutes.
 „ "Royal Hotel" to Liverpool-street, in 5 minutes.
 „ Liverpool-street to Railway Bridge, in 5 minutes.
 „ Railway Bridge to Alma-lane, in 8 minutes.

TIME-TABLE for Omnibuses plying to and from Darling Road Balmain, and Erskine-street, Sydney.

Omnibuses shall start from Balmain for Erskine-street at 8 a.m., and every 20 minutes till 8 p.m.; and shall start from Erskine-street for Balmain at 9 a.m., and every 20 minutes till 9 p.m.; and each omnibus shall perform the journey to and from Balmain and Erskine-street in 50 minutes, and the parts thereof as follows :—

From Darling Road at Western-street, to Abattoir Road, in 15 minutes.
 „ Abattoir Road at Mullens-street, to Pyrmont Bridge Road, in 10 minutes.
 „ Pyrmont Bridge Road, at Abattoir Road, to George-street, in 10 minutes.
 „ George-street, at Harris-street, to Liverpool-street, in 5 minutes.
 „ Liverpool-street to "Royal Hotel," in 5 minutes.
 „ "Royal Hotel" to Erskine-street, in 5 minutes.
 „ Erskine-street to "Royal Hotel," in 5 minutes.
 „ "Royal Hotel" to Liverpool-street, in 5 minutes.
 „ Liverpool-street to Harris-street, in 5 minutes.
 „ Harris-street at George-street to Pyrmont Bridge Road, at Abattoir Road, in 10 minutes.
 „ Pyrmont Bridge Road to Mullens-street, in 10 minutes.
 „ Mullens-street, at Abattoir Road, to Darling Road, at Western-street, in 15 minutes.

Passed by the Board of Metropolitan Transit Commissioners this tenth day of March, in the year of our Lord one thousand eight hundred and eighty.

ROBT. FOWLER, Chairman.
 MICHL. CHAPMAN, Commissioner.
 EDMUND FOSBERY, Commissioner.

W. J. MERRIMAN, Registrar.

1901

1902

1903

1904

1905

1906

1879-80.

NEW SOUTH WALES.

PUBLIC VEHICLES REGULATION ACT OF 1873.

(BY-LAW UNDER.)

Presented to Parliament, pursuant to Act 36 Vic. No. 14, sec. 15.

Colonial Secretary's Office,
Sydney, 19th April, 1880.

METROPOLITAN TRANSIT COMMISSIONERS' BY-LAW.

THE following By-law, made by the Metropolitan Transit Commissioners, amending the Time Table for Omnibuses plying between Arncliffe and Erskine-street, Sydney, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the provisions of the Public Vehicles Regulation Act of 1873.

HENRY PARKES.

THE Board of Metropolitan Transit Commissioners, constituted and empowered by the Public Vehicles Regulation Act of 1873, do, by virtue of the power and authority in them vested by the said Act, declare that the following Omnibus Time-table under the By-laws now in force for regulating licensed vehicles, shall be and the same is hereby repealed, viz. :—

TIME-TABLE for Omnibuses plying to and from Arncliffe and Erskine-street, Sydney, and that the following Time-table shall be adopted in lieu thereof.

TIME-TABLE for Omnibuses plying to and from Arncliffe and Erskine-street, Sydney.

Omnibuses shall start from Arncliffe at 7.30 a.m., and every 15 minutes till 9.30 p.m., and each omnibus shall perform the journey to and from Arncliffe and Erskine-street in 60 minutes, and the parts thereof as follows :—

- From Arncliffe Road to St. Peter's Church, in 15 minutes.
- „ St. Peter's Church, to Railway Bridge, Newtown, in 15 minutes.
 - „ Railway Bridge, Newtown, to Fitzroy-street, in 6 minutes.
 - „ Fitzroy-street to George-street West, in 5 minutes.
 - „ George-street West, at Newtown Road, to Railway Bridge, in 5 minutes.

- From Railway Bridge to Liverpool-street, in 5 minutes.
- „ Liverpool-street to "Royal Hotel," in 5 minutes.
- „ "Royal Hotel" to Erskine-street, in 4 minutes.
- „ Erskine-street to "Royal Hotel," in 4 minutes.
- „ "Royal Hotel" to Liverpool-street, in 5 minutes.
- „ Liverpool-street to Railway Bridge, in 5 minutes.
- „ Railway Bridge to Newtown Road, in 5 minutes.
- „ Newtown Road at George-street West, to Fitzroy-street, in 5 minutes.
- „ Fitzroy-street to Railway Bridge, Newtown, in 6 minutes.
- „ Railway Bridge, Newtown, to St. Peter's Church, in 15 minutes.
- „ St. Peter's Church to Arncliffe Road in 15 minutes.

Passed by the Board of Metropolitan Transit Commissioners this first day of April, in the year of our Lord one thousand eight hundred and eighty.

ROBT. FOWLER, Chairman.

(L.S.) MICHL. CHAPMAN, Commissioner.

EDMUND FOSBERY, Commissioner.

W. J. MERRIMAN, Registrar.

1879-80.

NEW SOUTH WALES.

COLONIAL DEFENCES.

(DESPATCH RESPECTING APPOINTMENT OF ROYAL COMMISSION ON.)

Presented to Parliament by Command.

The Secretary of State for the Colonies to The Officer Administering the
Government of New South Wales.

Circular (2).

Sir,

Downing-street, 21 October, 1879.

I have the honor to transmit to you a copy of a Commission passed under the Royal Sign Manual and Signet, appointing the Right Honorable the Earl of Carnarvon, the Right Honorable H. C. E. Childers, M.P., Sir H. T. Holland, Baronet, M.P., K.C.M.G., Admiral Sir Alexander Milne, G.C.B., General Sir J. L. A. Simmons, G.C.B., Sir Henry Barkly, G.C.M.G., K.C.B., Thomas Brassey, Esq., M.P., and Robert George Crookshank Hamilton, Esq., to be Commissioners to inquire into the state of the Defences of the more important Colonial Ports and Naval Stations, and the best mode of placing them in a thoroughly secure condition.

2. The Committee appointed by Her Majesty's Government in the early part of last year, to inquire and report as to the defences of those parts which might stand most in need of defence in any sudden emergency, made considerable progress in the examination of the subject referred to them, and in pursuance of their recommendations much has been already done towards the provision of such temporary defences as appeared to be most urgently required, but the larger questions connected with the permanent defences of each place have, in most cases, yet to be considered. The Royal Commission which is the subject of the present communication has been appointed to deal with these questions, and Her Majesty's Government are confident that you will use every effort to ensure that any information affecting the Colony under your government, which may be necessary to assist the Commission in the prosecution of its labours, shall be promptly and carefully supplied.

3. It is, of course, not the intention of Her Majesty's Government by the appointment of this Commission to interfere in any way with the measures already taken in the Colony under your government for providing an adequate system of defence. They recognize, with great satisfaction, the intelligence and public spirit with which this responsibility has been assumed, and the cordiality with which, in most cases, the recommendations made, after careful inquiry, have been adopted.

4. There are probably, however, many further points in regard to which the Commission, after considering the detailed local information which you may be able to place at its disposal, may render most valuable assistance to your Government; and I am fully satisfied that the ability and special experience of its members will secure for its recommendations and for such proposals as Her Majesty's Government may found upon those recommendations the most cordial and earnest consideration.

I have, &c.,

M. E. HICKS-BEACH.

[Enclosure.]

DRAFT of a Commission appointing the Right Honorable the Earl of Carnarvon, the Right Honorable H. C. E. Childers, M.P., Sir H. T. Holland, Bart., M.P., K.C.M.G., Admiral Sir Alexander Milne, Bart., G.C.B., General Sir J. L. A. Simmons, G.C.B., Inspector General of Fortifications and Director of Works, Sir Henry Barkly, G.C.M.G., K.C.B., Thomas Brassey, Esq., M.P., and Robert George Crookshank Hamilton, Esq., Accountant-General of the Navy and Comptroller of Navy Pay, to be Commissioners to inquire into the state of the Defences of the more important Colonial Ports and Coaling Stations, and to consider the apportionment of the cost of such Defences; and Captain Herbert Jekyll, R.E., to be Secretary to the said Commissioners.

Dated September 8, 1879.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to Our Right Trusty and Right Well-beloved Cousin and Councillor Henry Howard Molyneux, Earl of Carnarvon, Our Right Trusty and Well-beloved Councillor Hugh Culling Eardley Childers, Our Trusty and Well-beloved Sir Henry Thurstan Holland, Baronet, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Our Trusty and Well-beloved Sir Alexander Milne, Baronet, Knight Grand Cross of Our Most Honorable Order of the Bath, Admiral in Our Navy; Our Trusty and Well-beloved Sir John Lintorn Arabin Simmons, Knight Grand Cross of

Our Most Honorable Order of the Bath, General in Our Army, Inspector-General of Fortifications and Director of Works; Our Trusty and Well-beloved Sir Henry Barkly, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Knight Commander of Our Most Honorable Order of the Bath, Our Trusty and Well-beloved Thomas Brassey, Esquire, and Our Trusty and Well-beloved Robert George Crookshank Hamilton, Esquire, Accountant-General of Our Navy and Comptroller of Navy Pay.

WHEREAS we have thought it expedient, for divers good causes and considerations, that a Commission should forthwith issue to inquire into the condition and sufficiency of the means, both naval and military, provided for the defence of the more important sea-ports within Our Colonial Possessions and their Dependencies, and of the stations established or required within Our said Possessions and Dependencies for coaling, refitting, or repairing the ships of Our Navy, and for the protection of the commerce of Our Colonies with the United Kingdom of Great Britain and Ireland, with each other, and with foreign countries:

And whereas it is expedient to consider and determine in which of Our stations and ports it is desirable, on account of their strategical or commercial importance, to provide an organized system of defence, in addition to such general protection as can be afforded by Our Naval Forces; and whether such defence should consist of permanent works manned by garrisons of Imperial or local troops, or both combined, or of any local naval organization or other armaments and appliances:

And whereas it is desirable to consider whether, and in what proportions, the cost of such measures of defence should be divided between the Imperial Government and the Colonies to which they relate, or should be wholly defrayed by the Imperial Government or by the Colonies:

Now know ye that We, reposing great trust and confidence in your zeal, knowledge, and ability, have authorized and appointed, and do by these presents authorize and appoint you, the said Henry Howard Molyneux, Earl of Carnarvon, Hugh Culling Eardley Childers, Sir Henry Thurstan Holland, Sir Alexander Milne, Sir John Lintorn Arabin Simmons, Sir Henry Barkly, Thomas Brassey, and Robert George Crookshank Hamilton, to be Our Commissioners for the purpose of such inquiries as aforesaid, and that you may offer such suggestions as may seem to you meet as to the best means (regard being had to the works completed and in progress, and to the ordinary number of Our Naval and Military Forces voted by Parliament), of providing for the defence and protection of Our Colonial Possessions and commerce as aforesaid, special attention being given to the necessity of providing safe coaling, refitting, and repairing stations in such of Our Colonial Possessions and their Dependencies as you may deem best suited for the requirements of Our fleet and mercantile marine in time of war.

And for the better enabling you to carry these Our intentions into effect, we do hereby authorize and empower you, or any three or more of you, to call for, have access to, and examine, all plans and designs for all works of defence now in progress or under Our consideration, or any other plans or designs that may be laid before you for the same object.

And we do give and grant to you, or any three or more of you, full power and authority to call before you such persons in Our Civil, Military, or Naval Services, or others connected with Our Colonial Possessions, as you shall judge likely to afford you the best and fullest information upon the subject of this Our Commission, and to inquire of and concerning the premises by all other lawful ways and means whatsoever.

And we do by these presents will and ordain that this Our Commission shall continue in full force and virtue, and that you, Our said Commissioners, or any three or more of you, may from time to time proceed in the execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by adjournment.

And Our further will and pleasure is, that you, Our said Commissioners, or any three or more of you, upon due inquiry into the premises, do report to Us, in writing, under your hands and seals, your several proceedings under and by virtue of this Commission, together with what you shall find touching or concerning the premises.

And We further ordain that you, or any three or more of you, may have liberty to report to Us your proceedings under this Commission from time to time, should you judge it expedient so to do.

And for your assistance in the due execution of these presents, We have made choice of Our trusty and well-beloved Herbert Jekyll, Esquire, a Captain in our corps of Royal Engineers, to be Secretary to this Our Commission, and to attend you, whose services and assistance We require you to avail yourselves of from time to time, as occasion may require.

Given at Our Court at Balmoral, this eighth day of September, 1879, in the forty-third year of Our Reign.

By Her Majesty's Command,
M. E. HICKS-BEACH.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

NEW SOUTH WALES ARTILLERY.

(COMPLAINT AGAINST OFFICERS OF, WHILST STATIONED AT NEWCASTLE—CORRESPONDENCE.)

Ordered by the Legislative Assembly to be printed, 9 July, 1880.

RETURN to an Order made by the Honorable the Legislative Assembly of New South Wales, dated 2 July, 1880, That there be laid upon the Table of this House,—

“Copies of all Correspondence between S. S. Moses and the Colonial Secretary in reference to the complaint of Mr. Moses, made against the Officers of the New South Wales Artillery while stationed at Newcastle in the months of September and October last.”

(Mr. Buchanan.)

SCHEDULE.

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NEW SOUTH WALES ARTILLERY.

No. 1.

Mr. S. Moses to The Colonial Secretary.

Dear Sir,

"Great Northern Hotel," Newcastle, 21 April, 1880.

On Thursday last I called at your office to see you, for the purpose of laying a complaint against some of the officers of the N.S.W. Artillery, lately stationed at Newcastle, and after waiting about 30 minutes I was shown into the office of the Principal Under Secretary, who asked me what it was I wished to see you about. I explained my case fully to him, and he gave it every attention, and requested me (as he said you desired it) to lay my complaint in writing before you, when it would receive every consideration at your hands. I therefore now have the honor to submit my case to you as fully as it is possible to do in writing. If there should be any point which you cannot clearly understand, I will, if possible, explain it more fully. I shall therefore now commence, as briefly as the case will admit, to submit my complaint to you.

On Saturday, the 20th September, 1879, a private sitting-room and sleeping accommodation were retained for eight officers of the N.S.W. Artillery, to arrive on the following day (Sunday). They arrived here in due course, but on that day some left to go out to the mines; the others remained here until Monday evening, the 29th September, when they requested me to give them their accounts, which I did. Some paid, as they said they were going to Sydney to a ball; the others remained. However, on the following Thursday they returned from Sydney, and during the day Colonel Roberts came into my office and said, "It is likely we shall be remaining here some time. Some of my officers cannot afford to pay you your charges. Cannot you make some reduction?" I asked the Colonel if he could guarantee any number, as there was only an average of four staying, and less than 15s. a day would not pay me to give them a private sitting-room and provide separate meals. He said he could not give any guarantee, so I told him I could not make the charges any less. He then asked me if I would agree to this proposal, viz.: The officers had paid me 15s. a day,—would I agree to return them the 5s. a day I had charged for private sitting-room and separate meals, and for their subsequent accounts to only charge them 10s., and the other 5s., for private sitting-room, &c., to make out a separate account for, and he would vouch for it. And the reason he assigned was that I could obtain my money at once, whereas the officers might have to wait for theirs. He said he had got the Commandant to allow this 5s. a day. I agreed to this, and everything went on as usual (sometimes some officers were here, at other times they went away and others returned in their places) until Sunday, the 12th October, when Colonel Roberts commenced to be dissatisfied with the meals which I provided on that day, when the cause of dissatisfaction was without any reason whatever, and for your information I give you the *menu* which was provided for lunch and dinner:—

Lunch.—Mock turtle soup, cold sirloin beef, English ham, goose stewed in port wine, calf's feet stewed in lemon, sauce, cheese, and salad.

Cold dinner.—Mock turtle soup, cold duck, cold fowl, cold fore-quarter lamb, cold ribs beef, cold English ham, hot vegetables, pastry and puddings, boiled custard, cheese, salad, and dessert.

The above is a faithful list of what was provided; and I may here remark everything was well cooked and in first-class order, which can be proved by my household, and several gentlemen who saw the remaining part of the lunch which came from their table; and as they grumbled with the lunch I took the precaution to show the dinner to the same gentlemen before sending it up. I asked Colonel Roberts the cause of complaint about the dinner, and he could not give any, but said that during the week the curry had been served up on the same dish as the rice, and that turnips were sent to table whole in lieu of being sliced. I asked if there was anything else to complain of, and he said he had been here three weeks, and during that time had not had a turkey. I replied it was impossible to obtain any—that I had even gone to Maitland to try and obtain some, but that they were not procurable; but fish, ducks, geese, fowls, wild ducks, teal, English ham, and other delicacies had been served, and that it was impossible to provide better. I thereupon wrote the following letter, under cover, to Colonel Roberts:—

To the Officers of the N.S.W.A. forming the Mess,—

"G. N. H.," Newcastle, 12 October, 1879.

Sirs,—As I am informed the accommodation you receive here is not satisfactory, I must request that, from tomorrow, you will seek accommodation elsewhere, as I shall require all the rooms you now occupy. I have done all in my power to give you satisfaction, and it appears you are determined not to be satisfied. In justice to myself I intend to make public the bill of fare I provided for you each day, so that the public may be in a position to judge between us.

Yours truly,

SIMEON S. MOSES.

On the following morning I made out their accounts, and Colonel Roberts paid me his; the other officers paid me part of their account, viz., 10s. per diem; the remaining 5s. they asked me to send in the bill for, to Colonel Roberts, who agreed to vouch for it, and I may say Colonel Roberts told me to do so and he would vouch for it in due course. This step I took by forwarding the following account under cover to Colonel Roberts one week after the officers left:—

"G. N. H.," Newcastle, October 20, 1879.

The Officers of N.S.W.A. stationed at Newcastle, Dr. to Simeon S. Moses,—

To use of private parlour and extra for private meals as follows:—

	£	s.	d.
Sept. 21st to 29, Oct. 2-10—Lieutenant Le Patourel, 18 days, 5s.	4	10	0
" 21 " " Oct. 7th—Major Spalding, 17 days, 5s.	4	5	0
Oct. 12—Major Spalding, 1 day.....	0	5	0
Sept. 21-22, Oct. 6-13—Lieutenant Savage, 8 days, 5s.	2	0	0
" 21, Oct. 2, 6-13—Captain Mackenzie, 18 days, 5s.	4	10	0
" 21-29, Oct. 3-13—Dr. Bedford, 19, 5s.	4	15	0
" 21, Oct. 2, Oct. 9-13—Capt. Murray, 15 days, 5s.	3	15	0
	£24	0	0

On

On October 25th Colonel Roberts returned to me this account with this memo. at foot, viz. :—

I cannot see how you charge officers for use of a private room which I have already paid for in my account.—C.F.R. Col., 25/10/79.

I immediately rendered him a duplicate of the above account, and attached the following memo. at foot :—

Colonel Roberts,—

If this account is not duly and properly vouched for by you as agreed, and returned by to-morrow (Wednesday) evening to me, I shall render each officer his respective account as per account now sent you; and if they are not forthwith liquidated shall place them in the hands of my solicitor for immediate recovery.

Newcastle, October 28/79.

SIMEON S. MOSES.

I awaited a reply from Colonel Roberts until Saturday, November 1st (three days longer than I wrote I would wait), when not receiving one, I made out a separate account for each officer, and attached this memo. to the foot of each :—

As Colonel Roberts refuses to certify to the above as agreed, I must request your immediate attention to the liquidation of this account.

On November 4/79, I received this note from Colonel Roberts in reply to the memo. which I wrote at the foot of the duplicate invoice :—

Sir,

The Camp, Lambton, November 4th, 1879.

On my return to Newcastle District I received a letter from you addressed to Officers of N. S. W. Artillery, stationed at Newcastle, with memo. attached.

As my time has hitherto been fully occupied with military matters, I now write to inform you that I told you I would vouch for a fair charge, but I never supposed that you would in my absence send such a claim as you have forwarded. I therefore decline to vouch for the amount you claim; and should you take the steps you indicate I shall probably, on my next visit to Sydney, lay the whole of your correspondence and claims before the proper authorities for legal advice.

I am, &c.,

Mr. S. Moses, "G. N. Hotel."

CHAS. F. ROBERTS, Col., N.S.W.A.

You will note that in this letter Colonel Roberts states, that "I told you I would vouch for a fair charge," so that he acknowledges he agreed to vouch for a charge; but in his memo. to me of the 25/9/79 (see folio 5) he entirely repudiates it; but when he finds by my memo. of the 28th Oct. (see folio 6) attached to foot of duplicate invoice that I intend to take legal proceedings to recover the accounts he then acknowledges to having agreed to vouch for a "fair" charge. To this I entirely deny that he ever told me he would vouch for a "fair" charge. I told him when he asked me if I could make any reduction that I could not unless he would guarantee me a certain number, and in proof of this he paid me his own account in full, 15s. a day.

I replied to the foregoing letter of Colonel Roberts as follows :—

Sir,

"Great Northern Hotel," Newcastle, Nov. 5, 1879.

I received your note of yesterday's date wherein you now acknowledge to having promised to vouch for use of private parlour and extra for private meals for your officers, but after having denied your liability to me in your memo. of the 25th ult., I again sent you a duplicate invoice, with a memo. attached, and as I waited two days longer than I stated I would wait, I forwarded each officer his account stating you refused to vouch for it, and requested immediate payment of same. I intend waiting for a reply from each one until Monday next, the 10th inst., when, if payment is not made by that date, I shall take the step I indicated to you in my memo. of the 28th ult., attached to my duplicate invoice.

I might add that after your refusing to vouch for the account I sent you, I now look to the officers for payment of their respective accounts, and decline to hold any further correspondence with you on the subject after having denied your liability, and when you find I intended rendering a separate account to each officer, and in the event of it not being responded to to place it in the hands of my solicitor, you then acknowledge to having agreed to vouch for them.

Yours truly,

SIMEON S. MOSES.

Colonel Roberts.

To this letter I received the following :—

Sir,

Camp, Lambton, 9/11/79.

With reference to the second paragraph of your letter of 5/11/79, declining to hold any further correspondence on the subject of your claim for use of private parlour with Colonel Roberts, I am desired to inform you that you evidently do not understand the meaning of either memo., dated 25/10/79, or of the letter dated 4/11/79. It was distinctly pointed out to you that the Colonel would not recommend the charge you made, viz., 5s. per diem for each officer for the use of a room with attendance, for which he had already paid; but he said he would recommend a fair charge.

As you sent in your claim on the full charge of 5s., the memo. 25/10/79 was written; as this claim was again repeated without alteration the letter, 4th November, was written.

Considering that you have declined to hold any further correspondence on the subject, I do not see how the Colonel can now vouch for any account for you, and the papers sent for the Colonel to be vouched for are forwarded direct by him to the proper authorities.

Faithfully yours,

H. D. MACKENZIE,

Capt.-Adj., N.S.W.A.

Mr. S. Moses, "Great Northern Hotel," Newcastle.

I replied to this letter as follows :—

Dear Sir,

"Great Northern Hotel," Newcastle, 11 November, 1879.

I have to acknowledge the receipt of your letter of the 9th instant, in reply to mine of the 5th idem, addressed to Colonel Roberts, wherein you state you are desired to inform me "that I evidently do not understand the meaning of either memo., dated the 25th ult. or 4th inst." In reply, I have to state that I am at a loss to understand upon what hypothesis you base that statement, as the phraseology of each memo. was so explicit it was impossible to misconstrue either. Had there been the slightest ambiguity in reference to them I could understand your letter, but on the contrary, such was not the case. However, it appears to me a useless correspondence now that Colonel Roberts refuses to vouch for my accounts, so therefore I have no alternative but the one I stated I would act upon in reference to the officers if they did not pay me their respective accounts. I find the Court does not sit until the 24th instant, so that I can wait until Saturday next before I take proceedings. I might add that up to the present my application to the officers for their accounts has been treated with silence, and should they compel me to resort to the step which I shall be reluctantly compelled to adopt, I shall make it my duty to lay the whole of the correspondence on this unpleasant subject before the Hon. the Colonial Secretary.

I might state it would have been advisable for you to have perused the memo. of Colonel Roberts of the 25th ult. to me, when you would have seen how utterly impossible it was for me to misunderstand it, and then to look over his letter to me of the 4th instant, when you would find how utterly at variance the latter is to the former.

Faithfully yours,

SIMEON S. MOSES.

H. D. Mackenzie, Esq., Capt. Adj. N.S.W.A.

This closed the correspondence, and I waited four months, giving the officers every opportunity of paying me their accounts, but finding they would not do so I instructed my solicitor to sue them in the District Court, Sydney, for their respective accounts, as he told me I could not do so here. I therefore was obliged to leave my business to go to Sydney, and at the same time employ a solicitor, whose expenses I have to pay, as I cannot recover from them, their respective amounts being under £10, which debar the Court from allowing a solicitor his costs.

The

The cases came on for hearing on Monday, the 5th instant, at the Metropolitan District Court, before his Honor Judge Dowling, when it was agreed that one case should decide the other five, so the one against Captain Murray was called. I proved my case, when Colonel Roberts was called for the defendant. He swore that the officers were not allowed any expenses during their first trip to Newcastle (which was from September 21st to 29th), but that when he went to Sydney he represented the case to the Commandant, who then agreed to allow them 15s. a day from the time he returned (2nd October), and that the officers would have to pay their expenses previous to the latter date out of their own pockets. The Judge asked Colonel Roberts if he ever stayed at the "Great Northern Hotel" under the former management, and what he paid, when he replied, "Yes, I have, and was only charged 12s. 6d. per diem;" to which his Honor said, "Do you not think the present accommodation better worth half-a-crown more?" when Colonel Roberts said, no, he did not, as he could obtain a good meal then, which he could not do now. The Judge then said, "The Bar and I stay there, and we consider it the best hotel in the Colonies, and I have never heard a different opinion expressed to that except yours, and I cannot understand why you should have been treated in the manner you say you have been."

The Judge then said to my lawyer, "Colonel Roberts has sworn that they were not allowed any expenses for their first visit, and that they would have to pay whatever he allowed out of their own pockets, as the Government would not, Colonel Roberts thought, pay anything more, as all vouchers in connection with the late trip had been sent in and paid, and would my lawyer make any compromise?" In reply, my lawyer stated that it had not anything to do with his client what expenses the officers were allowed; if they could not have afforded to have stayed at the hotel they were at liberty to leave, but it was not his client's province to support them at what price they felt disposed to pay, and that I was entitled to my regular and only charge, or none. The Judge replied, as Colonel Roberts swears they were not allowed anything during their first trip, and that the allowance of 15s. per diem did not commence until their second visit, I will only allow one-half the amount sued for in each case, viz., 2s. 6d. a day, and that they will have to pay out of their own pockets, so I lost £12 through Colonel Roberts swearing they were not allowed any expenses from 21st September until he returned the second time, which was the 2nd October.

I felt sure that Colonel Roberts's statement regarding the subsistence allowance was not truthful, and so I find by the replies which you gave in the House on Tuesday, April 13th, in answer to queries asked by Mr. Thompson as to what expenses the officers were allowed during their stay in Newcastle. I find that Colonel Roberts was allowed 21s. per diem, and the other officers 16s. per diem for subsistence during their stay at Newcastle, and unprovided with quarters there, and Colonel Roberts swore they were only allowed 15s. from their second visit. I will now draw your attention to the number of days I charged the six officers for, as they were at my hotel all the while they were at Newcastle, except one day (October 13th) from 10 a.m. until about the same hour October 14th. The following is correct. The intervening dates they were either at Lambton, Raspberry Gully, or Sydney:—

Major Spalding, Sept. 21 to Oct. 7 and Oct. 12—18 days; allowed 27 days.

Lieut. Le Patourel, Sept. 21 to Sept. 29, October 2 to 10—18 days; allowed 26 days.

Lieut. Savage, Sept. 21 to 22, Oct. 6 to 13—8 days; allowed 10 days.

Captain Mackenzie, Sept. 21 to October 2, October 6 to 13—18 days; allowed 21 days.

Dr. Bedford, Sept. 21 to 29, Oct. 3 to 13—19 days; allowed 21 days.

Captain Murray, Sept. 21 to October 2, October 9 to 13—15 days; allowed 23 days.

I cannot see by the foregoing statement how Colonel Roberts's oath can be substantiated, as it clearly appears the officers were allowed 16s. a day for subsistence from the time they arrived here, besides receiving their respective share of £24 9s. 2d. for travelling and contingent expenses.

I have now explained to you my case as clearly as I can possibly do in writing; and I may here remark, that Major Spalding, Captain Murray, and Lieut. A. Le Patourel stayed with me in August last when they were sent up to Newcastle on similar business, when they paid me 15s. per diem for the same kind of accommodation, without making any complaint about price, and on leaving complimented me on the management of the hotel. I quote this to show you they were perfectly cognizant of my charges, and the only reason I have been put to all this trouble is because I was compelled to request them to seek quarters elsewhere. And I might also state that the Regulations of my hotel, with tariff of prices, are in my hall, public rooms, and in every bed-room. The tariff of prices, on a small card, I enclose for your perusal. Those in the rooms are exactly word for word, only on a larger scale. In conclusion, I consider it a great hardship that I should be compelled to leave my business to go to Sydney to sue these officers, when they received a liberal allowance from the Government for the purpose of paying their expenses, and then refuse to do so. Leaving the case in your hands,—

I have, &c.,

SIMEON S. MOSES.

May be referred for report of the Commandant.—H.P., 28/4/80. B.C., 28/4/80.—C.W. The Officer commanding Artillery may desire to offer some remarks on this correspondence prior to my forwarding my report to the Colonial Secretary as desired.—J.S.R., Col., Comdt., 29/4/80, B.C. Remarks herewith, marked 834-80, 18/5/80.—C.F.R., Col. True copy.—W. B. B. CHRISTIE, Major of Brigade.

[Enclosure.]

Tariff of Prices.

	Hotel accommodation.		s.	d.	
Public table	10	0	per diem.		
Do. with use of private parlour.....	12	6			
With private suite and meals.....	15	0	"		or as may be agreed upon.
Children under 12 years of age and servants, half-price.					

Hotel accommodation includes bed, breakfast, lunch, dinner, or tea—suppers extra.

Baths—Hot, cold, or shower, 1s. each. Non-residents of the hotel, 1s. 6d. each.

Sample room, 2s. 6d. per diem.

Separate meals at the public table and beds are charged as follows:—Breakfast, 2s. 6d.; lunch, 2s.; dinner, 3s. 6d.; beds, 2s. 6d.

True copy,—W. B. B. CHRISTIE, Major of Brigade.

No. 2.

Mr. S. Moses to The Colonial Secretary.

Dear Sir,

"Great Northern Hotel," Newcastle, 8 May, 1880.

On the 21st ultimo I forwarded for your perusal a letter containing a statement of my complaint against Colonel Roberts and some of the officers of the New South Wales Artillery who were stationed at Newcastle during the months of September and October last, and to which I have not received an acknowledgment of your having received it. I fear it has been miscarried, and should feel obliged by your informing me whether such is the case; if so, I will immediately forward you a duplicate copy.

Yours respectfully,

SIMEON S. MOSES.

The Commandant with reference to previous papers, B.C., 14/5/80.—C.W. The Principal Under Secretary,—See my letter to you of the 12th inst., No. 80/230.—J.S.R., Col., Comdt., 15/5/80, B.C. True copy,—W. B. B. CHRISTIE, Major of Brigade.

No. 3.

The Commandant to The Principal Under Secretary.

(80-230.)

Sir,

Brigade Office, Sydney, 12 May, 1880.

On the 29th of last month a complaint, preferred by Mr. Moses, of the "Great Northern Railway Hotel," Newcastle, against the officers of the New South Wales Artillery, was forwarded to me from your office for my report. The correspondence was duly transmitted to the Officer Commanding Artillery for his remarks. I have now to state, as explanatory of the delay in complying with the Colonial Secretary's instructions, that Colonel Roberts has this day requested permission to further retain the correspondence until he has decided on the steps to be taken in regard to certain statements of Mr. Moses, which more nearly concern himself.

I have, &c.,

JOHN S. RICHARDSON,

Colonel, Commandant.

True copy,—W. B. B. CHRISTIE, Major of Brigade.

No. 4.

The Commandant to The Principal Under Secretary.

(80-241.)

Sir,

Brigade Office, Sydney, 20 May, 1880.

I have the honor to return correspondence embodying a complaint by Mr. Moses, the landlord of the "Great Northern Hotel" at Newcastle, against certain officers of the New South Wales Artillery. I also enclose Colonel Roberts' reply to the same.

In accordance with instructions, I have to report that it seems to me the complaint is to the effect that Mr. Moses' charge of 5s. per diem for the use of a private sitting-room against each officer, in addition to the daily charge of 10s. per diem (making 15s. each per diem) was not paid, and consequently Mr. Moses was obliged to sue the officers in Sydney for the amount due. Mr. Moses also implies that an order for the full amount claimed would have been given by the Court had not Colonel Roberts stated in evidence that the officers had not been granted any special allowance for a certain portion of the time they lived at the hotel, viz., from the 21st September to 2nd October last, whereas in point of fact these officers did receive a special allowance at 16s. per diem not only for that particular period, but also for their entire stay at Newcastle.

Colonel Roberts on the other hand denies he swore that no allowance was made to the officers from the 21st September to 2nd October, but explains that what he stated to the Court was, that no allowance was granted until his second visit to Sydney in October. Neither did he swear that such allowance was not retrospective.

I may here remark that I am not in a position to question the right of Mr. Moses to charge a body of officers 5s. each per diem for one and the same sitting-room. At the same time I think he should in equity have entered into an arrangement such as appears to have been suggested by Colonel Roberts.

The exact nature of the testimony given by Colonel Roberts before the Court can only be authenticated by reference to the records of the Court itself.

It is undoubtedly a fact, as quoted by Mr. Moses, that these officers received a special allowance of 16s. each per diem for the whole time they occupied quarters in the "Great Northern Hotel," which was granted them for the purpose of defraying the cost of actual board and lodging.

It seems to me that if Mr. Moses conceives himself to have unjustly suffered by reason of evidence improperly tendered to the Court by Colonel Roberts, his proper remedy is by an appeal to a civil tribunal, rather than to the Colonial Secretary, in that the original matter has already been adjudicated on by a Court of law.

In conclusion I may mention that I have thought it advisable to call upon Colonel Roberts for explanation in regard to the statements contained on page 13 of Mr. Moses' letter, wherein he implies that the officers have received the special allowance of 16s. per diem for days in excess of those to which they were so entitled. Colonel Roberts' explanation will be duly forwarded for the Colonial Secretary's information.

I have, &c.,

JOHN S. RICHARDSON,

Colonel, Commandant.

Submitted.—21/5/80. True copy,—W. B. B. CHRISTIE, Major of Brigade.

[Enclosure.]

[Enclosure.]

Colonel Roberts to The Commandant.

Sir,

Artillery Brigade Office, May 18, 1880.

In answer to memo. dated 29/4/80, asking if I desire to offer any remarks upon the correspondence *re* Moses' complaint, I cannot but express astonishment that after this case has been tried in the District Court before Mr. Justice Dowling, and settled by him, that any further report should be necessary. As, however, I was occupied at the time of its receipt with an examination of the officers of the Volunteer Artillery for fitness for promotion, I directed that the officers who had been in the Newcastle district should read the correspondence in case it might be necessary to call upon them for any report. However, considering the matter more intimately concerns myself, I will briefly remark upon each page in the form of a statement.

Prior to leaving Newcastle the first time, about the 26th September last, I paid my account, being charged at the rate of 16s. per diem, and on my return, seeing that officers might have to remain in Newcastle for an indefinite time, I asked Mr. Moses to make some reduction in his rate of charges, these, as in my case 16s., being charged for each officer. (His tariff, which was not printed at the time, so he informed us, but is now attached, shows that 15s. is the rate for a private suite, or as may be agreed upon.)

I said I could not agree to officers each paying 15s. (or at the rate of a private suite and meals each person), whereas we only occupied one sitting-room and dining-room in one, but that a fair charge might be made (which unless we obtained an allowance from Government, I would submit for approval and payment by the proper authorities). On the 30th September, 1879, I applied through the Commandant for a special allowance for the Force while in the district, owing to the charges being heavy, as we were frequently away from the hotel, and had to pay elsewhere as well as the daily charge at the hotel; this was allowed by letter of the 10th October, 1879, some time after my having seen Mr. Moses. With regard to the complaint about the food, I need only refer to Lieutenant Nathan, who was present on that day as a visitor to Newcastle, and to the other officers present at the time, as to whether there was not very good grounds for complaint. Excellent food could be obtained elsewhere, but it was necessary to keep the officers together, as we did not know when we might be called upon to move, and thus the "Great Northern Hotel" was best adapted from the point of amount of accommodation required.

I said I would vouch for a fair charge only as I had paid for the sitting-room, and this fair charge I certainly did not consider to be 5s. per diem for each person; my vouching would only have been for the satisfaction of the Government, *prior to the allowance being made*. As I did not think 5s. per head a fair extra charge to be submitted to the Government I did not think it a fair charge to be made against each officer.

At the time Mr. Moses sent his letter of the 28th October I was on duty in Sydney, and replied on my return in letter of November 4th.

The fair charge I expected would be made by Mr. Moses was for extra attendance, certainly not *for use of a room for which I had already paid*, which I pointed out to Mr. Moses, although he conveniently omits to state this on page 2. I paid the charge of 15s., as I considered that having ordered the room, and requiring to use it probably more than any other officer, that by my payment I secured the room and it could be used by others only so long as they did not cause inconvenience to the duties which had to be carried out there.

Again points out that I would only recommend a fair charge. I don't think that Mr. Moses has proved his case, as I was called as first witness for the defence.

Mr. Moses here refers to the trial of the case before Mr. Justice Dowling, who came to a decision after, I feel certain, distinctly understanding all its bearings; and I cannot imagine why this decision is questioned, unless that it is Mr. Moses not gaining his full demands thus feels dissatisfied with the Judge's verdict.

Mr. Moses was allowed some expenses, amounting to £5 or more.

I need only call upon the Commandant to bear me out in my statement, that no allowance was made until after my application on the 30th September, and this allowance was authorized in letter dated October 10th, 1879, and for such days only as we were actually in the Newcastle district. Mr. Moses draws his inference that the allowance would only count from my return. I distinctly said that my application was made for an allowance while in the Newcastle district, and I certainly did not think that Mr. Justice Dowling understood anything else, but that during the days we were in Newcastle the allowance was made, and he calculated the charges accordingly.

My impression is that the Judge's remarks with reference to the "Great Northern Hotel" were that it was one of the best appointed hotels in the Colony, and as everything is new in the hotel this is undoubtedly a fact.

The Judge asked me if I would now vouch for these expenses, and I said it would be no use, as the Government would not pay them, the officers having received their special allowance.

The Judge did not, as well as I remember, say that I had sworn that the allowance did not commence until their second trip; what he said, to the best of my recollection, was, that the allowance was not granted until my second visit to Sydney; this was, I believe, in reference to a remark from Mr. Moses, *that some of the officers had on their first visit paid their accounts without remark*; this visit was on the first occasion of a disturbance in Newcastle.

I did not swear that no allowance was made from September 21st to October 2nd; what I stated (as previously remarked) was, that no allowance was granted until my second visit to Sydney, and I did not swear that it was not retrospective.

The allowance was made, and paid by the paymaster, only on vouchers for such days as the officers were in the Newcastle district, at the rate of 16s. per diem, and the accuracy of the number of days can be ascertained by reference to the pay lists.

The amount, £24 9s. 2d., mentioned as travelling and contingent expenses, I need hardly point out, did not in any way benefit any of the officers, as suggested by Mr. Moses.

I have pointed out that my oath was upon the question of any allowance, and that I stated (as the conversation on reduction of charges took place before any allowance was authorized) that at that time, viz., end of September, '79, no allowance had been made, but that it was eventually made about 10th October, 1879.

The visit referred to by Mr. Moses, of Major Spalding, Captain Murray, and Lieut. A. Le Patourel, was prior to that, when the eight officers went up, and these three officers were under the impression that they would receive £1 per diem each, an expectation I need hardly say was not realized, although according to authorized charges for officers travelling.

I can only add that while at the "Great Northern Hotel" neither myself or any of the officers ever saw a list of prices, and if we were to believe Mr. Moses, they were not printed at the time of our visit; they certainly were not in the rooms we occupied, and Mr. Moses stated that his cards of wines, &c., were at that time being printed.

In conclusion, I must beg to request that as Mr. Moses has taken upon himself to charge me with false swearing, that the matter may be submitted to the higher authorities in order that it may be placed in the hands of the Attorney General, as I claim that protection I consider I am entitled to while performing a duty under Government, and especially as my character has been brought in question, and this through the medium of one of the public offices of the Colony.

I have, &c.,

CHAS. F. ROBERTS,

Colonel, Com. N.S.W. Artillery.

True copy,—W. B. B. CHRISTIE, Major of Brigade.

No. 5.

Colonel Richardson to The Principal Under Secretary.

(80-245.)

Sir,

Brigade Office, Sydney, 21 May, 1880.

In accordance with your minute of 28/4/80, calling for report on certain complaints made against Colonel Roberts and the officers of the New South Wales Artillery by Mr. Moses, proprietor of the "Great Northern Hotel," Newcastle, and as noted in the last paragraph of my letter of yesterday's date (No. 241), furnishing a partial report on the matters submitted to me, I have now the honor to forward an explanation from Colonel Roberts having reference to the discrepancy stated by Mr. Moses to exist between the number of days board for which Mr. Moses was paid, and the number for which the allowance was actually drawn by the several officers of the New South Wales Artillery.

When

When furnishing my last report on the subject (20/5/80, No. 241), which report I understood it was desired should be rendered as soon as possible, it appeared to me that the special matter of the discrepancy in question had not been gone into by Colonel Roberts in such a clear and definite manner as would be required by the Colonial Secretary, and was indeed advisable in the interests of the officers of the New South Wales Artillery themselves; I therefore, as will be seen by my minute of 20/5/80, called Colonel Roberts' attention to this, and indicated the advisability of the allegations being answered with greater detail. It will now be seen that that officer, in his memo. of 21/5/80, gives some further information, but, protesting against doing so, has desired the matter in question may be referred to His Excellency the Governor, which course I have not deemed it proper to pursue, seeing Colonel Roberts' explanation was asked for with reference to a financial matter being inquired into by the Ministerial head of the department, and seeing also that the Colonial Secretary is in a position, should he deem it advisable, to make the reference in question himself.

With reference to the discrepancies noted by Mr. Moses, the following can be accounted for by the fact that the days spent by the officers in question in the "Great Northern Hotel" on their first visit to Newcastle do not seem to have been noted by Mr. Moses, although they were indicated in the answer given by me to the Parliamentary questions as to the number of days for which the allowance of 16s. per officer per day was drawn. This would seem to have occurred through these officers having settled with Mr. Moses on the first visit to Newcastle without any disagreement having taken place, viz. :—

Major Spalding	... ..	6 days.
Captain Murray	... ..	6 days.
Lieut. A. Le Patourel	... ..	6 days.

This leaves a discrepancy in Major Spalding's case of three days; in Captain Murray's of two days; Captain M'Kenzie, three days; Lieutenant Savage, two days; Lieutenant A. Le Patourel, two days; and Dr. Bedford, two days; the explanation as to which, so far as I can gather from Colonel Roberts' memo. 21/5/80, is that the officers stopped when in Newcastle at hotels other than Mr. Moses—Mr. Moses stating, as far as I can recollect in his letter, that when in Newcastle they stopped at no hotel *other* than his. As to what the facts are in this respect I cannot say, nor has Colonel Roberts thought proper to give such detailed information on the subject as will enable me to judge. I may remark that the vouchers referred to by Colonel Roberts are nothing more than the documentary pay-sheets on which the allowance in question for the officers of the New South Wales Artillery has been estimated and drawn. They can therefore furnish of themselves no proof other than that given by the certificate of the commanding officer, that the officers resided for any certain number of days at Newcastle.

I have, &c.,
JOHN S. RICHARDSON,
Colonel, Commandant.

Submitted—8/6/80. True copy,—W. B. B. CHRISTIE, Major of Brigade.

[Enclosure.]

EXTRACT from a letter from Mr. Moses to the Colonial Secretary, dated 21st April, 1880.

I will now draw your attention to the number of days I charged the six officers for, as they were at my hotel all the while they were at Newcastle, except one day—October 13th, from 10 a.m. until about the same hour October 14th. The following is correct; the intervening dates they were either at Lambton, Raspberry Gully, or Sydney.

Major Spalding, Sept. 21 to Oct. 7, and Oct. 12—18 days; allowed 27 days.
Lieut. Le Patourel, Sept. 21 to Sept. 29; Oct. 2 to 10—18 days; allowed 26 days.
Lieut. Savage, Sept. 21 to 22; Oct. 6 to 13—8 days; allowed 10 days.
Captain M'Kenzie, Sept. 21 to Oct. 2; Oct. 6 to Oct. 13—18 days; allowed 21 days.
Dr. Bedford, Sept. 21 to 29; Oct. 3 to 13—19 days; allowed 21 days.
Captain Murray, Sept. 21 to Oct. 2; Oct. 9 to Oct. 13—15 days; allowed 23 days.

I cannot see by the foregoing statement how Colonel Roberts' oath can be substantiated, as it clearly appears the officers were allowed 16s. a day for subsistence from the time they arrived here, besides receiving their respective share of £24 9s. 2d. for travelling and contingent expenses.

True copy,—W. B. B. CHRISTIE, M. of B.

Perhaps Colonel Roberts will be good enough to explain how it is that officers have apparently drawn the special allowance of 16s. a day for days on which they were either at Sydney, Raspberry Gully, or Lambton, and for which they were not charged at the "Great Northern Hotel"?—J.S.R., Colonel, Commandant, 20/5/80, B.C.

The officers have only drawn the 16s. for such days as they were obliged to provide themselves with hotel accommodation in Newcastle, and after the 12th October they found other hotels besides the "Great Northern" where they could stay, but not altogether. Some of the officers were allowed the special grant of 16s. for the time of their previous visit to Newcastle in August, and Mr. Moses seems to forget that he received his full demands for those days. As it appears to me that a certain amount of doubt is cast upon the correctness of the return of number of days for which the officers were granted the special allowance, and I consider it extremely hard that the base statements of Mr. Moses should be weighed against my remarks, especially when I refer to the pay vouchers which have been duly authorized in confirmation, I would respectfully request that the whole of the correspondence on this subject be submitted to His Excellency the Governor and Commander-in-Chief.—CHAS. F. ROBERTS, Col., 21/5/80.

True copy,—W. B. B. CHRISTIE, Major of Brigade.

No. 6.

Mr. S. S. Moses to The Colonial Secretary.

Dear Sir,

"Great Northern Hotel," Newcastle, 19 June, 1880.

At my interview with you on Friday, the 11th instant, you promised that I should have a reply from you in answer to my charges made against some of the officers of the New South Wales Artillery during their stay in Newcastle during the months of September and October last, but up to the present time have not received such. I beg to state that my charges bear date April 21st, and I have been patiently awaiting a reply, and trust that I may now receive one during the coming week. I may state that I wrote a note drawing your attention to my charges of the 21st April, such note bearing date 8th proximo. To this I have also not received a reply.

Yours, &c.,
SIMEON S. MOSES.

True copy,—W. B. B. CHRISTIE, Major of Brigade.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

FORAGE ALLOWANCE TO OFFICERS OF PERMANENT AND
VOLUNTEER MILITARY FORCES.

(CORRESPONDENCE RESPECTING.)

Ordered by the Legislative Assembly to be printed, 12 February, 1880.

SCHEDULE.

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No. 1.

The Commandant to The Principal Under Secretary.

Sir, Brigade Office, Sydney, 16 June, 1879.
I have the honor to forward, for the consideration of the Colonial Secretary, the accompanying letter from Lieutenant-Colonel Raymond, Commanding 1st Regiment, New South Wales Volunteer Infantry, having reference to the recent vote reducing the forage allowance to Volunteer Officers.

I have, &c.,
JOHN S. RICHARDSON, Col.,
Commandant.

[Enclosure.]

Lieutenant-Colonel Raymond to The Commandant.

Sir, Battalion Office, Sydney, 14 June, 1879.
I have the honor to draw your attention to the recent vote reducing the forage allowance to Volunteer Officers to the sum of £40 per annum each, instead of 3s. 6d. per day.

This sum is £10 less than a late reduction in another part of the Force, where the officers receiving the higher rate have stables found them, and servants at considerably lower rates than private grooms can be hired for.

The Adjutant of my Regiment informs me that the hire of a boy to look after his horse costs him over £50 per annum; he has of course to provide the horse and a stable. I am sure no horse can be properly fed for less than £4 a month, if a groom is ever so careful, irrespective of accident, veterinary expenses, trappings, &c. This makes actual cash expenses in his case £98 per annum, out of which he is paid by present arrangements £40 by the Government.

In my own case I am now paying 35s. a week for a groom (board wages)—I cannot get one for less. I have had to pay more, but as I make him useful in other ways I cannot charge the whole of this expense against my allowance; but it is evident that I should not have to incur that expense unless obliged to keep a horse for military purposes.

Thus a large expenditure has to be incurred by me annually over and above the allowance from the Government.

I have the honor to request, therefore, that you will submit this matter for the consideration of the Government, with a view of affording some relief to my Adjutant and myself.

I have, &c.,
R. PEEL RAYMOND,
Lieutenant-Colonel,
Commanding 1st Regiment N.S.W. Vol. Infantry.

Minute by Colonial Secretary.

All the papers relating to same subject may be submitted together.—H.P., 23/6/79.

No. 2.

The Commandant to The Principal Under Secretary.

Sir, Brigade Office, Sydney, 23 June, 1879.

The reduction recently made by Parliament in the amount of the forage allowance granted to those officers of the Volunteer Permanent Staff who are acting as Adjutants of Regiments, having so affected them as to make it impossible that they can keep horses of their own for use on the Public Service, without being subjected to an annual loss, at the very least, equivalent to the amount now authorized for their forage allowance, viz., £40 per annum, I have the honor to request that in such cases as the officers named may desire to adopt that alternative, I may be authorized to waive their keeping horses of their own, and to issue to them horse allowance, in lieu of forage allowance, at the rate of £25 per annum, to enable them to defray the expenses thrown upon them *for the hire of horses*.

The field duties of these officers, under the system proposed, cannot of course be performed by them in the efficient way possible when they have horses of their own; nor can they be mounted (as I think is desirable) in such a manner as will be creditable to the Military Service of the Colony; but it is manifestly not to be expected that they should, out of their small means, incur the loss contingent on an endeavour to keep a horse upon the inadequate allowance voted.

I have, &c.,
JOHN S. RICHARDSON, Col.,
Commandant.

No. 3.

The Commandant to The Principal Under Secretary.

Sir, Brigade Office, Sydney, 1 July, 1879.

30 June, 1879.

I have the honor to forward, for the consideration of the Colonial Secretary, the accompanying letter from the Officer Commanding Artillery Forces, having reference to the recent vote reducing the forage allowance to officers of the Permanent Artillery.

I have, &c.,
JOHN S. RICHARDSON, Col.,
Commandant.

[Enclosure.]

The Colonel Commanding Artillery Forces to The Commandant.

Sir, Artillery Brigade Office, Sydney, 30 June, 1879.

I have the honor to bring to your notice the manifest injustice under which the officers of the New South Wales Permanent Artillery are suffering. Being required to *provide* and keep horses for the Public Service, they were granted an allowance which enabled them to pay for forage, shoeing, clothing, &c.; this sum has been reduced suddenly by £24 per annum for each horse in the case of the Permanent Artillery; in the case of the Staff, the sum of £12 per annum has been reduced; and in the case of some other officers connected with the Defence Force, no reduction has taken place.

I would beg to request that this case might receive the favourable reconsideration of the proper authorities, as the sum now voted, viz., £40 per annum per horse, is barely sufficient even to provide necessary food and bedding, and it can hardly be intended that one officer should keep a horse upon two-thirds of the amount voted for another to do the same with.

I have, &c.,
CHAS. F. ROBERTS,
Colonel Commanding Artillery Forces.

No. 4.

The Commandant to The Principal Under Secretary.

Sir, Brigade Office, Sydney, 8 January, 1880.

I have the honor to forward herewith a letter from the Officer Commanding the New South Wales Artillery, drawing attention to, and protesting against, certain deductions now made from the pay of officers of this department by the Treasury, as per schedule attached.

In the early part of 1879, payments were made to officers on account of horse allowance on the scale obtaining for many previous years, viz., £64 per annum. Subsequently, on the passing of the Estimates, horse allowance was granted to Captain Strong and Dr. Bedford at the rate of £64 per annum; to the officers of the general staff, at £52 per annum; and to those of the New South Wales Artillery and Volunteer Force, at £40 per annum. It appears to me inequitable that after having until the Estimates for 1879 were passed, been led to believe they would receive the rate heretofore granted, and *incurred actual expense accordingly*, officers should suddenly not only find their horse allowance largely reduced, but such reduction made to operate *retrospectively*, against them. I have therefore urgently to draw the attention of the Colonial Secretary to the matter, feeling assured that he will see the hardship involved on individuals by the course taken, and will, if possible, as I would strongly recommend, sanction the payment of the difference between the rate granted prior to 1879 and that voted in the Estimates for that year, at least up to the date on which the alteration of the rate of the allowance was made by Parliament from the unexpended balance for the Military Department for the year 1879.

I would also urgently and respectfully draw the attention of the Colonial Secretary to the entirely inadequate allowance now given to the officers of the General Staff, and the New South Wales Artillery, and the Commanding Officers and Adjutants of the Volunteer Force, for the maintenance of horses and equipment

equipment for the Public Service. Schedule A attached to this letter will show the actual expenses connected with the keeping of a horse, and the loss incurred by officers even under the old rate on this account will be at once apparent. I feel sure that the Members of the Legislature must have been quite unaware of the actual expenses connected with keeping a horse for military purposes when the change was made, and that it never could have been foreseen or intended that actual loss, and that considerable, should be suffered by a body of officers already in most cases paid on a scale lower than that adopted in the Imperial Army.

Feeling assured that the Colonial Secretary will give a fair and kindly consideration to this communication,—

I have, &c.,
CHAS. F. ROBERTS, Colonel,
pro Commandant.

[Enclosure.]

The Colonel Commanding the Artillery Forces to The Commandant.

Sir,

Artillery Brigade Office, Sydney, 8 January, 1880.

I have the honor to request that the late order issued by the Treasury may be submitted for the consideration of the Honorable the Colonial Secretary, and for the following reasons:—

The order directs that such officers as may have received forage allowance at a rate higher than the allowance of £40 per horse per annum be charged with the difference of the two amounts, viz., £64, the allowance granted for the last thirteen years, and £40, the sum decided upon in June last, on passing the Appropriation Act. The result of this will be, that officers will have to repay the sums opposite their names, as per schedule, marked "B," in addition to other expenses they have already been obliged to incur.

On 30th June last, I forwarded a letter to the Commandant, requesting that it might be submitted to the Honorable the Colonial Secretary, in which I pointed out a manifest injustice under which, unintentionally I felt sure, the officers of the Permanent Artillery had been placed by the sudden reduction of the forage allowance from £64 to £40 per annum for each horse kept.

I would now beg to draw attention to the accompanying schedule, marked "A," explanatory of the allowance granted, and the consequent considerable deficiency or extra charge falling upon officers, as they are obliged to purchase retail:—

	s.	d.
Each horse costs per week for food	17	3
" " for shoeing.....	1	6
	18	9

This amounts alone to £48 15s. per annum, and does not include any charge for medicine in case of illness, or allows any sort of fund for replacing horses lost, either through illness or accident, which cost falls upon an officer's private means, as the Government do not supply the horses; and the supply of the necessary appointments also falls upon the officer.

It will be therefore manifest that the officers who receive an allowance at the rate of £40 per annum are thus £8 15s. per annum out of pocket, while they are at a disadvantage compared with officers of the staff, who receive £52 per annum, and others who receive £64 per annum, to the extent respectively of £3 5s. and £15 5s., and are therefore called upon to maintain a horse for service at their own expense to the extent of the amount £8 15s. named above, to which must be added all costs for horses when sick, the necessary hiring of others to perform the duty, and some sum which might be put aside annually to form a fund to replace any horse becoming unserviceable.

I feel quite sure that it could never have been the intention of the Government that such should be the case, and I trust that the officers may not be called upon to refund the amounts opposite their names in schedule marked "B."

I trust also that, for the above reasons, the forage allowance may be allowed in future to officers at the rate of £64 per annum, as has been the case for thirteen years previous.

I have, &c.,
CHAS. F. ROBERTS, Col.,
Comdg. Artillery Forces.

A.

Weekly.

	£	s.	d.
1½ cwt. straw, at £4 10s. per ton	0	6	9
112 lbs. hay, oaten, at £7 "	0	7	0
70 lbs. corn (at present very low) 3s.	0	3	6
Shoeing at the rate of 6s. per month.....	0	1	6
Allowance to soldier groom	0	5	0
Rate for clothes, at £6 per annum	0	2	4
	1	6	1
Allowance—£40 per annum, or per week	0	15	4½
	0	10	8½

Or per annum, £27 16s.

Annual expenses connected with keep of one horse.

Cost of horse keep, at 18s. 9d. per week.....	48	15	6
Allowance to soldier groom £1 per month, and clothes per annum £6.....	18	0	0
Repair and replacing saddlery and veterinary expenses, &c., per annum	10	0	0
Sinking fund to replace horse, say, per annum.....	5	0	0
	£81	15	6

CHAS. F. ROBERTS, Colonel.

B.

Forage allowance overdrawn.

Rank and Names.		Amount.		Remarks.		
		£ s. d.	£ s. d.			
General Staff.	Col. Commandant—J. Richardson	3	6	4	January and February, 1879.	
	Major—W. B. Christie	1	13	2		
	„ T. Baynes	1	13	2		
Permanent Force.	Captain—Compton	1	13	2		From 1st January to 31st May, 1879.
	Colonel—C. F. Roberts	19	10	4		
	Major—W. Spalding	9	15	2		
	„ M. Murphy	9	15	2		
	„ G. Airey	9	15	2		
	Captain—P. Murray	9	15	2		
	„ H. D. Mackenzie	9	15	2		
	Lieutenant—H. LePatourel	9	15	2		
	„ A. LePatourel	9	15	2		
	„ F. Baynes	9	15	2		
„ H. P. Airey	9	15	2	186 12 4		
„ R. Nathan	9	15	2			
„ A. H. P. Savage	9	15	2			
„ C. Bouverie	9	15	2			
Volunteer Force.	Lieutenant-Colonel Wilson	9	15		2	
	„ „ Goodlet	9	15		2	
	„ „ Raymond	9	15		2	
	Major—Holborrow	9	15		2	
	Captain—Wilson	9	15		2	
	„ Taunton	9	15		2	
„ Norris	9	15	2	78 1 4		
Lieutenant—Hill	9	15	2			
		£222 19 6				

CHAS. F. ROBERTS, Col.,
Comdg. Artillery Forces.

Submitted, 12/1/80.

Minute by Colonial Secretary.

It is quite impossible for me to comply with the request made in this letter. The forage allowance was reduced by the Committee of Supply after the Minister in charge of the Estimate had said all he could in support of it. To supplement the reduced sum which was so voted from any other source would be setting at naught the decision of Parliament and would be extremely improper. If the Commandant thinks his case is sufficiently strong to satisfy the Assembly that the reduction was made without sufficient knowledge or consideration, I am willing to lay copies of these papers on the Table.—H.P., 23/1/80.

The Commandant.—B.C., 23/1/80, C.W.

No. 5.

The Commandant to The Principal Under Secretary.

Sir,

Brigade Office, Sydney, 28 January, 1880.

I have the honor to observe, in reply to the Colonial Secretary's remarks contained in minute 23/1/80 on accompanying correspondence, having reference to various scales of forage allowance granted to mounted officers of the Permanent and Volunteer Military Forces, that I conceive the case of those officers is sufficiently strong to warrant an appeal for reconsideration, and on the grounds disclosed in that correspondence. Accordingly, with that view, I have respectfully to recommend that these papers may be laid on the Table of the House of Assembly. I also enclose an extract of a letter from myself to Principal Under Secretary, bearing on the question, which I beg may be regarded as part of the correspondence, and dealt with as above indicated.

I have, &c.,

JOHN S. RICHARDSON, Col.,
Commandant.

[Enclosure.]

Extract from Commandant's letter, 79/554, dated 20th August, 1879, to Principal Under Secretary, forwarding Estimates for 1880.

"In conclusion, I beg to invite the Colonial Secretary's attention to the question of forage allowance, both as regards increase and the unequal manner in which the officers of the Force are treated in respect thereto. At present some officers receive £64 per annum in place of drawing forage allowance; others receive a forage allowance of £52 per annum; and, again, others of £40 per annum. It seems to me but reasonable that all officers should be treated alike (including Volunteer Majors, who have hitherto been drawing horse allowance). As regards the sum to be allowed, I think that originally granted, viz., £64 per annum, is not excessive, if it is taken into account that a officer who has to keep a superior style of horse for the Public Service, has to meet expenses incidental to the purchase and replacement of horses from time to time, supply food and clothing, shoeing, veterinary charges, groom's wages, the provision and keeping up of appropriate saddlery and appointments, &c., &c.

"I may mention, as illustrative of the serious loss to which officers are subject who have to provide horses for the Public Service, that since my appointment I have had to buy some six horses, varying from £30 to £50 each; and at the present time both my horses are disabled by accident, one of which will probably have to be replaced. The Major of Brigade, through ill luck, is between £300 and £400 out of pocket. Other officers have also in a comparative degree been adversely affected. I trust, therefore, the Colonial Secretary will be good enough to refer to the original rate, viz., £64, as it is obvious that instead of the forage allowance being a source of emolument, it is practically the reverse, and consequently officers can but ill afford the reduction recently carried out.

I have, &c.,

JOHN S. RICHARDSON, Col.,
Commandant."

True extract.—W. B. CHRISTIE, Major of Brigade.

1879-80.

NEW SOUTH WALES.

VOLUNTEER FORCE REGULATION ACT OF 1867.

(AMENDED REGULATIONS UNDER.)

Presented to Parliament, pursuant to Act 31 Vic. No. 5, sec. 50.

Colonial Secretary's Office,
Sydney, 9th January, 1880.

HIS Excellency the Governor, with the advice of the Executive Council, having been pleased to make the following Regulations for the Volunteer Force, in substitution of clauses 25, 27, and 28 of the Regulations published in a Supplementary Government Gazette of the 9th September 1878, directs its publication in accordance with the 50th section of the Volunteer Force Regulation Act of 1867.

HENRY PARKES.

25. In addition to the above, a Subaltern appointed direct must, within one year from the date of his appointment, and a candidate for a commission from the ranks must, prior to his appointment, pass an examination before a Board of Officers in the undermentioned subjects:—

ARTILLERY CORPS.

- (a.) Company drill in close order—Field Exercise, part II.
- (b.) Duties of guards—Field Exercise, part VII.
- (c.) Carbine or short rifle exercises, and the drill of one description of gun used by the Corps.
- (d.) Volunteer Act and Regulations.

ENGINEER CORPS.

- (a.) Company drill in close order—Field Exercise, part II.
- (b.) Duties of guards—Field Exercise, part VII.
- (c.) Short rifle exercises.
- (d.) Military engineering (Sappers Manual):—
 1. Hasty defences—chap. I, sec. 1-12.
 2. Defence of posts—chap. I, sec. 12-33. Field-works, chap. II, sec. 24-32.
 3. Throwing up earthworks—chap. IV, sec. 56-62.
 4. Revetting materials—chap. V.
 5. Revetments—chap. VI.
- (e.) Volunteer Act and Regulations.

TORPEDO AND SIGNAL CORPS.

- (a.) Company drill in close order—Field Exercise, part II.
- (b.) Duties of guards—Field Exercise, part VII.
- (c.) Short rifle exercises.
- (d.) Signalling—flags, lights, electric telegraph, &c., &c.
- (e.) Electricity in connection with submarine warfare, and how applied—batteries required, how constructed, and kind generally used.
Magneto-electricity for exploding submarine mines.
Galvanometers.

- (f.) Torpedoes—electro, contact mines, ground mines mechanical mines, circuit closers—how arranged and exploded.

Aggressive Torpedoes—Harvey's, Whitehead's, outrigger for boats.

Fuzes and detonators—how constructed and applied—charges: powder, gun-cotton, dynamite, and litho-fracteur—relative values.

Cases—Size of cases for certain quantities of explosives and for different depths.

Firing by observation, and cross-bearings by Shutter apparatus.

Testing table.

Cables for submarine mines.

Testing the same.

- (g.) Volunteer Act and Regulations.

Examination for Captains and Field Officers will be of a more extended nature in the above subjects than is required of Subalterns, with the addition of—

- (a.) Battalion drill in close order, and proper mode of route marching—Field Exercise, parts III. and VII.
- (b.) Standing orders of the Volunteer Force.

INFANTRY CORPS.

- (a.) Squad and company drills—Field Exercise, parts I. and II.
- (b.) Duties of guards and outposts—Field Exercise, parts VI. and VII.
- (c.) Short rifle exercises.
- (d.) Volunteer Act and Regulations.

27. Previous to promotion to the rank of Captain, Subalterns will be required to pass an examination before a Board of Officers in the following subjects:—

ARTILLERY CORPS.

- (a.) Company drill and command of a Company in Battalion in close order—Field Exercise, parts II and III.

- (b.) Duties of guards—Field Exercise, part VII.
- (c.) Service of description of ordnance worked by the special branch of the Corps to which they belong.
- (d.) Exercise with or without machines with the same guns.
- (e.) General knowledge of the ordnance served by the special branch of the Corps to which they belong as regards ammunition, stores, and carriages, care of magazines and shell-rooms, flight of projectiles, ranges, and penetration.
- (f.) Volunteer Act and Regulations and Standing Orders of the Volunteer Force.

ENGINEER CORPS.

In addition to the subjects specified in examination for Subalterns:—

- (a.) Command of a Company in Battalion in close order, and proper mode of route marching—Field Exercise, parts III. and VII.
- (b.) Military engineering:—
 1. Defilade and obstacles, &c.—chap. II., sec. 33-45.
 2. Batteries—chap. III.
 3. Execution of the work in connection with throwing up earthworks—chap. IV., sec. 63-68.
 4. Detail of batteries—chap. VII.
 5. Field kitchen—chap. X. Boring and levelling. From instruction.
 6. Trenches. From instruction.
- (c.) Standing orders of the Volunteer Force.

INFANTRY CORPS.

- (a.) Company drill, and Command of a Company in Battalion—Field Exercise, parts II. and III.
- (b.) Duties of guards and outposts, and proper mode of route marching—Field Exercise, parts VI. and VII.
- (c.) Volunteer Act and Regulations and Standing Orders of the Volunteer Force.

28. Captains, before they are eligible for promotion to be Field Officers, will be required to pass an examination in the following subjects:—

ARTILLERY CORPS.

- (a.) Battalion drill in close order, and the command of a Battalion in Brigade—Field Exercise, parts III. and IV.
- (b.) Duties of guards and proper mode of route marching—Field Exercise, part VII.
- (c.) Drill of guns in use in the Corps, and exercise with or without machines with the same.
- (d.) General knowledge of the ordnance used by the Corps—ammunition, stores, carriages, &c., care of magazines, shell-rooms, flight of projectiles, ranges, and penetration.
- (e.) Volunteer Act and Regulations, and Standing Orders of Volunteer Force.
- (f.) Riding.

INFANTRY CORPS.

- (a.) Battalion drill—Field Exercise, part III.
- (b.) Knowledge of movements of Battalion in Brigade—field manoeuvres and tactics—Field Exercise, part IV. and V.
- (c.) Duties of guards and outposts, proper mode of route marching—Field Exercise, parts VI. and VII.
- (d.) Volunteer Act and Regulations and Standing Orders of Volunteer Force.
- (e.) Riding.

They must further be in all respects eligible to take command of the Corps or Regiment in the absence of the Commanding Officer.

All officers will be expected to be practically acquainted with the exercises in which they may have been theoretically examined.

1879-80.

NEW SOUTH WALES.

VOLUNTEER FORCE REGULATION ACT OF 1867.

(MONEYS EXPENDED UNDER, IN 1879.)

Presented to Parliament, pursuant to Act 31 Vic. No. 5, sec. 51.

VOLUNTEER FORCE, NEW SOUTH WALES.

STATEMENT of all moneys paid on account of the above Force during the year ended 31st December, 1879, furnished in accordance with paragraph 51 of the Volunteer Act, 1867.

	£	s.	d.
Salaries and Allowances—			
Amount paid	21,445	1	1
Forage—			
Allowance in lieu thereof paid to the Officers of the General Staff, to Officers Commanding Brigades of Artillery, Sydney and Suburban Battalions, and four paid Adjutants, and Garrison cart horse	890	0	0
Travelling Expenses—			
To General Staff and Volunteer Officers	661	16	7
Compensation in lieu of Uniform—			
To Staff Sergeants and Sergeant Instructors	115	0	0
Uniforms—			
For Artillery and Rifle Corps	*11	18	3
Musketry Badges—			
Issued to Marksmen	50	19	0
Hire of Horses—			
For Field Guns and Mounted Officers for Artillery and Rifles			
Brigade Band—			
Contribution to	150	0	0
Rifle Association—			
Contribution to	500	0	0
Armoury repairs and Materials, Incidental and Postage and Stationery—			
Including freight and cartage of Ammunition and other unforeseen Contingencies	1,361	4	2
Rent of Armouries—Country Corps—			
Amount paid	84	0	0
Rifle Ranges—			
Constructing new Butts, and keeping in repair the several Rifle Ranges at Head Quarters and Country Corps	81	11	8
Office Rent—			
For General Staff, Volunteer Artillery Brigade, Sydney and Suburban Battalions of Rifles	375	0	0
For Officers Commanding the Northern and Western Battalion Rifles, at £15 per annum	30	0	0
Office-keepers—			
To Offices at Head Quarters	48	0	0
Sheds at Rifle Ranges—			
Completing same			
Total	£25,804	10	9

* Uniforms under new Regulation (1st issue) charged to vote for 1878, consequently only a small sum paid at present for 1879.

THOS. BAYNES, Major,
Brigade Paymaster.
24/3/80.

JOHN S. RICHARDSON, Col.,
Commandant.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

VOLUNTEERS.

(NAMES OF OLD FORCE TO WHOM LAND ORDERS WERE ISSUED DURING 1879
AND SUBSEQUENTLY.)

Ordered by the Legislative Assembly to be printed, 11 May, 1880.

RETURN showing the names of members of the Old Volunteer Force to whom Land Orders were issued during the year 1879 and subsequently, and the dates when issued.

Names.	Corps.	Date when issued.
		1879.
Achurch, George, Private	Singleton	14 January.
Barnes, Thomas John, Private	East Maitland	2 "
Barnett, Louis Benjamin, Bugler	Hawkesbury	10 "
Buddle, John George, Gunner	No. 10 Battery	10 "
Bailey, John, Private	Kiama	14 "
Buckton, James, Private	Richmond	15 "
Beggs, Henry, Private	Penrith	20 "
Baylis, Samuel Ernest, Private	1st Regiment	24 "
Barnett, Charles, Private	do	24 "
Beacom, Thomas, Private	Kiama	7 February.
Butson, John Samuel, Private	Ulladulla	7 "
Bradley, James, Private	2nd Regiment	14 "
Barr, James, Private	do	17 "
Birkinshaw, Frederick, Private	Ulladulla	20 "
Baxter, Henry, Private	Goulburn	10 March.
Bastable, Charles, Private	Wollongong	5 April.
Baillie, Jas. Wm. Edward, Private	1st Regiment	6 May.
Borwick, John, Private	Mudgee	31 July.
Bryant, John Ambrose, Private	Orange	18 August.
Camper, John, Bombadier	No. 8 Battery	6 January.
Callaghan, James, Corporal	1st Regiment	6 "
Cross, Stephen, Private	2nd Regiment	6 "
Campbell, Alexander, Private	2nd Highlanders	6 "
Colquhoun, John, Private	East Maitland	8 "
Corkhill, Sydney Richard, Sergeant	No. 8 Battery	8 "
Carberry, John, Private	Jamberoo	10 "
Curren, Patrick, Gunner	No. 1 Battery	14 "
Coffey, Patrick, Private	Singleton	14 "
Cornwell, Percy Charles, Private	Richmond	15 "
Causdell, Robert, Private	2nd Regiment	20 "
Cameron, James, Private	Parramatta	20 "
Conroy, William, Private	do	21 "
Champion, Edward, Private	West Maitland	22 "
Connors, Michael, Private	do	22 "
Clifford, Charles, Bombadier	No. 4 Battery	23 "
Cork, William, Private	Ulladulla	24 "
Crisp, John Henry, Private	Parramatta	25 "
Callaghan, John, Private	Orange	29 "

Names.	Corps.	Date when issued.
		1879.
Cooper, John William, Gunner...	No. 1 Battery	7 February.
Carroll, John, Gunner	No. 11 Battery	7 "
Coomber, Hardy Gooche, Private	Orange	7 "
Cunningham, Robert, Private	Kiama	7 "
Cropley, Sidney, Private...	2nd Regiment	11 "
Carne, Benjamin, Private	do	19 "
Clubb, John, Private	1st Regiment	4 March.
Cork, Robert John, Private	Ulladulla	12 "
Campbell, Edward, Private	Kiama	14 "
Cheeseman, John, Private	Richmond	14 "
Creek, John, Private	do	14 "
Crisford, Caleb, Private	do	17 "
Carter, William, Private...	do	6 May.
Connell, Patrick, Private...	do	5 September.
Coomber, Alfred Thos., Private	Orange	26 "
		1880.
Crawley, Charles, Corporal	No. 9 Battery	29 January.
Clark, James White, Private	Mudgee	29 February.
		1879.
Davis, John, Private	Ulladulla	10 January.
Davis, Samuel Thos., Private	do	10 "
Dennis, James Tracton, Private	Parramatta	21 "
Davis, Thomas Harrison, Gunner	No. 9 Battery	29 "
Donoghue, John, Private	Orange	29 "
Dixon, Fred. Bardett, Sapper	Engineers	4 February.
Dillon, John, Gunner	No. 1 Battery	7 "
Dixon, George, Gunner	No. 2 Battery	27 "
Duffy, Austin, Private	1st Regiment	10 March.
Dinning, George, Private	Kiama	14 "
Drayton, William, Private	Richmond	14 "
Doyle, John, Private	1st Regiment	20 "
Edmonds, Thomas, Gunner	Band, Artillery Brigade	6 January.
Evans, John, Corporal	Mudgee	15 "
Etherington, James Watson, Private	2nd Regiment	22 "
Edye, John, Private	Bathurst	7 February.
East, James, Private	Kiama	14 March.
East, John, Private	do	26 "
Eggleton, Robert, Private	Richmond	27 "
Etherden, Henry, Private	do	7 April.
Francis, Alfred, Private	Ulladulla	10 January.
Fraser, Alexander, Private	Jamberoo	10 "
Flitcroft, James, Bugler	do	10 "
Fleming, Wilson, Private	Kiama	14 "
Ferris, William John, Sergeant...	Parramatta	20 "
Fry, George Henry, Private	West Maitland	22 "
Furey, Edward, Private	1st Regiment	24 "
Fullerton, Archibald, Corporal	Orange	29 "
Fischer, Joseph Bartholomew, Private...	1st Regiment	5 March.
Feltham, Joseph, Private	Goulburn	10 "
Griffin, Daniel, Private	Wollongong	13 November.
Gleeson, Joseph, Gunner	No. 2 Battery	8 January.
Gollogher, John, Private	Jamberoo	10 "
Gellately, Joseph Gordon, Private	Mudgee	15 "
Glassby, Walter James, Private	1st Regiment	20 "
Graham, William John, Private	2nd Regiment	22 "
Gilligan, Dennis Joseph, Lance-Corporal	West Maitland	22 "
Griffin, William, Private...	Ulladulla	24 "
Graham, James, Private	1st Regiment	30 "
Gjedsted, Edward, Gunner	No. 4 Battery	10 March.
Gifford, Charles, Gunner	No. 2 Battery	12 "
Geoghegan, Richard, Private	Kiama	14 "
		1880.
Green, Henry, Private	1st Regiment	20 January.
		1879.
Hough, James Alfred, Gunner	No. 1 Battery	6 January.
Hopkins, Joseph, Private	1st Regiment	10 "
Harding, Charles, Private	Kiama	10 "
Halliday, John, Private	Singleton	14 "
Hake, John James Augustus, Private	Mudgee	15 "
Hardy, James, Private	do	15 "
Hack, Charles, Quarter-master Sergeant	1st Regiment	15 "
Hill, David, Private	Bathurst	20 "

Names.	Corps.	Date when issued.
		1879.
Hayman, George, Sapper	Engineers	7 February.
Hodge, Wm. Sebastian, Bugler	Bathurst	7 "
Holmes, William, Bugler	1st Regiment	24 "
Houston, William, Private	Penrith	24 "
Hogan, John, Private	Hawkesbury	24 "
Holden, John, Private	do	24 "
Horan, Rodey, Private	Goulburn	10 March.
Hill, Joseph, Sergeant	Kiama	14 "
Hooper, John Frederick, Private	1st Regiment	24 April.
Houston, James, Bugler	Penrith	17 June.
		1880.
Hair, Henry Leachlan, Private	Richmond	20 January.
Hathaway, Joseph, Private	Mudgee	7 February.
		1879.
Jackson, Thomas, Corporal	Ulladulla	10 January.
Judge, John, Private	1st Regiment	10 "
Johnston, James, Private	Kiama	14 "
Johnston, John, Private	do	14 "
Johnston, Andrew, Private	do	14 "
Jackson, Charles, Private	Penrith	20 "
Johnson, Robert Hamilton, Private	1st Regiment	27 "
Jarman, Alexander, Private	Kiama	14 March.
		1880.
Johnson, Henry William, Private	1st Regiment	4 February.
		1879.
Kitchen, Arthur, Gunner	No. 2 Battery	8 January.
Kelly, James, Private	2nd Regiment	10 "
King, John, Private	1st Regiment	15 "
Kisky, Charles, Private	2nd Regiment	19 February.
Kenane, Patrick Augustine, Private	Goulburn	10 March.
		1880.
Kerr, William Frederick, Private	Mudgee	20 January.
		1879.
Linsley, Frederick William, Bugler	Hawkesbury	10 January.
Lutton, James, Private	1st Regiment	20 "
Lemon, Robert, Private	Parramatta	21 "
Long, George, Gunner	No. 11 Battery	7 February.
Longford, George Henry, Private	1st Regiment	7 "
Lavett, James Charles, Private	2nd Regiment	7 "
Lee, George, Private	Kiama	17 "
May, Joseph, Private	1st Regiment	6 January.
Milne, James, Gunner	No. 10 Battery	8 "
Moon, Andrew, Private	Ulladulla	10 "
Murphy, Michael, Private	Singleton	14 "
Mackensey, James, Private	1st Regiment	15 "
Manning, John, Private	Penrith	20 "
Morrant, William, Private	Head Quarters Band	21 "
Meyers, Julius Bartholomew, Private	1st Regiment	21 "
Mudge, John William, Private	do	22 "
Mackaness, George, Gunner	No. 5 Battery	23 "
Murray, William Arthur, Bugler	1st Regiment	24 "
Moss, George, Private	do	24 "
Moloney, John, Private	do	24 "
Mann, Robert, Sapper	Engineers	4 February.
Martin, Thomas William, Private	1st Regiment	7 "
Mathieson, Kenneth Alexander, Gunner	No. 3 Battery	24 "
Marshall, Thomas, Private	1st Regiment	27 "
Martyn, Richard John, Gunner	No. 2 Battery	10 March.
Murphy, Stephen, Private	2nd Regiment	12 "
Mood, Henry, Private	Kiama	14 "
Mood, Louis, Private	do	14 "
Meally, Michael, Private	Mudgee	14 "
Martyr, George, Corporal	Goulburn	9 April.
		1880.
Mulready, Thomas, Private	1st Regiment	20 January.
Martin, William, Private	Bathurst	20 "
Mulholland, John, Private	Orange	16 April.
		1879.
M'Gee, Francis, Private	Ulladulla	10 January.
M'Caffrey, Francis, Private	Kiama	14 "
M'Donnell, Gerald Hastings Crighton, Private	Singleton	14 "
M'Cormick, Thomas, Private	West Maitland	22 "
M'Cormick, Joseph, Private	do	22 "
M'Kay, Edward, Private	Ulladulla	24 "

Names.	Corps.	Date when issued.
		1879.
M'Call, John, Private	2nd Regiment	7 February.
M'Whieter, Andrew, Gunner	No. 2 Battery	14 "
M'Auena, Henry, Private	Kiama	14 March.
Newell, William, Private	2nd Regiment	22 January.
Norman, George, Gunner	No. 3 Battery	23 "
Newton, William, Private	Ulladulla	24 "
Nicholson, Henry, Private	1st Regiment	30 "
Ogle, John, Private	East Maitland	2 "
O'Connor, Martin, Private	Hawkesbury	10 "
O'Brien, James George, Private	1st Regiment	17 "
Orr, Alfred Ambrose, Gunner	No. 11 Battery	30 "
Paton, Albert, Private	East Maitland	8 "
Pearson, Isaac, Private	Jamberoo	10 "
Paton, John, Gunner	No. 10 Battery	10 "
Porters, William, Private	Singleton	14 "
Pateman, William, Private	Mudgee	15 "
Payne, Spencer, Private	Penrith	30 "
Petrie, William, Sapper	Engineers	4 February.
Peechy, Thomas, Lance-Corporal	West Maitland	22 January.
Poyner, Francis, Private	2nd Regiment	11 February.
Petschler, Charles Thomas, Gunner	No. 5 Battery	24 "
Perry, John, Private	Hawkesbury	24 "
Primrose, Thomas, Private	do	24 "
Pearce, William, Private	1st Regiment	4 March.
Pedley, John, Private	Goulburn	10 "
Power, Maurice, Private	Richmond	10 "
Page, Frederick Joseph, Private	do	26 "
Perry, John, Private	Goulburn	26 "
Rivenach, Kasper, Private	Kiama	10 January.
Robinson, Frederick, Private	Ulladulla	10 "
Robinson, David, Gunner	No. 5 Battery	10 "
Redgrave, Charles Alfred Hurst, Gunner	No. 8 Battery	14 "
Riley, George, Private	Ulladulla	24 "
Robinson, George Marshall, Private	Orange	29 "
Rice, John, Sapper	Engineers	4 February.
Rofe, Edward, Private	2nd Regiment	17 "
Robinson, Robert, Private	West Maitland	20 "
Ritchie, William, Private	Kiama	14 March.
Robinson, William, Private	Goulburn	17 "
Rae, William, Private	No. 1 Highlanders	11 June.
Sams, John, Private	East Maitland	2 January.
Scott, James Campbell, Private	1st Regiment	6 "
Sunners, Edward, Gunner	No. 4 Battery	8 "
Seller, Frederick, Gunner	do	8 "
Swain, William John, Sergeant	Wollongong	10 "
Simmons, James, Corporal	Ulladulla	10 "
Sappy, Auguste, Gunner	No. 5 Battery	10 "
Sparkes, George Hudson, Private	1st Regiment	14 "
Shepherd, John, Private	Kiama	14 "
Smith, Frederick, Private	Singleton	14 "
Smith, George, Private	do	14 "
Semple Robert, Private	2nd Regiment	15 "
Summers, John, Private	Ulladulla	20 "
Stobo, Thomas, Private	2nd Regiment	24 "
Stone, William, Private	Orange	29 "
Sherwood, Francis, Private	Parramatta	30 "
Schmidt, Andrew, Private	1st Regiment	7 February.
Sandbrook, Henry, Private	No. 2 Battery	14 "
Sawyer, Francis, Private	2nd Regiment	17 "
Somerville, Alexander William, Private	do	24 "
Selwin, John William, Gunner	No. 2 Battery	10 March.
Sly, Charles, Private	Richmond	17 "
Smith, Theodore Burton, Bugler	Wollongong	10 June.
Smith, George, Private	2nd Regiment	16 "
		1880.
Stanbury, George Henry, Private	Mudgee	7 February.
Storey, Henry, Private	Singleton	7 April.
		1879.
Trimble, Samuel, Private	Kiama	14 January.
Tindal, Francis Rigby, Private	Mudgee	15 "
Tomkins, George, Private	do	15 "
Taylor, Henry, Gunner	No. 4 Battery	20 "
Trapp, John, Private	Ulladulla	7 February.

Names.	Corps.	Date when issued.
		1879.
Tait, John, Private	2nd Regiment	14 February.
Thomas, William Henry, Bugler	do	4 March.
Turner, James, Private	Goulburn	10 "
Thomas, Edward, Private	Mudgee	14 "
Tomkinson, William, Quarter-master Sergeant..	Richmond	14 "
Tucker, Frederick William, Private	Bathurst	1 May.
Tanner, George, Private	Orange	3 September.
Wilson, Thomas, Private... ..	1st Regiment	10 January.
Whatman, John, Private	Ulladulla	10 "
Walker, James, Private	Jamberoo	10 "
White, Laban, Private	Hawkesbury... ..	10 "
Wood, Thomas, Corporal	do	10 "
Webb, George William, Private	Newcastle	10 "
Wilson, Frederick William, Private	Mudgee	15 "
Wellington, William, Private	Richmond	15 "
Williams, James, Private	1st Regiment	20 "
Whysall, Maitland E. S., Private	do	24 "
Wigram, James Sven, Lieutenant	No. 2 Battery	7 February.
Watt, Alexander, Private	No. 1 Highlanders	7 "
Watson, John, Private	2nd Regiment	17 "
Waldie, James, Private	Orange	24 "
Walker, William Henry, 2nd Corporal... ..	Engineers	27 "
Wheeler, Charles, Gunner	No. 2 Battery	10 March.
Wilson, Alexander, Private	Goulburn	10 "
Wheeler, Henry, Gunner	No. 2 Battery	12 "
Walker, Peter, Private	Kiama	14 "
Walsh, Thomas, Private	do	14 "
Willis, Charles Alexander, Private	Penrith	25 "
		1880.
Wearne, Thomas, Private	1st Regiment	20 January.
Walker, Horatio Joseph, Private	Mudgee	20 "
Waddell, John, Private	Newcastle	30 "
Waugh, John, Quarter-master Sergeant	No. 10 Battery	3 March.

[6d.]

Sydney : Thomas Richards, Government Printer.—1880.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

NAVAL BRIGADE.
(COMMODORES' REPORTS.)

Ordered by the Legislative Assembly to be printed, 17 March, 1880.

Commodore Goodenough to His Excellency Sir Hercules Robinson.

Sir, Her Majesty's ship "Pearl," Sydney, 1 June, 1874.
The state of the Naval Brigade, which I inspected on the 25th May, at your Excellency's invitation, shows the following numbers as present :—

1 Captain.
2 Commanders.
5 Lieutenants.
1 Surgeon.
6 Sub-Lieutenants.
8 Cadets.
2 Instructors.
175 Petty Officers and A.Bs. (Rifles.)
50 do. (Field pieces.)
12 Warrant Officers.
46 Bands.

308 Total.

I have the honor to inform your Excellency that I consider the appearance and steadiness of these men to be highly satisfactory. They were inspected by me in heavy rain and on rough ground, and executed the movements ordered, with such precision as showed that they had been drilled with care; and the whole state of the Force is very creditable to Captain Hixson, its Commander.

I may remark that, in future drills, care should be taken to impress upon the men the necessity of deliberation in the delivery of their fire, and that no fire should be delivered in exercise without an aim being taken.

I have, &c.,

JAMES G. GOODENOUGH,
Captain and Commodore 2nd-class,
Commanding Australian Station.

Commodore Chapman to His Excellency Sir Hercules Robinson.

Sir, "Dido," at Sydney, 27 November, 1875.

I have the honor to inform your Excellency, that in accordance with the request conveyed in your letter of the 20th instant, I have this day inspected the Naval Brigade under the command of Captain Hixson; and I beg leave to express to your Excellency my satisfaction at the general smartness, activity, and good discipline displayed by the men, which reflect great credit on Captain Hixson and the Officers of the Force.

I would further observe, that the firing of great guns was carried out with care and precision, and the whole of the target practice was eminently satisfactory.

I have, &c.,
W. C. CHAPMAN,
Commodore.

Naval Brigade Office, Sydney 23 November, 1878.

COMMODORE Hoskins inspected the Naval Brigade on the above date. He addressed the Force and expressed himself as being satisfied with the performance and appearance of the men, but no official report of the inspection ever reached this office.

FRANCIS HIXSON,
17/3/80.

Commodore Wilson to His Excellency Lord Augustus Loftus.

My Lord,

"Wolverene," at Sydney, 22 September, 1879.

I have the honor to acquaint your Lordship, that in compliance with your request, I on Saturday the 20th instant, inspected the New South Wales Naval Brigade, in Moore Park, and found the Brigade was formed of (about) 200 small arm men and officers, and half a battery of 12-pound howitzers, each with a crew of sixteen men.

I was informed by Captain Hixson, who commands the corps, that all those comprised in it were men who earned their livelihood either as seamen or boatmen, and judging by their nautical appearance I conclude he is right.

As a Naval Volunteer Force I think their proficiency under arms is most marked, and reflects credit not only on the Officers for the time and trouble they have expended, but on the men, who must have been careful and attentive to have mastered so much infantry drill.

At the same time I thought it right to point out, when speaking to the corps, that their primary duty as a Nautical Force was not that of infantry, but as naval gunners afloat; and that I hoped soon to see such a valuable body of men, whose value is enhanced from the fact that they are exceedingly scarce, showing their proficiency not so much on shore as riflemen, but on their proper element in suitable vessels for home defence.

Whilst expressing this opinion, it must not be supposed that I condemn infantry instruction, which is most valuable, especially as a means of disciplining men.

I have, &c.,

J. C. WILSON,
Commodore.

1879-80.

NEW SOUTH WALES.

IMMIGRATION.

(REPORT FROM AGENT, FOR 1879.)

Presented to Parliament by Command.

The Agent for Immigration to The Principal Under Secretary.

Sir, Government Immigration Office, Sydney, 14 February, 1880.

I have the honor herewith to forward my report on Immigration for the year 1879.

2. Having given a full report of the immigrants on their arrival by each ship, I have only now to summarize the information contained in those several reports.

3. As compared with previous years there has been a considerable increase in 1879 in the number of persons who have been nominated by relatives or friends resident in the Colony. Thus, from 19th September, 1876 (date of issue of the present Immigration Regulations), to December 31st, 1877, a period of 15½ months, there were nominated 2,009 persons; and in 1878 1,798; whilst in 1879 there were nominated 3,692; total nominated in 3¼ years, 7,499. The nominations in 1879 were for residents in England, 1,559; Ireland, 1,690; Scotland, 402; Foreign Countries, 41; total, 3,692. And for the whole period of 3¼ years the nominations were for residents in England, 2,933; Ireland, 3,732; Scotland, 713; Foreign Countries, 121; total, 7,499.

4. There have arrived during the past year 12 ships with 5,731 immigrants. During the voyage there were 96 deaths, being only at the rate of about 1½ per cent. on the total number of emigrants embarked; of these 96 deaths there were 15 above 12 years of age, 44 between 1 and 12, and 37 infants; total, 96.

5. Two ships were placed in quarantine, as noted in the margin. The total amount payable as demurrage on these ships was £605 16s. 8d., in addition to which was a further charge amounting to £751 9s., incurred in provisioning the immigrants whilst at the Quarantine Station. This expenditure (although large), may be considered as having been judiciously incurred, rather than that infectious and contagious diseases should have been allowed to spread had the immigrants not remained in Quarantine until they were convalescent.

"Samuel Plim-
soll," eight
days.
"Pericles,"
thirteen days.

6. Of the total of 1,225 women who were received at the depôt, 1,077 were classed as "domestic servants," 422 left to join their friends, 655 readily obtained engagements from the depôt at an average rate of wages of £23 7s. per annum, the remaining 148 were either wives coming to join their husbands, or were of trades and callings other than domestic servants.

7. Arrangements have been made so as to give an opportunity to the immigrants of obtaining immediate employment, and on each successive occasion the results have been increasingly satisfactory. They are directed to attend at the hiring-room on the second and third days after their arrival, full notice of which have been previously given to employers by advertisements in the daily newspapers. Although not above one half of the male immigrants have been found willing to present themselves for hire, preferring at once to join their relatives or friends, yet a large proportion of the farming and laboring men readily obtained engagements. Of those who did so attend, 183 married couples and 236 single men were hired by employers, while many of those who declined to accept the current wages subsequently proceeded into the country districts in search of employment. Of the 5,731 immigrants who arrived, 2,818 were provided with free passes by railway and by coasting steamers in accordance with the regulations; they proceeded, as shewn in Appendix F, to 154 different localities. Those who went in search of employment were also furnished with orders to obtain (after arrival at their destination), free board and lodging for 48 hours, which however, under certain circumstances and at the discretion of the officer in charge of the Police at that special locality, might be increased to 7 days for married people with their families, and to 4 days for single men; this privilege however has only been claimed on behalf of 25 married couples with their children, and for only 2 single men; doubtless therefore the men must either have obtained employment within the limit of the 48 hours, or have been able and willing to provide for themselves.

8. The most careful investigations have invariably been made by the Board of Immigration into all complaints which have been preferred by the immigrants as to their treatment during the outward voyage. In very many instances such complaints have been found to be most frivolous, and unworthy of further notice; in other cases satisfactory explanations have been given. In three instances however the Board have made certain recommendations, which have on each occasion been upheld, thus:—The chief mate of the

"Northampton"

"Northampton" (arrived 12th January), was, on account of his misconduct, not only deprived of his gratuity but it was notified that he was considered to be unfit to be again employed on board a ship with immigrants. Again, in the case of the ship "Peterborough" (arrived May 4th), the flour issued to the emigrants during a great portion of the voyage was found to be of bad quality, and a fine of £100 was therefore inflicted. And in the case of the Surgeon-Superintendent of the ship "La Hogue" (arrived September 16th), it was found that he had most grossly neglected his duties in many ways; a deduction therefore of £100 was made from the gratuity which would otherwise have been payable to him; and it was further recommended that he should not again be permitted to receive the appointment of a Surgeon-Superintendent in charge of emigrants to this Colony.

9. The Appendices herewith annexed give full information in detail, viz. :—

- Appendix A.—General statistical information.
- „ B.—Nationality of immigrants.
- „ C.—Religious persuasion.
- „ D.—Educational attainments.
- „ E.—Trades and callings.
- „ F.—Distribution of immigrants into the country by steamer and by railway.

10. It has not been found possible to make the very desirable comparison between the number of individuals who have arrived from Europe under the Assisted Immigration Regulations and of those who come hither at their own expense, as, by the Custom-house returns, all persons arriving by the ocean steamers are classified under the head of "arrivals from intercolonial ports."

I have, &c.,
 GEORGE F. WISE,
 Agent for Immigration.

APPENDIX A.

RETURN of Assisted Immigration to New South Wales—1879.

	Name of Vessel.	Date of Departure.	Date of Arrival.	Number of days on the voyage.	Births on the Voyage.		Deaths on the Voyage.				Number landed.				From Great Britain and Ireland.		Total individuals landed.	Equal to statute adults.	Contract price per Statute adult.	Amount paid for and by Immigrants on account of their cost of passage.		
					M.	F.	Above 12 years.		Under 12 years.		Above 12 years.		Under 12 years.		Nominated in the Colony.	Selected by the Agent General.				Amount paid in the Colony by Depositors.	Amount paid in London to the Agent General.	
							M.	F.	M.	F.	M.	F.	M.	F.								
1	Northampton	1878. October 7	1879. January 12	87	...	1	1	5	158	147	60	57	75	347	422	354	£ s. d. 12 15 0	£ s. d. 128 0 0	£ s. d. 575 0 0
2	Blair Athole	November 27	March 4	97	1	3	3	1	173	190	55	84	100	402	502	425½	14 14 0	169 0 0	728 10 0
3	Clyde	December 20	April 3	104	3	3	1	1	1	146	148	67	60	91	330	421	348	16 9 6	154 0 0	556 0 0
4	Ellora	1879. January 24	" 14	80	3	1	1	1	...	2	189	174	67	76	109	397	506	425	14 17 6	177 0 0	721 0 0	
5	Peterborough.....	February 22	May 4	71	2	5	...	1	6	...	172	179	92	68	114	397	511	416½	16 15 0	180 0 0	611 0 0	
6	Samuel Plimsoll.....	March 2	June 12	83	2	1	4	2	5	1	155	166	67	68	118	338	456	330½	14 14 0	104 0 0	580 0 0	
7	Nineveh	April 10	July 9	90	3	1	...	...	5	1	134	143	62	64	85	318	403	330	14 10 0	147 0 0	492 0 0
8	Northbrook.....	May 15	August 15	91	5	3	1	2	5	10	150	196	95	89	103	421	524	422	14 9 6	158 0 0	677 0 0	
9	La Hogue	June 12	September 16	96	7	2	...	...	4	3	140	183	82	73	76	402	478	358	13 15 0	138 0 0	601 0 0
10	Corona.....	July 10	October 9	91	3	1	1	...	6	6	146	180	58	62	160	236	446	376	12 6 6	277 0 0	456 0 0	
11	SS. Strathleven.....	September 4	" 27	53	2	1	...	...	3	4	199	246	69	57	213	358	571	498	14 12 6	378 0 0	636 0 0
12	Pericles	August 29	November 14	77	6	4	...	1	2	7	144	189	66	92	177	314	491	402½	13 9 6	260 0 0	610 0 0	
				1	37	26	8	7	41	40	1,906	2,141	840	844	1,421	4,310	5,731	4,766	.....	2,270 0 0	7,143 10 0

1 Average length of voyage from Plymouth of the eleven sailing vessels was 38 days. 2 Of the total of 96 deaths on the voyage, 37 were infants of one year old and under. 3 Average contract price from England, per statute adult, £14 10s.

Married couples	916	=	1,832
Single men.....			990
" women			1,225
Male children under 12			840
Female			844
Total.....			5,731

Government Immigration Office,
Sydney, 14 February, 1880.

GEORGE F. WISE,
Agent for Immigration.

APPENDIX B.

RETURN showing the Native Countries of the Assisted Immigrants who arrived in 1879.

England and Wales.										Scotland.				Ireland.						America and Canada.	Other Countries.		
Northern Counties.		Southern Counties.		Midland Counties.		Eastern Counties.		Wales.		Northern Counties.		Southern Counties.		Ulster.		Leinster.		Connaught.				Munster.	
Counties.	Number of Souls.	Counties.	Number of Souls.	Counties.	Number of Souls.	Counties.	Number of Souls.	Counties.	Number of Souls.	Counties.	Number of Souls.	Counties.	Number of Souls.	Counties.	Number of Souls.	Counties.	Number of Souls.	Counties.	Number of Souls.			Counties.	Number of Souls.
Northumber-land	249	Kent	32	Cheshire ...	15	Lincolnshire	9	Carnarvon-shire	8	Caithness ...	1	Edinburgh...	99	Donegal.....	61	Longford ...	7	Leitrim	43	Clare	469		
Cumberland...	12	Sussex	8	Derbyshire...	54	Norfolk	40	Denbighshire	2	Sutherland...	4	Haddington	8	Londonderry	34	West Meath	40	Sligo	17	Kerry	85		
Westmore-land	7	Surrey	26	Nottingham-shire	38	Hunting-donshire ...	2	Flintshire ...	1	Ross-shire ...	8	Berwick-shire	4	Antrim	43	East Meath	31	Mayo	132	Cork	124		
Durham	539	Hampshire...	24	Staffordshire	281	Cambridge-shire	13	Merionet-shire .....	...	Cromarty ...	...	Roxburgh-shire	5	Fermanagh..	78	Louth	5	Galway	105	Waterford	24
Yorkshire ...	249	Berkshire ...	10	Warwick-shire	73	Suffolk	15	Montgomery-shire	2	Nairn .....	...	Inverness-shire	2	Tyrone	65	King's County	24	Roscommon	63	Tipperary	266	
Lancashire ...	212	Dorsetshire..	6	Worcester-shire	38	Bedfordshire	8	Cardigan-shire	2	Moray, or Elgin	3	Peebles	300	Down.....	37	Cavan	125	Dublin	22	Limerick ..	103		
Isle of Man...	2	Somerset-shire	50	Leicester-shire	11	Hertford-shire	10	Radnorshire	3	Banff .....	...	Lanarkshire	300	Monaghan...	18	Queen's County	7	Carlow	23			
		Cornwall ...	206	Rutlandshire	1	Middlesex...	216	Pembrokeshire	4	Aberdeen ...	14	Galloway ...	9	Armagh.....	34	Wexford ...	5	Wicklow ...	3				
		Guernsey I.	10	Northamp-tonshire ...	15			Carmarthen-shire	8	Kincardine	2	Ayrshire ...	39					Kilkenny ...	22				
		Jersey I.....	5	Bucking-hamshire ...	3			Brecknock-shire	13	Forfarshire	29	Dumbarton	12										
				Oxfordshire	6			Glannorgan-shire	40	Fifeshire ...	34	Argyleshire	6										
				Gloucester-shire	74			Anglesea ...	1	Perthshire...	4	Renfrewshire	53										
				Monmouth-shire	24					Orkney and Shetland Is	3	Stirling ...	26										
				Hereford-shire	10					Isle of Skye.	...	Linlithgow	32										
				Shropshire...	56							Bute	1										
	1270		429		699		326		84		105		595		495		199		360		1071	45	53
					2,808						700						2,125						

APPENDIX C.

RETURN showing the Religious Persuasions of the Immigrants who arrived in 1879.

Nationality.	CLASSIFICATIONS OF RELIGIONS.																Grand Total.
	Church of England.		Church of Scotland.		Wesleyan Methodists.		Other Protestants.		Roman Catholics.		Jews.		Other Persuasions.		Total.		
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	
England and Wales	897	923	32	28	304	309	89	93	49	65	6	4	5	4	1,382	1,426	2,808
Ireland	105	99	34	32	7	4	4	1	822	1017	...	...	...	...	972	1,153	2,125
Scotland	29	38	280	296	2	1	12	11	19	12	...	...	...	...	342	358	700
America and Canada	8	10	2	...	1	2	4	3	10	5	...	...	...	...	25	20	45
Other Countries	2	5	...	1	4	1	11	13	7	7	1	1	...	...	25	28	53
Total	1,041	1,075	348	357	318	317	120	121	907	1106	7	5	5	4	2,746	2,985	5,731

Government Immigration Office,
Sydney, 14 February, 1880.

GEORGE F. WISE,
Agent for Immigration.

APPENDIX D.

RETURN showing the Educational Attainments of the Assisted Immigrants who arrived in 1879.

Nationality.	CLASSIFICATION OF EDUCATION.						Total.
	Under 12 years of age.			12 years of age and upwards.			
	Cannot read.	Read only.	Read and write.	Cannot read.	Read only.	Read and write.	
England and Wales	743	52	235	67	43	1,668	2,808
Ireland	233	15	62	138	47	1,630	2,125
Scotland	215	20	63	6	2	394	700
America and Canada	20	3	7	2	.....	13	45
Other Countries	3	1	7	5	.....	37	53
Totals	1,214	91	374	218	92	3,742	5,731

Government Immigration Office,
Sydney, 14 February, 1880.

GEORGE F. WISE,
Agent for Immigration.

APPENDIX E.
TRADES AND CALLINGS.

Males.	England.	Scotland.	Ireland.	United States and Canada.	Other Countries.	Totals.
1. Pastoral— Farming and General Labourers.....	474	109	728	4	5	1,320
2. Mining— Miners.....	27	6	.....	.....	.....	33
Totals	27	6	.....	.....	.....	33
3. Building Trades— Builders.....	.....	.....	.....	.....	.....	.....
Carpenters and Joiners.....	55	21	15	1	2	94
Masons.....	42	26	16	.....	.....	84
Bricklayers.....	31	3	.....	.....	.....	34
Brickmakers.....	6	.....	.....	.....	.....	6
Plumbers.....	8	.....	.....	.....	.....	8
Painters.....	16	.....	.....	.....	.....	16
Plasterers.....	8	2	3	.....	.....	13
Totals	166	52	34	1	2	255
4. Iron Trades— Patternmakers.....	.....	.....	.....	.....	.....	.....
Engineers.....	10	3	1	.....	.....	14
Moulders.....	3	1	.....	.....	.....	4
Fitters.....	8	1	2	.....	.....	11
Blacksmiths.....	19	5	4	.....	.....	28
Turners.....	.....	.....	.....	.....	.....	.....
Brass Finishers.....	4	1	.....	.....	.....	5
Labourers.....	7	1	2	.....	.....	10
Totals	51	12	9	.....	.....	72
5. Clothing Trades— Tailors.....	11	2	4	.....	2	19
Boot and Shoemakers.....	13	1	2	.....	.....	16
Weavers.....	1	.....	.....	.....	.....	1
Hatters.....	1	.....	.....	.....	.....	1
Totals	26	3	6	.....	2	37
6. Provision Trades— Butchers.....	4	.....	.....	.....	.....	4
Bakers.....	4	1	4	.....	.....	9
Grocers.....	.....	.....	2	.....	.....	2
Totals	8	1	6	.....	.....	15
7. Various Manufacturing Trades— Cabinetmakers.....	5	1	.....	.....	3	9
Carriage Builders.....	12	1	.....	.....	.....	13
Glassmakers.....	1	.....	.....	.....	.....	1
Zincworkers.....	.....	.....	.....	.....	.....	.....
Tinsmiths.....	6	.....	.....	.....	.....	6
Saddlers.....	4	1	2	.....	.....	7
Puddlers.....	2	.....	.....	.....	.....	2
Totals	30	3	2	.....	3	38
8. Miscellaneous Trades, including males above 12 years of age, accompanied by or coming to relatives.....	83	21	28	.....	4	136
Grand Totals of Males.....	865	207	813	5	16	1,906
FEMALES.						
1. Married Women.....	.....	.....	.....	.....	.....	916
2. Domestic Servants.....	230	55	780	2	10	1,077
3. Other callings, including females above 12 years of age accompanied by or coming to relatives.....	94	21	29	.....	4	148
Grand Totals of Females.....	324	76	809	2	14	2,141

Government Immigration Office,
Sydney, 14 February, 1880.

GEORGE F. WISE,
Agent for Immigration.

APPENDIX F.

RETURN showing the number of those Assisted Immigrants who arrived in 1879, and who at their own request were forwarded into the Country Districts.

Inland Towns.	Married Couples.	Children.	Single Women.	Single Men.	Inland Towns.	Married Couples.	Children.	Single Women.	Single Men.
NORTH.					SOUTH—contd.				
Armidale	2	1	1	2	Tiranna .....	...	...	...	1
Branxton	1	...	...	...	Woodford .....	...	...	...	1
Barraba	1	1	...	...	Wagga Wagga	16	29	12	12
Blandford .....	...	...	...	1	Young	4	1	3	6
Bundarra .....	...	...	1	...	Yass	2	2	...	...
Bendemeer	1	...	...	...	WEST.				
Cope's Creek	1	...	...	...	Auburn Park	1	...	...	...
Coorabong	1	3	3	3	Bathurst	5	11	15	22
Dungog .....	...	...	...	2	Blayney .....	...	...	1	6
Denman	1	1	...	...	Blacktown	3	...	2	2
Gunnedah	3	2	...	1	Bowenfels .....	...	...	1	...
Hexham .....	...	...	...	3	Croydon	1	2	...	...
Hinton	1	1	...	2	Condoblin	1	...	1	1
Hamilton	3	1	...	...	Carcoar	6	4	1	5
Inverell	1	...	3	2	Emu Plains .....	...	1	2	1
Lambton	9	14	...	...	Frogmore .....	...	...	...	1
Maitland	18	30	7	29	George's Plains	2	4	1	6
Murrurundi	1	4	1	3	Gulgong .....	...	...	1	2
Minmi	3	8	1	1	Harley Vale	5	10	4	4
Muswellbrook .....	...	...	1	...	Homebush .....	...	...	...	1
New Lambton	5	12	6	3	Home Rule	1	4	...	...
Paterson	1	1	...	...	Kelso .....	...	...	...	1
Quirindi .....	...	...	1	4	Lithgow Valley	19½	49	12	4
Scone	2	1	...	...	Macquarie Plains	4	3	...	17
Singleton	2	4	...	1	Mudgee	2	6	...	2
Tamworth	17½	35	7	20	Molong .....	...	...	3	2
Vegetable Creek .....	...	...	...	1	Mulgrave .....	...	...	2	2
Warialda	1	...	1	...	Newbridge .....	...	...	...	12
Wallendbeen	1	...	...	1	O'Connell's Plains	1	...	...	...
Waratah	1	5	...	...	Orange	23	46	19	27
Wickham	1	1	1	3	Parkes .....	...	...	...	3
Wallsend	6	13	...	1	Penrith	1	2	1	2
Wallabadah .....	...	...	...	2	Rooty Hill	2	4	...	3
SOUTH.					Richmond .....	...	...	1	1
Appin	1	4	1	...	Raglan	1	6	...	...
Adelong	3	6	2	4	Rydal	3	2	...	...
Albury .....	...	...	...	3	Sofala .....	...	...	...	2
Binalong .....	...	...	2	...	South Creek .....	...	...	...	1
Braidwood	1	3	1	4	Spring Grove	1	1	1	3
Burrowa .....	...	...	...	2	Windsor	2	4	...	...
Bungendore	1	1	...	...	Wallerawang	3	6	...	...
Bethunga .....	...	...	...	3	Coast Towns.				
Berthong .....	...	...	...	1	Bulli	7	15	4	6
Bungonia	1	4	...	1	Broughton Creek .....	...	...	...	2
Bredalbane	1	...	...	1	Bellinger River	1	1	3	3
Bowning	2	4	3	3	Brisbane Water	1	4	...	...
Bega	2	5	3	1	Bulladelah .....	...	...	...	1
Bombala .....	...	...	1	1	Croki .....	...	...	...	3
Bowral	2	1	...	8	Clarence River	1	...	...	4
Burwood	1	...	...	...	Cape Hawke	1	...	...	...
Cooma .....	...	...	2	1	Camden Haven	1	...	...	...
Campbelltown .....	...	1	3	1	Casino	1	4	...	...
Cootamundra	1	1	1	2	Grafton	12	29	3	24
Campbellfields	1	...	...	1	Hunter's Hill .....	...	...	...	1
Douglas Park	1	1	...	1	Kiama	5	7	9	7
Deniliquin	2	4	4	3	Kempsey	1	4	1	1
Duntroon .....	...	...	...	2	Kameruka	1	...	...	...
Fairfield	1	3	...	...	Lismore .....	...	...	...	1
Goulburn	6	9	13	19	Moruya	2	1	...	8
Glenfield .....	...	...	1	...	Morpeth .....	...	...	1	6
Gunning .....	...	...	2	3	Macleay River	2	5	2	6
Gundagai .....	...	...	3	1	Manning River	10	22	...	5
Grenfell	½	5	1	...	Merimbula	1	...	...	3
Hay .....	...	...	...	1	Newcastle	85½	190	55	47
Junea	2	5	2	2	Port Macquarie	5	4	...	1
Joadja Creek	13	31	6	9	Pambula	½	...	...	...
Kangaloon .....	...	...	...	5	Richmond River	6	17	7	23
Kangaroo Valley .....	...	...	...	1	Ryde	4	4	...	...
Liverpool	6	11	...	1	Raymond Terrace .....	...	...	2	...
Moss Vale	9½	17	7	8	Shoalhaven	1	3	1	4
Marulan	5	9	1	7	Shellharbour .....	...	...	...	1
Murrumburrah	1	3	1	3	Terrigal .....	...	...	...	3
Manna Fields	4	9	...	20	Tatbra	1	3	...	7
Mittagong	24	57	10	8	Ulladulla	5½	12	3	9
Nattai	1	1	...	...	Wollongong	34½	70	4	33
Parramatta	11	11	8	8	Wocnona .....	...	...	...	1
Queanbeyan	5	9	1	4	Wingham	2	2	...	1
Sutton Forest .....	...	...	2	1					
Tumut .....	...	...	...	1					

SUMMARY.

	Married Couples.	Children.	Single Women.	Single Men.	Souls.
By Sea	192	397	95	211	1,087
By Rail—					
North	84½	138	34	84	425
South.....	131	247	96	160	765
West	87½	165	68	133	541
Grand Totals	495 = 990	947	293	588	2,818

LOCALITIES.

North	33
South.....	50
West	36
Coast Towns.....	35
Total	154

Government Immigration Office,
Sydney, 14 February, 1880.

GEORGE F. WISE,
Agent for Immigration.

1879-80.

—
LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

PROGRESS REPORT FROM THE SELECT COMMITTEE

ON

ASSISTED IMMIGRATION;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
13 *July*, 1880.

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1880.

1879-80.

**EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.**

VOTES No. 77. TUESDAY, 6 APRIL, 1880.

6. **ASSISTED IMMIGRATION**:—Mr. Burns moved, pursuant to Notice,—
 (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report upon the expediency of continuing Assisted Immigration.
 (2.) That such Committee consist of Sir Henry Parkes, Mr. Cameron, Mr. Greenwood, Mr. Garrett, Mr. Jacob, Mr. Charles, Mr. Day, Mr. Moses, and the Mover.
 Debate ensued.
 Question put and passed.

VOTES No. 79. THURSDAY, 8 APRIL, 1880.

2. **ASSISTED IMMIGRATION**:—Mr. Burns (*by consent*) moved, without Notice, That the name of Mr. Barbour be added to the Select Committee now sitting on "Assisted Immigration."
 Question put and passed.

VOTES No. 91. THURSDAY, 6 MAY, 1880.

3. **ASSISTED IMMIGRATION**:—Mr. Burns (*by consent*) moved, without Notice, That the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee on "Assisted Immigration," and the Committee being desirous to examine the Honorable George Henry Cox and the Honorable Edward David Stuart Ogilvie, Members of the Legislative Council, in reference thereto, requests that the Legislative Council will give leave to its said Members to attend and be examined by the said Committee on such day and days as shall be arranged between them and the said Committee.

*Legislative Assembly Chamber,
Sydney, 6th May, 1880.*

Question put and passed.

* * * * *

8. **ASSISTED IMMIGRATION**:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated the 6th instant, requesting leave for the Honorable George Henry Cox and the Honorable Edward David Stuart Ogilvie, Members of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly on "Assisted Immigration," the Council acquaints the Assembly that leave has been granted to its said Members to attend and be examined by the said Committee, if they think fit.

*Legislative Council Chamber,
Sydney, 6th May, 1880.*

JOHN HAY,
President.

VOTES No. 109. THURSDAY, 10 JUNE, 1880.

2. **ASSISTED IMMIGRATION**:—Mr. Burns (*by consent*) moved, without Notice, That leave be granted to the Select Committee now sitting on "Assisted Immigration" to make a visit of inspection to the ship "Camperdown," lately arrived in Port Jackson with immigrants.
 Question put and passed.

VOTES No. 127. TUESDAY, 13 JULY, 1880.

4. **ASSISTED IMMIGRATION**:—Mr. Burns, as Chairman, brought up a Progress Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this subject was referred on 6th April, 1880; together with Appendix.
 Ordered to be printed.

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1879-80.

ASSISTED IMMIGRATION.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly appointed on the 6th April, 1880,—“*with power to send for persons and papers to inquire into and report upon the expediency of continuing Assisted Immigration,*” and to whom was granted on the 10th June “*leave to make a visit of inspection to the ship ‘Camperdown,’*”—have agreed to the following Progress Report:—

Your Committee have examined the witnesses named in the List,* and had * See list page 7. proposed to examine other witnesses in furtherance of the inquiry remitted to them; but as Parliament will in all probability be prorogued on Tuesday, they beg to lay the evidence already taken by them before your Honorable House, and to recommend that the inquiry be resumed next Session.

No. 2 Committee Room,
Sydney, 9th July, 1880.

J. F. BURNS,
Chairman.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 8 APRIL, 1880.

MEMBERS PRESENT :—

Mr. Burns,	|	Mr. Cameron,
Mr. Jacob,	|	Mr. Charles.

Mr. Burns called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Committee deliberated.

Ordered,—That George Foster Wise, Esq., be summoned to give evidence next meeting.

[Adjourned to Wednesday next, at half-past Two o'clock.]

WEDNESDAY, 14 APRIL, 1880.

MEMBERS PRESENT :—

Mr. Burns in the Chair.		
Mr. Cameron,	|	Mr. Day,
Sir Henry Parkes,	|	Mr. Jacob,
Mr. Moses.		

George Foster Wise, Esq. (*Agent for Immigration*), called in and examined.

Witness handed in certain documents, which were ordered to be appended. (*See Appendices A1 to 8.*)

Committee deliberated.

Ordered,—That Frank B. Treatt, Esq., and Mr. William Roylance be summoned to give evidence next meeting.

[Adjourned to Friday next, at Eleven o'clock.]

FRIDAY, 16 APRIL, 1880.

Mr. Burns in the Chair.

Mr. Barbour,	|	Mr. Cameron,
Mr. Charles,	|	Mr. Moses.

Frank B. Treatt, Esq. (*Chief Clerk and Accountant, Immigration Department*), called in and examined.

Witness withdrew.

Mr. William Roylance (*Secretary to the Trades and Labour Council*), called in and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That Mr. Henry J. Windon be summoned to give evidence next meeting.

[Adjourned to Wednesday next, at half-past Two o'clock.]

WEDNESDAY, 21 APRIL, 1880.

MEMBERS PRESENT :—

Mr. Burns in the Chair.		
Mr. Barbour,	|	Mr. Cameron,
Mr. Day,	|	Mr. Jacob,
Mr. Charles.		

Mr. Henry J. Windon (*Secretary to the Amalgamated Society of Engineers*), called in and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That William Jarrett, Esq., and J. W. Watkin, Esq., be summoned to give evidence next meeting.

[Adjourned to Wednesday next, at Two o'clock.]

WEDNESDAY, 28 APRIL, 1880.

MEMBERS PRESENT :—

Mr. Burns in the Chair.		
Mr. Barbour,	|	Mr. Greenwood,
Mr. Jacob.		

William Jarrett, Esq. (*Manager of the Industrial and Provident Building Society*), called in and examined.

Witness withdrew.

John Wesley Watkin, Esq. (*Secretary to the Sydney Permanent Freehold Land and Building Society*), called in and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That Mr. William Davies and Mr. John Dixon be summoned to give evidence next meeting.

[Adjourned to To-morrow, at Two o'clock.]

THURSDAY,

THURSDAY, 29 APRIL, 1880.

MEMBERS PRESENT :—

Mr. Burns in the Chair.

Mr. Barbour, | Mr. Jacob,
Mr. Cameron.

Mr. William Davies (*Chairman of the Miners Union, at Newcastle*), called in and examined.
Witness withdrew.

Mr. John Dixon (*Secretary to the Miners Association, at Newcastle*), called in and examined.
Witness withdrew.

Committee deliberated.

Ordered,—That John Young, Esq., and Mr. Joshua Farr, be summoned to give evidence next meeting.

[Adjourned to Tuesday next, at *Two o'clock*.]

TUESDAY, 4 MAY, 1880.

MEMBERS PRESENT :—

Mr. Burns in the Chair.

Mr. Day, | Mr. Charles,
Mr. Jacob.

John Young, Esq. (*Contractor*), called in and examined.

Witness withdrew.

Mr. Joshua Farr called in and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That Mr. John C. Glue and Mr. Robert Meicklejohn be summoned to give evidence next meeting.

[Adjourned to Thursday next, at *Two o'clock*.]

THURSDAY, 6 MAY, 1880.

MEMBERS PRESENT :—

Mr. Burns in the Chair.

Mr. Cameron, | Mr. Charles,
Mr. Day.

Motion made (*Mr. Day*), and Question,—That the Chairman take the necessary steps to obtain the leave of the Legislative Council for the Honorable George H. Cox, M.L.C., and the Honorable E. D. S. Ogilvie, M.L.C., to attend and give evidence before this Committee,—put and passed.

Mr. John C. Glue called in and examined.

Witness withdrew.

Mr. Robert Meicklejohn called in and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That Francis C. Brewer, Esq., and Mr. Herbert V. Wigg, be summoned to give evidence next meeting.

[Adjourned to Tuesday next, at *Two o'clock*.]

TUESDAY, 11 MAY, 1880.

MEMBERS PRESENT :—

Mr. Burns in the Chair.

Mr. Day, | Mr. Charles,
Mr. Jacob.

Entry from Votes and Proceedings, granting leave for the Honorable George Henry Cox, M.L.C., and the Honorable E. D. S. Ogilvie, M.L.C., to attend before this Committee and give evidence, *read* by the Clerk.

Francis C. Brewer, Esq., called in and examined.

Witness withdrew.

Mr. Herbert Valliant Wigg (*Immigrant per "Northbrook"*) called in and examined.

Witness to supply information as to the callings of some of the Immigrants by the ship "Northbrook."

(*See Appendix B.*)

Witness withdrew.

Motion made (*Mr. Day*), and Question,—That a copy of the evidence taken before this Committee be supplied to Mr. Wise by the Clerk,—put and passed.

Committee deliberated.

Ordered,—That the Honorable George H. Cox, M.L.C., and the Honorable E. D. S. Ogilvie, M.L.C., be requested to give evidence next meeting.

[Adjourned to Thursday next, at *Two o'clock*.]

THURSDAY,

THURSDAY, 13 MAY, 1880.

MEMBERS PRESENT :—

Mr. Burns in the Chair.

Mr. Charles, | Mr. Barbour,
Mr. Day.

The Honorable G. H. Cox, M.L.C., called in and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That the Honorable E. D. S. Ogilvie, M.L.C., be requested, and Charles Field, Esq., J.P., be summoned, to give evidence next meeting.

[Adjourned to Tuesday next, at Two o'clock.]

TUESDAY, 18 MAY, 1880.

MEMBERS PRESENT :—

Mr. Burns in the Chair.

Mr. Charles, | Mr. Barbour,
Mr. Day, | Mr. Jacob.

The Honorable E. D. S. Ogilvie, M.L.C., called in and examined.

Witness withdrew.

Charles Field, Esq., J.P., called in and examined.

Witness withdrew.

Committee deliberated.

Re-assembling of the Committee to be arranged by the Chairman.

[Adjourned.]

TUESDAY, 8 JUNE, 1880.

MEMBERS PRESENT :—

Mr. Burns in the Chair.

Mr. Day, | Mr. Jacob.

Alderman George Withers called in and examined.

Witness withdrew.

John Macintosh, Esq., M.P., called in and examined.

Witness withdrew.

Committee deliberated.

[Adjourned to Thursday next, at half-past Two o'clock.]

THURSDAY, 10 JUNE, 1880.

MEMBERS PRESENT :—

Mr. Burns in the Chair.

Mr. Barbour, | Mr. Day.

Motion made (*Mr. Barbour*), and Question,—That the Chairman take the necessary steps to obtain the leave of the House to make a visit of inspection to the immigrant ship "Camperdown,"—put and passed.

Committee deliberated.

Re-assembling of the Committee to be arranged by the Chairman.

[Adjourned.]

TUESDAY, 6 JULY, 1880.

MEMBERS PRESENT :—

Mr. Burns in the Chair.

Mr. Day, | Mr. Barbour,
Mr. Jacob.

Entry from Votes and Proceedings, granting leave to the Committee to make a visit of inspection to the immigrant ship "Camperdown,"—*read* by the Clerk.

Committee deliberated.

Motion made (*Mr. Jacob*), and Question,—That this Committee do proceed forthwith to the "Camperdown,"—put and passed.

Committee thereupon proceeded on board the ship "Camperdown," and were received by the Captain and Medical Officer in charge of the immigrants, and were conducted to the saloon.

Henry Hill (*Immigrant*), called in and examined.

Witness withdrew.

Richard Norwood (*Immigrant*), called in and examined.

Witness withdrew.

Alexander

Alexander Goodwin (*Immigrant*), called in and examined.
 Witness withdrew.
 John Wade (*Immigrant*), called in and examined.
 Witness withdrew.
 Stephen Powell (*Immigrant*), called in and examined.
 Witness withdrew.
 Robert Nevin (*Immigrant*), called in and examined.
 Witness withdrew.
 William Anderson (*Immigrant*), called in and examined.
 Witness withdrew.
 Stephen Howell (*Immigrant*), called in and examined.
 Witness withdrew.
 Dr. Charles Henry Gibson (*Medical Officer in charge of the Immigrants*), examined.
 William Cousens (*Immigrant*), called in and examined.
 Witness withdrew.
 John Allmett (*Immigrant*), called in and examined.
 Witness withdrew.
 Committee having returned to No. 3 Committee Room, deliberated.

[Adjourned to Friday next, at *Three o'clock*.]

FRIDAY, 9 JULY, 1880.

MEMBERS PRESENT:—

Mr. Burns in the Chair.

Mr. Cameron, | Mr. Jacob,
 Mr. Barbour.

Chairman laid before the Committee a letter from the Honorable John B. Watt, and also a letter from the Reverend George Sutherland, which were ordered to be appended (*See Appendices. C 1 and C 2.*)

Clerk laid before the Committee the following claims for expenses attending before the Committee as witnesses:—Mr. Herbert V. Wigg, £2 7s. 2d.; Mr. John Dixon, £2 10s.; Mr. William Davies, £2 10s.

Resolved, that expenses be allowed as follows:—Mr. Herbert V. Wigg, £2 7s. 2d.; Mr. John Dixon, £2 10s.; Mr. William Davies, £2 10s.

Chairman submitted Draft Progress Report.

Same read and agreed to.

Chairman to report to the House.

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1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

ASSISTED IMMIGRATION.

WEDNESDAY, 14 APRIL, 1880.

Present:—

MR. BURNS,
MR. CAMERON,
MR. DAY,

MR. JACOB,
MR. MOSES,
SIR HENRY PARKES.

J. F. BURNS, Esq., IN THE CHAIR.

George Foster Wise, Esq., called in and examined:—

1. *Chairman.*] You are, I believe, Immigration Agent in this Colony? I am.
2. How long have you held that office? Since 1st November, 1862.
3. Can you tell the Committee, in general terms, what is meant by the system of assisted immigration? All persons who come to the Colony under our immigration regulations receive assistance from the Government; they only pay £2 per head per statute adult for their passages.
4. The remaining cost of the immigrant's passage is paid by the Government? Yes.
5. Have you a copy of the Immigration Regulations of September 19, 1876? Yes. I hand in a copy.
6. Can you tell us how many assisted immigrants arrived in the Colony during the years 1877, 1878, and 1879—the number of each class, and their professed trades or calling? The total number of adults who arrived during those three years was 12,411, with 4,528 children, making a total of 16,939; they comprised farming and general labourers, miners, builders, ironworkers, makers of clothing, provision manufacturers, manufacturers, &c. I may be allowed to call attention to a fact worth recording, that is, the large difference in the numbers of some of the classes who came out, comparing one year with the other. For instance the number of farming and general labourers who came out during the three years was as follows:—In 1877, 1,295; in 1878, 1,218; in 1879, 1,320; the number of miners who came out was:—In 1877, 337; in 1878, 114; but in 1879 only 33 came out. The immigrants connected with the building trades numbered 394 in 1877, 270 in 1878, and 255 in 1879; in the iron trades the numbers were 329 in 1877, 161 in 1878, and 72 in 1879; in the clothing trades the numbers were 116 in 1877, 58 in 1878, and 37 in 1879; in the provision trades the numbers were 66 in 1877, 38 in 1878, and 15 in 1879; in the manufacturing trades the numbers were 72 in 1877, 45 in 1878, and 38 in 1879; the immigrants classed as miscellaneous (principally boys between 12 and 15 coming with their parents) numbered 283 in 1877, 187 in 1878, and 186 in 1879. The total number of male adults who arrived during those three years was 6,889, that is 2,892 in 1877, 2,091 in 1878, and 1,906 in 1879. The married women who came out as immigrants during the same three years numbered 2,528, domestic servants 2,398, other callings 596—making a total number of females of 5,522.
7. Then there is a less proportion of female immigrants? Yes. I have prepared a return showing the number of immigrants who arrived during the years 1877, 1878, and 1879, specifying their sex and their trades or callings. (*Return handed in. See Appendix A1.*)
8. How many of the total number who came out during the three years named were nominated by their friends in the colony? 7,219 were nominated by their friends in the colony; the depositors on account of these 7,219 nominees numbered 3,270.

G. F. Wise,
Esq.
14 April, 1880.

G. F. Wise,
Esq.
14 April, 1880.

9. Can you name the districts in which the nominators reside? Yes, I have a return prepared showing the districts in which they reside. (*Return handed in. See Appendix A 2.*)
10. Looking at the return, can you say how many of the depositors or nominators reside in Sydney or the suburbs? A large proportion of them reside in Sydney or the suburbs.
11. Can you state now what was the total cost of this immigration to the colony during the three years named? No I cannot, because the account is kept at the Treasury.
12. What is the average cost of each adult immigrant? £15 to £16.
13. Will you explain to the Committee the arrangements that are made for the reception and distribution of the immigrants on their arrival in the colony? Immediately after the arrival of a ship I go on board and inform the immigrants that they have to be examined on the following day by the Immigration Board. Until the Board meets no person can go on board the ship, nor can any person leave it. Those instructions are given to the captain. For fear there should be any misunderstanding as to when the immigrants are to leave the ship, I have a printed notice issued informing them that they can remain on board the ship until I tell them to leave. On the first day after their arrival I give them notice that I shall be there at half-past 8 o'clock on the following morning to take all who wish to go to the hiring-room. All the single women proceed to the Immigration Depot on the day of the arrival of the ship, where they are examined the next morning by the Immigration Board.
14. Of whom does the Immigration Board consist? Dr. Alleyne, the Rev. Dean Sheridan, the Rev. Canon O'Reilly, the Rev. Mr. Wilkinson, Mr. Marsh, Water Police Magistrate, and myself.
15. What are the duties of the Board? It meets at 10 o'clock on the morning following that on which the immigrants arrive at the Depot, and each individual immigrant is asked if she has any complaint to make as to the quality or quantity of the provisions that were issued during the voyage, or any complaint against any officer of the ship, or the matron, or about anything that has occurred during the voyage. These questions are put by the Chairman to each one as they are called up in alphabetical order. After that examination all the single women who have been sent for by their friends, the depositors, are handed to those friends on production by the latter of the deposit receipt. This precaution is taken to ensure the immigrants against being handed over to any but their friends. No matter whether a recommendation is brought or not, I do not allow any immigrant to leave with any one who does not bring the actual deposit paper, or proves that he or she, as the case may be, is the sender for the immigrant. Of course there are many women who paid towards their passages in England, and they remain at the depot until the hiring-day. In no instance, wives who come out to join their husbands excepted, do I allow any one of these women to leave the depot; because, of course, I cannot tell who may be their friends or relatives. On the hiring-day, which is generally about the third day after arrival of the ship, all those who like to engage as domestic servants, and all those who have paid for their passages in England, attend in the hiring-room. The hiring-day is duly advertised, and no person is allowed into the hiring-room without first obtaining a written permission from myself. I never depute that duty to anybody. If I have any doubt at all as to the *bonâ fides* of the individual who asks for an order of admission I decline to give it. By a rule which has existed for many years the Government does not allow any female immigrants to hire with persons who keep inns or public-houses, therefore I am very careful as to who I allow in the hiring-room. Everyone who goes in is supposed to be known to me, or to present to me a letter of introduction from some well-known person. Whatever may be the number of women for hire they are generally hired within half-an-hour after the hiring-room is opened.
16. Do you mean they are open to engagement within half-an-hour? No; they are actually hired within half-an-hour.
17. Has that been your experience throughout the whole of the last three years? Throughout the whole of the three years. I generally give from a hundred to a hundred and thirty passes to employers to enter the hiring-room.
18. Now, explain what is done with regard to the male immigrants? At 12 o'clock on the first day after arrival the Immigration Board proceeds on board the ship, when all the married men, with their wives and children, also the single men, are brought before the Board individually, in alphabetical order, and each is asked whether he or she, as the case may be, has any complaint to make against anybody or anything connected with the ship. If complaints of anything like a serious character are made they are looked into at once. But very often the complaints are of a very trifling character, relating to some loss of clothes, &c., or to some quarrel with other immigrants. Trumpery complaints are passed over; but any serious complaint is at once looked into by the Board. For instance, if the complaint is that the meat is bad, the captain of the vessel is immediately called and required to open the hatches and produce a cask of meat for the Board's inspection. Then the Board selects a cask indiscriminately, and inspects the meat to see if it is good or bad. Any more serious complaint, that cannot be settled in that summary manner, is dealt with by the Board subsequently at a special meeting. The special meeting is held on the day following that on which the complaint is made, or as soon as practicable, and an examination of witnesses takes place. The evidence is given verbally, but not upon oath. The result of the inquiries in many instances has been that the captain has been fined in heavy sums. Fines of £100 or £250 are sometimes imposed; a few years ago a fine of £500 was imposed upon the captain of an immigrant vessel. These fines are generally inflicted for misbehaviour, or on account of the bad quality, or insufficient quantity of the provisions. One captain was fined £200 for not having a sufficient supply of provisions on board. Luckily the vessel came into port all right, and the immigrants were not aware that the supplies for their use were so nearly run out as they were. She had been out one hundred days, and it was only upon examination that I found the supply was short. The captain and doctor admitted that if the vessel had been at sea three or four days more there would not have been sufficient stores on board. They would not have had a single candle, and a few other things ran short. The ship was fined £200; that is to say, the Board of Immigration recommended such a penalty should be imposed. The Colonial Secretary has generally acted upon the Board's recommendation. Until an inspection of the vessel has been made by the Immigration Board no person is allowed to go on board. The inspection generally takes about two hours, from 12 o'clock until 2. I then a second time have all the immigrants collected and address them. I tell them that I am the Agent for Immigration—that I represent the Government, and that they need not leave the ship until I tell them to leave, or until some gentleman from my office tells them—that they need not obey any one else who may tell them to leave. I then inform them they are at liberty to leave the ship at once,
and

and that I am prepared to give free passes to all who wish to go into the country, and that a steamer will convey all who wish to go ashore, together with their luggage. The result is, that about one-third of them immediately go ashore with the steamer, and I never hear anything more of them. I give free passes to those who wish to go to their friends in the country, to Newcastle, or elsewhere. They are at liberty to go where they like and do what they like after leaving the ship; but I warn them that if they come on board again they must not bring any grog with them; and that they will be under the same discipline as they were under on the voyage out. I inform them that on the following morning at half-past 8 o'clock I shall be there with a steamer to bring them on shore. I explain to them that I am then going to take them to the hiring-room, where they may or may not hire, as they please. I always advise them to hire at the first rate of wages offered. I say to them, "Whatever pay is offered, you may depend upon it it will be a fair rate. A master will not attempt to impose upon you, and you will very soon find out if he does." My advice to labouring men is invariably to go up the country and take the first engagement that offers. I tell masons that I cannot advise them to go up the country, but I generally advise rough carpenters with families to go. I tell them there is a difficulty in getting employment in Sydney as carpenters unless they have friends. On the two following days, from 9 to 1 o'clock, the immigrants may remain at the hiring-room, and may engage with any persons who may desire to employ them. That system has been very successfully carried out.

G. F. Wise,
Esq.
14 April, 1880.

19. As to the distribution of the people? As to the hiring alone. For instance, last year, 1879, 183 married couples and 236 single men were hired in the hiring-room. This system of hiring has only been adopted during the last eighteen months. I have thus disposed of three days out of the seven lay-days allowed. I tell those who remain unhired or on board that they will have to leave the ship in three days time, and I offer them free passes into the country if they like to go. Some of them ask advice, which I give them. I do not promise anything. When they tell me what kind of work they can do I advise them to go to such-and-such a place. The return which I hand in (*See Appendix A 3*) shows that during 1877-78-79 I have given free passes to 8,395 individuals out of the 16,939 who arrived, to proceed into the interior of the country; I have sent them to no less than 212 different localities. To the North I have sent immigrants to forty-four localities; to sixty-four localities in the South; to fifty-seven in the West; and I have sent them to forty-seven coast towns.

20. Can you furnish a return showing the rate of wages at which immigrants have hired on their arrival, and of the different trades and occupations of the persons who have hired at those wages? I have a return showing the current prices paid for labor in the colony in May, 1876, March, 1878, and March, 1880.

21. But does that return show the actual rate of wages at which these immigrants were hired? No, it is a return which I send home monthly to the Agent General in London; I also send it to New York, San Francisco, and elsewhere. It is headed: "Statement authorized by the Government of New South Wales of the current rates of wages of labouring people in the colony of New South Wales, and the cost of their house-rent, food, and clothing, to enable officers duly appointed by the Governor and Executive Council to furnish necessary information to persons entering into engagements for service under the Act of the New South Wales Parliament, 39 Vic., No. 29." That return shows, in a comparative form, the rates of wages during the three years specified. There is scarcely any difference between the rates for 1876 and those for 1880.

22. But have you any record of the rates of wages for which immigrants have hired at the barracks here? The average rate of wage at which women have hired is from 8s. to 10s. per week. I refer to domestic servants. Amongst those classed as domestic servants are many children of from 14 to 16 years of age, who obtain wages from 7s. upwards; they of course bring down the average rate.

23. Could you furnish a return, say for last year, showing the actual rate of wages at which immigrants have hired at the barracks in Sydney, or on board ship, in the various descriptions of labour; for instance, farm labourers, mechanics, domestic servants, and so on? The average rate of wages paid to domestic servants in 1877 was £24 18s. a year; in 1878 the average rate was £23 10s. 2d.; in 1879 the average rate was £23 7s.

24. What we wish to know is the rate of wages at which mechanics, farm labourers, and other classes of immigrants have hired after their arrival in Sydney. Could you furnish a return showing the rates at which they hired last year? No; as a matter of fact scarcely any of the mechanics hire at the hiring-room; most of them go into the town and engage in the town. I have often endeavoured to ascertain the rate of wages at which they engaged, but never could; after they leave the ship or the hiring-room they are lost to me. I cannot get at them. The first day on which permission to leave the ship is given more than a third of the immigrants leave, and I never hear of them again. Those who hire at the hiring-room or from the ship obtain from £35 to £45 per annum—that is single men.

25. Farm labourers? Farm labourers.

26. Does that rate include rations? Yes, it includes rations and lodging. Men with wives and families get from £60 to £70 per annum.

27. What class of immigrants have you found to be in most demand? Scarcely any one comes to the hiring-room to engage any but labouring men.

28. But you have, I presume, inquiries for different classes of immigrants;—what class is in most request? Labourers?

29. Of the males you find labourers in most request, and of the females you find domestic servants most in request? Any number of domestic servants are in request, and amongst the males, labouring men and farm labourers are mostly in demand.

30. Has it come to your knowledge that any of the assisted immigrants have been unsuited to the requirements of the colony; have you heard it alleged or observed it yourself, that many of them are aged or decrepid? Never; a decrepid man—a man with only one leg, for instance, would not pass the Agent General in London; he would not be allowed to come. I have never known such a person to come.

31. Have you known any aged or infirm persons to come? An aged person, say one who is about seventy years of age, would have to pay his own passage. During three years eighty aged persons have come to this colony with their children, or with other relatives, but they have had to pay the full passage money, namely £15. They were therefore not immigrants in the ordinary sense of the term—they were not immigrants at the public expense. I hand in a return (*See Appendix A 4*) showing the number of persons of fifty years of age and upwards, who have arrived under the immigration regulations during the years 1877, 1878, and 1879.

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32. I observed, from your statement as to the occupations of the immigrants who came during the year 1878, that there was in that year a great decline in the number of miners? Yes, a large decline.
33. Have you any reason to suppose that coal-miners have come out to the colony under the designation of agricultural labourers? I think it is very possible. I have on some few occasions detected such persons; I have found that they did come out under false designations—not miners, perhaps, but engineers. When I detect such a person I say, "You are not a labouring man; you had better tell the truth; I am sure you are not a labouring man." The answer sometimes is, "No, I am an engineer, but I have been obliged to pass as a labouring man." It has been notified in England and elsewhere that miners and men engaged in the iron trades are not in demand in the colony.
34. Can you explain by what process immigrants are selected in the mother country? I have all the documents sent to me by Sir Charles Cowper, when he was Agent General. They show how the immigrants are selected, and what is done with them.
35. Can you state generally in what way they are selected? A detailed nominal list of those who have been nominated in the colony is sent to the Agent General each month with full particulars as to their age, occupation, and residence. On receipt of that monthly account the Agent General communicates with the person who has been sent for. He sends them a form of application, which contains certain questions which they have to answer. They have, for instance, to state their place of residence, where they were born, whether they are married or single, the number of children, and whether any increase is expected within the next four months; they have also to state the name, address, and occupation of their late employer, and the time he worked for him, the rate of wages received, and when they left their employment; the name and address of the minister of the parish in which they reside; whether they have been in receipt of parish relief, and if so, for how long; whether they have been out to any colony before, and if so, they must state to which colony they went, when they went, and by what means they went and returned, and at whose expense. The applicant has to sign the certificate declaring that the statements he has made therein are true. The certificate has then to be signed by two respectable householders. They certify that the form of application was duly filled up before their signatures were attached; that they have perused the statements contained therein, and believe them to be strictly true; that they are well acquainted with the applicant, and know him to be of the calling stated, and believe him to be honest, sober, industrious, and of general good character, and that none of the persons named in the application are deformed, deaf, blind, lame, or idiotic, or likely to become a burden to the colony. The form of application must also be signed by a physician or surgeon, who must certify that he has examined the applicants named therein, and that none of them are deaf, blind, lame, idiotic, or seriously mutilated or deformed in person, or in his opinion afflicted with any disease calculated to shorten life, or to impair physical or mental energy, and that each person appears to be of the age set against his or her name. He has also to certify that the applicants have all had the small-pox, or have been vaccinated and are entirely free from every disease usually considered infectious or contagious; and that all the applicants are capable of labour in their respective callings. The magistrate or clergyman of the parish in which the applicant resides has also to sign the form of application, certifying that he has examined the statements contained therein made by the applicant, and that he has no reason to doubt their truth; and further, he has to certify, to the best of his belief, that the certificates of the two householders, and of the physician or surgeon, who signed the form of application, are authentic, and that the persons whose signatures are affixed to the certificates are worthy of credit. The applicants are informed, on the margin of the form of application, that the sale of such form subjects the party offending to a penalty not exceeding £50 nor less than £2. When the form of application is duly filled up and returned, the Agent General informs the applicant that he must hold himself in readiness to proceed to Plymouth or other place of embarkation. A further letter informs them when they are to be ready to go on board. When the applicants arrive at Plymouth, they go to the emigration depôt for a few days before the ship leaves; they are there placed in charge of the Surgeon-superintendent, who rejects them if he thinks there is disease amongst them, as sometimes is the case. I should say that if the statements in the form of application are not considered satisfactory, the Agent General sends the applicant a printed form, duly filled up, informing him that he declines to grant them a passage. The Agent General subsequently sends out a full account of the transactions, and gives his reasons for what he does, and why the applicants are not accepted. The reasons are various: sometimes they decline to emigrate; sometimes it is found they have been to a colony before; sometimes it is found they wish to get from New South Wales to Melbourne, or some other place not in New South Wales.
36. I believe that you are one of the members of the Board appointed by the Government of this colony to issue passes to the unemployed, to enable them to go into the country districts? I am.
37. Who are the other members of the Board? There are only two members—Mr. Fosbery, Inspector General of Police, and myself.
38. How long has the Board been in existence? Since March, 1878.
39. Can you state in round numbers how many passes have been issued by the Board since its appointment? About 2,350, from March 8, 1878, to April 13, 1880.
40. Are you aware whether any of the newly-arrived immigrants have applied for free passes? It is a very rare occurrence. Perhaps one a week, or possibly two. It is a very rare occurrence indeed. By newly-arrived immigrant I mean an immigrant who has only been in the Colony twelve months or two years. An immigrant is easily recognised by his dress and general appearance. Sometimes they recognise me when I do not recognise them. But it is a very rare occurrence that an immigrant of twelve months' standing or more comes before the Board.
41. Have you taken any trouble to ascertain the Colonial career of those immigrants who have remained in or about Sydney? Yes. I impress upon them all, when on board ship, that I, being representative of the Government, am their best friend; that it is my duty as well as my wish to do everything I can for them; and therefore to let me know if they are in difficulties at any time, and I will do what I can for them. I address these remarks to the whole of the immigrants, including the women and domestic servants. It is too often the case, I am sorry to say, notwithstanding their agreements, that domestic servants are dismissed without their wages. They come and show me their agreement, and I recommend them to some solicitor, who generally obtains the money for them. As for the male immigrants I frequently hear of them, or see them in the streets. When one of them recognises me I stop immediately. Sometimes I am stopped in the street by a man who will tell me he came out as an immigrant and has done very well indeed. I cannot name any individual, but I frequently meet with such persons in Sydney. Yesterday
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for instance I met a man who came out by the "Earl Dalhousie"; he told me he was living somewhere near Newtown, and has got a large number of cows. I constantly receive letters from immigrants, who tell me they have done very well since they came out; and some of them express a wish to send for their friends. In a letter which I received two or three days ago the writer says:—"I am very proud of this my adopted country, and shall be very sorry to see that door closed that I came through."

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42. *Mr. Jacob.*] Do you often receive communications of that kind? Very often.
43. *Chairman.*] In your last annual report you state that not above one half of the male immigrants have been found willing to offer themselves for hire; that most of them prefer to go to their relatives or friends; that a large proportion of farming or labouring men readily get engagements; then you go on to state that some of them decline the wages offered them on arrival; can you say what class of persons they were, and what wages were offered them? Labouring men, single men, refusing £40 or £45 a year.
44. Farm labourers? No, labourers, who refuse £40 or £45 at the hiring-room.
45. *Mr. Day.*] With board and lodging? With rations and lodging.
46. *Chairman.*] They prefer to go away on their own account? Yes; perhaps I ought to add that when they do go away into the country the arrangements made on their behalf are these: They receive forty-eight hours board and lodging at the place they go to. I do not order them to go to any particular place; I impress it upon them that they must choose the place they wish to go to, and then I will give them the best advice I can; but they go at their own risk. When they have selected a place I give them an order for maintenance for forty-eight hours after arrival at their destination. They go with that order to the police, who take them to the best inn in the place. The police are authorized at their discretion to grant maintenance for seven days to married couples, and four days to single men.
47. *Mr. Day.*] Should they deem it necessary? Should they deem it necessary. It is at their option. The privilege of this extended maintenance was claimed by only twenty-five married couples during the past year, and by two single men. The immigrants generally have been satisfied with the forty-eight hours.
48. I understood you to say you gave them board and lodging at the best hotels? I believe they are the best hotels. The police send them where they like.
49. What are the charges? One shilling each meal, and one shilling for a bed. There is no contract; the police send first to one inn and then another. The accounts are sent to me from the different inns.
50. *Chairman.*] Have you during the past year or at any time experienced any difficulty in finding employers for the immigrants, or engagements at the current rate of wages, especially with regard to farm labourers and persons accustomed to country pursuits? A great many go up the country who are not engaged. When they go into the country I lose sight of them.
51. What I want particularly to know is this: Is there any difficulty experienced in getting engagements for persons used to country pursuits, whilst they are in Sydney, before they go up the country? A great many who go up the country are disengaged.
52. *Mr. Day.*] Have you found any difficulty in obtaining employment for persons used to country pursuits? Yes, only a portion of those who go to the hiring-room engage.
53. *Mr. Moses.*] But do those who are willing to engage readily get employment? No, because there are not a sufficient number of employers in the hiring-room.
54. *Chairman.*] As farm labourers? As farm labourers.
55. What becomes of them? They go into the country after the two hiring days are over.
56. Do you obtain any knowledge of them afterwards? No, as a rule I never hear of them again; if I do hear of them it is oftener regarding their welfare than their ill success. I do occasionally hear of them coming back to Sydney at their own cost.
57. Who are those immigrants who decline to accept the current rate of wages? They are labouring men.
58. Are they farm labourers? Yes, farm labourers. What I mean may perhaps be best explained in this way. There are say 100 men in the hiring-room; but there are only employers found for about 30 or 40. The others go into the country.
59. How often do you have men who decline to accept the current rate of wages? By every ship. They are often those who come back again and take other engagements.
60. Do many remain about Sydney? Some few; they sometimes come to me for passes, that is how I know. Almost as a rule the labourers go into the country, simply because I tell them there is no employment in Sydney.
61. It has been alleged that many of our newly-arrived immigrants join the ranks of the unemployed;—now so far as your knowledge extends do you think that statement correct? I can only give one instance, and it may be somewhat unfair to mention it. But I met an immigrant not long ago in Sydney, and I asked him what he was doing: He replied, "I am doing very well indeed." I asked him what it was he was doing, and he said, "Oh, I am doing nothing, and am receiving £1 a week for doing nothing."
62. Was he one of the unemployed? He was unemployed, and was receiving £1 a week for not doing anything. There are many men who come to me and say they cannot get work.
63. Are they persons who have remained in Sydney? I can give an instance: On Saturday last a man came to me and said he was a married man and could not get employment, and was very hard up, and wished to be sent into the country. I am only allowed to send them into the country within three or four days after arrival. But if good reason is shown for a relaxation of that rule I use my own judgment in the matter, and to give a free pass even after the specified time has lapsed. The man I speak of said his wife was very ill and could not go into the country at first, I asked him to come again on Monday morning, and I would give him a pass. The man gave me good and sufficient reason for so doing; but I have never seen him since.
64. Was he a farm labourer? Yes.
65. Has it occurred to you that some of the immigrants are of a class not required in the colony, that they follow occupations which have not yet taken root here? Yes, the demand is limited for boiler-makers, engineers, fitters, and brass-finishers. Not many brass-finishers have come, only 21 in three years. These men do experience great difficulty in meeting with employment. After a short time I lose sight of them and I take it for granted that they have obtained employment of some kind.
66. Do you meet with many immigrants who will take only light kind of employment, or who, from their previous habits, are unable to do labouring work? That may apply to some few persons who pay their own passages.

G. F. Wise, Esq. 67. Not to assisted immigrants? You mean men who are not fit for work, who are not fit for hard work as labourers; such for instance as bookkeepers, &c., of whom very few come.

14 April, 1880. 68. But light porters and persons of that character? Several apply for situations as light porters. I hand in a return showing the classification of education of the immigrants who arrived under the Immigration regulations during the years 1877, 1878, and 1879; also, a return showing the classification of religions of the immigrants who arrived under the Immigration regulations during the same years. (*Returns handed in. See Appendices A5 and A6.*)

69. Have any immigrants been landed elsewhere in this Colony than at Sydney? Yes, in the year 1854 one ship, and in 1855 four ships, bringing out 1,195 souls, went to Newcastle and landed them there. Those immigrants are spoken of as railway labourers. At no other place in the colony have any immigrants been landed who came out under Government regulations. From the year 1838 to the present time no such immigrants have been landed in any place in the Colony other than Sydney, except those who came out in the five ships which I have just referred to, and who went to Newcastle. I hand in a return relating to this, and one showing number of deposits under existing regulations of 1876. (*See Appendices A7 and A8.*)

70. *Mr. Day.*] Do you think the present system of assisted immigration works well? It appears to me to work very well indeed, especially for immigrants.

71. You think the immigrants who come here, so far as you are aware, have no complaints to make? As a rule, certainly not.

72. And they have always found employment? I warn them over and over again, and advise them over and over again to communicate with me if they do not find employment. As I rarely receive complaints I take it for granted they are well to do, or at all events that they have got some engagement. As I have already remarked, I do occasionally hear of immigrants returning from the country to Sydney at their own expense.

73. You take great interest in immigration of course? Yes; and I may say I feel a great personal interest in the immigrants.

74. It would be likely to come to your ears if many did not find employment? It ought to do; I have taken every opportunity to find out whether they have obtained employment or not.

75. What has your experience been? On one occasion I recollect a statement made in one of the newspapers that certain immigrants who had been sent up to Yass were very badly treated; that is three or four years ago; there were five or six of them. Sir John Robertson was Colonial Secretary at the time. He sent for me immediately and asked me if I knew anything of the matter complained about. I said I knew nothing more than the fact that five or six immigrants did go to Yass. He replied, I must send some one to ascertain the truth of the case. I sent a clerk from the office to Yass that night, and he found that half of those mentioned in the newspaper had obtained employment; the others obtained employment within two days subsequently. On another occasion a notification was sent to the Colonial Secretary to the effect that a number of immigrants were ill, or dying, from fever at Murrurundi. I think the doctor at Murrurundi confirmed the statement; and it was also said that one of the immigrants named Chapman could not get work. The Colonial Secretary sent for me, and inquiries were at once instituted by Dr. Alleyne as regards the fever. As for the man Chapman, who was said to be wandering about in a destitute condition, unable to obtain employment, I may mention that at that very time a ship had come into port with his brother-in-law on board; and the brother-in-law showed me a letter from Chapman, in which he begged him to come up to Murrurundi as fast as he could, as he could get employment for him. I handed a copy of the letter to the Colonial Secretary.

76. Has the system of sending immigrants up the country and allowing them two or four days board always been in existence? Under the regulations of 1876 people have always been sent into the country; but the system of giving them two or four days board originated about two years ago.

77. Have you ever sent immigrants up the country and turned them out on the railway platform and allowed them to go where they liked or could? Yes, if they were going to employers under engagement.

78. I am speaking of men who have been sent up to get employment. Have any of them been turned out on the platform and allowed to do what they could, without provision being made for their getting a day or two's board until they were able to get employment? No; if such a thing has ever occurred there has been some very good reason for it.

79. On all occasions this system of taking care of these people for a few days after their arrival, at any specified place in the country, has been adopted? Yes, at the places they chose to go to. They hold an order from me to the Superintendent of Police in the district; the police understand that upon the production of that document by the immigrant they have to find him accommodation for two or four days; the time may, under certain circumstances, be increased to seven days at the option of the Police authorities.

80. I think you have stated in evidence that in most instances the immigrants have not availed themselves of the longer period? I gather from the accounts I have had to pay that only two single men have availed themselves of the extended period during the past year, and only twenty-five married people availed themselves of the privilege.

81. Have you found any immigrants who have been sent up the country, come back to Sydney and complain about not being able to obtain employment? Yes, I will not say that it often occurs; but it does occur sometimes. They will perhaps say, "Oh, I was only offered £30 with board and rations, and the work was harder than I expected it would be"; or make some other such statement, and they want perhaps to go elsewhere; but I have no power to give them a pass to go elsewhere, and do not do so.

82. *Mr. Moses.*] What is the amount paid by depositors who send for their friends? £2 per head.

83. There is no charge upon the immigrant when not sent for by his friends here? Depositors nominate the persons whom they wish to have brought out, and pay £2 per head for every adult. When they come out they are handed over to their friends who hold the deposit receipt. Another class of immigrants consists of those chosen by the Agent General, or who apply to the Agent General, and pay £2 each adult in London.

84. What is your experience in regard to the domestic servants who arrive—are they generally experienced persons who have been in service before? Very few of them.

85. If they were experienced the wages they receive would be very much higher? Anything they ask they usually get.

86. Notwithstanding their inexperience? Notwithstanding their inexperience.

87. The majority have not been in service before? The majority have not been in service before.

88. Is the supply of immigrants of that description equal to the demand? Nothing like it. I generally give from 120 to 130 permits to go into the hiring-room on each day immigrants are for hire.

SELECT COMMITTEE ON ASSISTED IMMIGRATION.

7

89. Do you think a larger number of female immigrants could find employment here? Yes.
90. I notice that in 1877 there were 915 depositors, and in 1879 there were 1,532 (*See Appendix A 8.*) a considerable increase;—do you think that shows want of employment for people in the colony? When a person in the colony makes a deposit to send for a friend, it is I consider a proof that he has obtained or will be able to obtain employment for that friend when he comes. The increase in the number of depositors shows, I think, that there is increased employment for those who come.
91. I suppose the people who settle here would not send for their friends unless they could find employment for them? No, the nominees invariably go to their friends on arrival.
92. Have the immigrants on arriving here any means? I always try to discover what means they have.
93. And what is your experience? In one ship that came from America, the immigrants had in their possession drafts on a Sydney mercantile firm to the value of nearly £1,800. That is an exceptional case.
94. But those coming from Great Britain? I always tell them when they arrive that if they have any drafts or cheques, or bank notes, I am the proper person to witness their signature. I have known instances of immigrants bringing £200 or £300 with them.
95. The majority, I suppose, have some means? I do not think very many of them have as much as £20. Some few have larger sums, say up to £100. One man called upon me who possessed £350 when he first arrived. He went to Cootamundra, and is now possessed of two flocks of sheep. He became a free selector, and is doing very well.
96. Do any of the immigrants ship to the other colonies? Occasionally I discover it. But I never give them the slightest assistance. I tell them, when they ask me for passes to go to another colony, that I cannot give them one, and I point out that they have cheated this colony.
97. *Mr. Jacob.*] Have I drawn a correct inference from your answers to the questions put by Mr. Moses, that no immigrants come out to the colony free? None come out free.
98. Each one has to pay £2? £2 is paid by somebody for each adult who comes.
99. I understand you to say that as a rule not more than one or two persons a week come to you for passes to go into the interior? Yes; I allude, of course, to recently-arrived immigrants.
100. Have you any means of ascertaining whether immigrants supplant workmen in Sydney, which induces those workmen to come to you for passes into the interior in the numbers you speak of? I cannot answer that question. I must say that many of the unemployed have said that it is rather hard they cannot get employment, because immigrants are taken on in place of them.
101. You rather roused my curiosity when you said that a newly-arrived immigrant was getting £1 a week for doing nothing? He said he was getting £1 a week from some Union for doing nothing, and that he had been doing so for three months.
102. *Mr. Cameron.*] Did you ascertain what Union was paying him the money? I did not; I rather doubted the statement myself.
103. Are there any immigrants on their way out at the present time? Two ships with immigrants.
104. How many immigrants are those two ships bringing? There are 780 souls in the two ships.
105. Are many of those immigrants who are on their way connected with mechanical trades? The nominal lists of passengers by those ships have not yet arrived.
106. Can you give any idea as to the percentage of mechanics who come out in each ship? The return which I have handed in will give you that exactly, with regard to all who have come within the last three years.
107. Have you any idea of the state of the mechanical trades at the present time in Sydney? Not personally. I know that engineers, fitters, and boiler-makers find it difficult to get work. I send them with a recommendation from place to place, and tell them if they cannot get work to come back to me. It is very rarely they come back.
108. That only refers to immigrants;—have you any idea as to whether or not at the present time there are large numbers of men out of employment in the mechanical lines? No.
109. Have you any knowledge of the state of the building trades at the present time? I understand that builders, more especially at North Shore, cannot get labourers.
110. Would it be asking you too much to inquire from what source your information is derived;—is it from the men or from the employers? From the employers. I am speaking more especially of North Shore. The builders there often ask me to send them men when a ship comes in.
111. Suppose now that trade is dull in Sydney, say in the iron trades, do you know of any other town in the colony which could absorb a number of ironworkers? No.
112. Not at the present time? No; I always tell men of that kind, ironmoulders for instance, when they come to me and tell me they cannot get work in Sydney, that I will send them into the country to do what they can, but that there is no iron moulding to be done in the country.
113. You do not know of any place out of Sydney where that class of men could be employed? I do not.
114. How are emigrants obtained in the mother country—is it by a system of advertising? Yes. Sir Charles Cowper sent out to the Government an explanation of the whole routine.

G. F. Wise,
Esq.
14 April, 1880

FRIDAY, 16 APRIL, 1880.

Present:—

MR. BARBOUR,
MR. CHARLES,

MR. CAMERON,
MR. MOSES.

J. F. BURNS, Esq., IN THE CHAIR.

Frank B. Treatt, Esq., examined:—

115. *Chairman.*] I believe you are employed in the Immigration Department? Yes.
116. In what capacity? As Chief Clerk and Accountant.
117. How long have you been in the department in this colony? I first came to the colony in February in 1870.

F. B. Treatt,
Esq.
16 April, 1880

118.

- F. B. Treatt, Esq.
16 April, 1880.
118. In the department? I have been in the department since May, 1877.
119. I believe you were previously employed in the office of the Agent General in England? I was.
120. Did your duties in that office bring you in contact with intending emigrants? With intending emigrants who were resident in London.
121. I presume you are familiar with the whole system of assisted immigration? I am.
122. It is, I believe, the fact that upon the arrival of immigrants here, those who do not join their friends are open to hire by any one who may desire their services? Yes.
123. What has been the class of immigrants who have been mostly open to engagement with respect to their occupations? I cannot speak statistically, but they have been chiefly farm and other labourers, persons employed in building and other trades.
124. Have you observed any difficulty on the part of immigrants who desired engagement either on board the ship or at the depôt? Those who are not engaged or forwarded up to the various country districts, leave the control of the Immigration Department and disappear among the masses of the community here.
125. Have you at all followed the career of those who have not been engaged upon their arrival? I can speak with greater accuracy with respect to those who came out in the emigrant ship with me, the "Earl Dalhousie." I do not know one of them at the present time out of employment. I have made several inquiries respecting them, inasmuch as I looked upon them as familiar acquaintances, having made the voyage with them, and of only two or three out of the whole number have I heard unfavourable accounts.
126. Was that owing to any fault of their own? Owing to their own fault.
127. Do you recollect from your own memory, or have you any statement of the rates of wages at which the different immigrants were engaged upon their arrival here? Farm labourers, single men, at from £30 to £45 a year; married couples, at from £50 to £65, with rations.
128. As to the demand for farm labourers and persons of that class, is the demand equal to the supply? It seems to me to be increasing every year.
129. Have all the farm labourers been able to get employment at these wages immediately upon their arrival? A large number will not accept employment immediately upon their arrival; they prefer to exercise a little independence, and to see a little of Sydney. Some of them go up the country at once, for which they obtain a pass by rail or water. I know of no farm labourers out of employment.
130. As to persons of other callings, have you observed any difficulty in obtaining engagements for them? Very few engagements among skilled artizans come under my cognizance.
131. I presume, when any immigrants are hired, some part of the work connected with their engagement comes under your personal observation? Yes; in the hiring-room.
132. As a matter of fact, as far as your information extends, how many on an average remain in or about Sydney? I cannot speak statistically; but I should say from two-fifths to one-half go up the country by rail or steamer.
133. What becomes of those who locate themselves here? I cannot speak from personal knowledge.
134. What classes of tradesmen or skilled mechanics find the most difficulty in getting employment? The immigrants hired at the depôt are almost all farm or other labourers. Skilled artizans go out into the town themselves in search of employment. Some come subsequently to the Immigration Office; for example, the day before yesterday, three stonemasons—Yorkshiremen—came and stated that they could not obtain employment. We had heard from Bombala that stonemasons were required there for the erection of a Court-house, and passes were given to them to proceed thither. Subsequently one of them returned, and stated that he had, since applying, obtained employment in town at wages commencing at 10s. a day.
135. Has it been the practice for assisted immigrants to return to the depôt for information or assistance when they have been unable to get employment? It seldom occurs.
136. Have you heard of these assisted immigrants remaining in or about Sydney? Not officially.
137. Of your own knowledge? Of my own knowledge in occupations other than that of an agricultural description.
138. Of what classes were they? In the iron trade, and some in building trades who have been unable to obtain immediate employment.
139. Have you had many of that class come out as assisted immigrants? A few; but by far the larger proportion consist of farm and other labourers. The remainder are men of a great variety of trades.
140. How many skilled mechanics come out as assisted immigrants? The Agent for Immigration brought a paper to the Committee containing the information. I could not speak with any statistical correctness.
141. Has your attention been drawn to persons who have come out under designations different from their actual trades or callings? It occurs sometimes.
142. To any extent? No.
143. Have you heard of coal-miners coming out as farm-labourers? Very seldom.
144. It has occurred? On one or two occasions.
145. Have you found any demand for coal-miners? Yes.
146. On the part of the proprietors of mines? Yes; during the past two years.
147. On the occasion of disagreements between the miners and owners of collicries? Yes, at that time and other occasions. I may be permitted to explain that it occurs frequently in England that a man who has worked as a coal-miner has also been employed as a farm labourer, and if he states that he is a farm labourer, and upon reference it is found that he has been so employed, he is permitted to embark.
148. Have you heard unofficially that any of the assisted immigrants have remained in Sydney and have joined the ranks of what are called "the unemployed?" I have not known of one from my own observation.
149. While you were in the office of the Agent General did you pay any attention to the class of persons who were coming out as immigrants? The class of immigrants who came out then were under the existing regulations of 1873? They were chosen in view of the provisions contained therein.
150. Did they seem to be persons of good character and of industrious habits? The only persons of whom I could speak are those who applied at the counter in the office at London. The others sent in applications on printed forms.
151. Did they appear to be persons whom it was desirable to send out as colonists? Not from London.
152. I presume they were mostly artizans, or persons not likely to be in demand here? Yes, from London.
- 153.

153. But with regard to the people from the country districts of England? I cannot speak from my personal knowledge, because they went direct from their places of residence to join the ship at Plymouth.

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154. As to the demand for domestic servants at the depôt in Sydney, have you found it to be in excess of the supply? The demand appears to be inexhaustible.

155. At what rate of wages? Running from 6s. to 14s. or 15s. a week, with board of course.

156. *Mr. Cameron.*] How long were you in the Agent General's office in England? From October, 1875, until within a week of my departure from England in the emigrant ship "Earl Dalhousie."

157. The only emigrants with whom you came into contact were those who applied at the London office? Yes, with the exception of the "Earl Dalhousie" emigrants.

158. There are other agencies, are there not, throughout the United Kingdom? I understand there are none at present.

159. Were there any at the time you were in England? There were throughout England, Ireland, and Scotland.

160. In the principal towns, I suppose? Yes, and elsewhere.

161. Can you give the Committee any idea how those agents were remunerated? They received 10s. per head upon approved adult emigrants. I speak open to correction: I think it was 10s. per adult.

162. Can you give the Committee any idea how many of those agents there were? About 100.*

163. I suppose by far the larger number of emigrants who sailed for New South Wales were those who were sent to the office by those agents? On the contrary.

164. Could you give the Committee any approximate idea of the percentage of emigrants obtained through the agency of these people? I cannot now, but I know it was very small.

165. What class of people did you find, as a rule, applied to the London office; were there more agricultural labourers than mechanics? There were no agricultural labourers—personal applicants.

166. They were mostly mechanics? They were mostly mechanics, who personally applied at the London office.

167. And by far the larger number of persons you say applied at the London office? By far the larger number of persons applied at the London office possibly, but by far the larger number of those who were approved were from the country districts.

168. How did these become the subjects of approval at the London office if they resided in the country—was it not through the medium of the country agents? The Agent General received applications from those in London personally, but the applications from the country came by letter. The gross number of applications is very different from the number of approvals.

169. Of course I am speaking of the applications that were approved. Can you give the relative percentage of the two classes? No, I could not.

170. In your opinion which class preponderated? The agricultural labourers.

171. With reference to the skilled artisans who came here, you say you have not much knowledge of them after landing here? No.

172. They do not wait any considerable time in the depôt for hiring purposes? They do not.

173. Having left the depôt they are lost to your sight altogether? Yes.

174. With reference to agricultural labourers, have you at the present time any coming out in ships now on their way? Yes.

175. I suppose you have no idea of the number? I cannot speak statistically; I know that the far larger number of the immigrants are farm labourers.

176. Have you any documents in your office from any parties in the country expressing their desire to hire these people on their arrival? The hiring-room, since it has been established, has been the means of causing these applications to fall off. The employers of labour now send to their agents, who come to the depôt and make their selections.

177. As a matter of fact, does the Immigration Department make any inquiry prior to the arrival of an immigrant ship, as to the localities where the men are most likely to find employment? Yes, it has done so, but not of late.

178. I am speaking now with reference to the two vessels now expected. Has the Immigration Department made any inquiries with reference to the parts of the colony where these immigrants would be likely to find employment? No.

179. Have you any agents throughout the colony? None.

180. If people who have not been hired at the hiring-room wish to go up the country, I presume they receive free passes? Yes.

181. Are these passes given to certain places upon the advice of any particular person, or at the expressed wish of the immigrant himself? On the expressed wish of the immigrant himself, excepting when they are going to their friends.

182. I am speaking of that class of people who do not come here to their friends. Supposing a man comes to the colony, not knowing much of different localities in the colony or of their requirements, does the Immigration Department make any inquiries or afford any information to these people as to the parts of the colony where they may find employment? Certainly, in every case.

183. If an immigrant were to ask you to day as to the parts of the Colony where he would be most likely to find employment, have you any authentic information in your office that would enable you to form a correct judgment upon the subject? We have no applications at present in the office from employers of labour. Supposing a ship to have arrived here a few days ago, and that I had been instructed this morning to proceed on board and to despatch the immigrants to the country districts, after having disposed of those going to their friends, I would then gather the others around me, and take their names alphabetically. Those who worked at trades not fitted for country pursuits would be instructed to remain for some time and to look about for themselves. Those who were fitted for country pursuits—agricultural labourers, farming men with families, after having had explained to them the capabilities of various parts of the colony—they would then, of their own free will, determine upon the district of the colony to which they would proceed. They would then be provided with free passes and maintenance orders for a limited period, in the first place for forty-eight hours and afterwards to be left to the discretion of the officer of police, to extend the time for a certain period not mentioned to the immigrant; as from our knowledge of human nature we believe that if this were communicated to them they would take the full benefit, even where it was not needed.

184.

* NOTE (on revision):—I find on looking over old papers that the number was close on 100.

- F. B. Treatt, Esq., 184. Out of what fund are these expenses defrayed; are they charged to the Immigration Vote. They are.
185. During the time you were in England I suppose advertising was resorted to very extensively? Yes.
186. In all the papers of the United Kingdom? No; that could not be done, as there are about 1,400 papers in the United Kingdom—in the papers published in the different country towns.
187. Were those advertisements inserted daily? According to the discretion of the Agent General.
188. Could you give the Committee an idea of the sum annually expended upon advertisements during the time you were in the office? I could not say now.
189. Have you any idea of the state of trade in and around Sydney so far as skilled artisans are concerned, either of your own personal knowledge or officially? Officially, no; of my own personal knowledge I should say things are depressed at present.
190. Do you think the supply of labour in the building trade is equal to or greater than the demand? That is a difficult question to answer.
191. You think trade is depressed in that particular line? I do.
192. Do you think it is depressed in the iron trade? I do.
193. What per centage of workmen, either in the iron or building trade, are unemployed? I cannot speak as to the per centage; I do not think it is large.
194. Have you anything to do with the issue of free passes to immigrants who cannot find employment in Sydney? I have nothing whatever to do with the Free Pass Board.
195. Have you brought out many railway navvies? We may have brought out a dozen of thorough English navvies within the last two years, not more.
196. Have you during the last two years heard of men going as railway navvies into the country who have not been able to obtain employment? I have.
197. Have you heard of its occurring to a great extent? Not to any great extent.
198. Did you see a series of articles which were published in one of the daily papers upon the subject by a writer under the *nom de plume* of "The Vagabond"? Yes; in those articles the immigration system was found fault with, and it was said that men could not find employment.
199. Can you remember whether at that time these statements were true or false? I think it is not to be expected that men should invariably obtain employment immediately upon their arrival in a new country; I did not myself when I first came out here in 1870; you can no more expect it than you can expect a tree to send forth its roots into the ground immediately it is transplanted.
200. You spoke, in answer to a question from the Chairman, of some farm labourers who, upon their arrival find difficulty in obtaining employment? Occasionally farm labourers with large families have difficulty in settling down.
201. How long do you think it takes a farm labourer with a large family to settle down? When a man has a large family it is a greater undertaking for him than for a young married couple without encumbrances.
202. Have you known many of these married men to be sent into the country with free passes to places they knew nothing of before? Yes, married couples and their families by every ship.
203. Have such persons returned to Sydney? Yes, but not farm labourers.
204. In a state of destitution? No, not in a state of destitution.
205. Do farm labourers land here with much money in their pockets as a rule? Farm labourers—no.
206. Generally with only a few shillings, I suppose? I cannot say what they possess, as there is often a great deal of reticence on their part, and a desire to conceal what they possess; but I have heard in some cases of as much as £200 being in the possession of an immigrant.
207. Of a farm labourer? No, of a small tenant farmer.
208. I am speaking of farm labourers;—does not a farm labourer receive wages sometimes as low as 12s. or 15s. a week? They used to do so.
209. Even now they do not receive more than £1? No, not more.
210. I suppose very few of these men land here with a couple of hundred pounds in their pockets? No, I should say none.
211. Do they land even with £20 or £10? I should think so, but I am not acquainted with the sums of money they bring. I should say from the general ideas I have formed during the last three years that a large number of them have been frugal and thrifty at home and have saved money.
212. As a matter of fact are there not a great many of this class as well as of artizans who land here with not more than 10s., 15s., or 20s. in their pockets? Yes.
213. Would not the natural result in the case of men like this be, that if they went into the country and were unable to obtain employment they must return to Sydney in a state of destitution? Yes, provided they could return, I suppose it must be so.
214. What would become of such men; would they be out of the cognizance of the Immigration Department? I have never known farm labourers to return to Sydney, unless they have been men who have had some means by them.
215. I am asking whether supposing such a person to come back, he would not be beyond the control or cognizance of the Immigration Department? He would.
216. And would mix with the ranks of the unemployed in Sydney? He would if he returned.
217. You said something about a certain demand for coal-miners, which has been I presume within the last two years? Two and a half years.
218. Have you had any demand for coal-miners lately? Not lately.
219. Are you aware that there has been any distress in the coal-mining community? From hearsay.
220. From the public prints? From the public prints.
221. *Mr. Charles.*] In the case of persons who have gone into the country and who have been unable to obtain employment and who are destitute, do you recommend that free passes should be given them to enable them to return? No second free passes are given.
222. Then it is hardly likely that a farm laborer in the country, with a family, could find his way back to Sydney? It is hardly likely.
223. You have stated that you think Londoners are an unsuitable class to bring out? Yes.
224. That I suppose refers to males? To males only.
225. Are not female immigrants from London likely to make as good servants as those from the country? Yes, for Sydney purposes.

226. And the London office receives London female immigrants on the same terms as those from the F. B. Treant, country? Quite so; my reference just now was to male applicants.
227. *Mr. Barbour.*] Do you think the country agents in England are of any advantage to the Agent General in the way of selecting good emigrants? There are no country agents at present I believe.
228. When they existed do you think they were of any benefit? Some of them were good, but I think there is always a temptation when 10s. a head is offered, to pass over little faults. I should be disposed to keep a sharp look-out over these agents.
229. Would you suggest any arrangement by which these men might be more useful in selecting immigrants for the colony? With respect to any suggestions might I respectfully ask that I may be permitted to incorporate them in any remarks that may be made by the head of my department upon a future day?
230. Do you think these agents are any benefit that they should be continued, or is there any way by which they could be made more useful in the selection of immigrants? I do not think on the whole they are of any further use. I think times have changed, that a wave of depression has passed over England in common with other countries, and that there is a greater disposition towards emigration than there was, and that therefore the assistance of these gentlemen would not be required now, especially in view of the lower rates we now charge immigrants for their passages.
231. Would not a man on the spot where those people reside be better able to select suitable emigrants than the officials in London? The selection is not left in the hands of these local agents.
232. They receive applications and, I suppose, recommend to the head office? The local agents simply receive applications.
233. He is merely the medium of receiving and forwarding—a mere conduit-pipe? Yes.
234. What I want to arrive at is this: whether the agents in the country, who would personally know the greater number of applicants, would not be able to point out the men most suitable for the approval of the Agent General? I do not like agents; I am always suspicious of them because of the 10s. a head.
235. Suppose the 10s. a head did not exist, and a better system were adopted, would they not then be an advantage? I do not see that any other arrangement could be made with sub-agents.
236. Would it not be an advantage to your office if you received periodical reports from various districts of the colony as to their particular wants, the special class of labour required;—would not this be a benefit to the districts themselves, and to your department, as enabling you to supply immigrants with information as to the parts of the colony where their services were required? Yes.
237. Would that be a good or bad plan? It would be a good plan. We have something of that sort at present; but with reference to the last two vessels, we did not get replies from the Clerks of Petty Sessions.
238. How do you get this information. Do you write to the various Benches, or are they instructed to send to the office? A circular is sent to the Clerks of Petty Sessions, inquiring as to the state of the labour market in their respective districts. On receiving this circular they have been in the habit of calling the magistrates together for the purpose of consultation, and the result of the meeting is communicated to us by circular.
239. Have these letters been written by you when you have had a number of immigrants on hand that you have not known what to do with? No, it has been done at intervals.
240. Do you not think it is advisable that it should be done continuously? Not continuously, because that would involve a large amount of work without any result in many instances.
241. What work would it cause? The sending of circulars to all the Benches of Magistrates, from many of which we should never receive any returns, or where, from previous experience, we know we should be unable to satisfy the demand for immigrants; for instance, the clerk of Petty Sessions at Inverell after taking the trouble to collect the information and transmitting it to Sydney has never had any immigrants sent to Inverell.
242. Would it not be better if instead of the vague information you receive from the country districts when a vessel came in with a number of immigrants, the parties were to write definitely, "We can take twenty or thirty of such or such a class in this district"? We know from our repeated communications with the Clerks of Petty Sessions what is the demand for farm labourers, domestic servants, shepherds, and other kinds of labour in the various districts.
243. You know only in a general way? Yes.
244. Would it not be better that you should know in a special way that there were five, ten, or twenty persons required in a particular district; would not immigrants going to places under these circumstances be more certain of employment? Yes; but we have sometimes had special applications for immigrants before the arrival of a ship. The vessel has not arrived at the time expected, and the result has been that the employer has not waited, but has supplied his requirements through other channels.
245. Would it not be beneficial if you had returns as often as possible of the requirements of different districts through the country? It might be a benefit.
246. Would it not be? It could do no harm.
247. Would you not have a greater certainty in saying to an immigrant "You can go to so and so," rather than leaving them in ignorance of the grounds upon which they made their choice, to go to any part of the country they pleased? I think it would be better to send the people in drafts according to the sizes of various agricultural areas and according to their wants.
248. These wants could only be ascertained by information supplied to you from time to time? We know precisely where the agricultural people are needed.
249. You would know better if there were special applications for them? If we had special applications exactly timed to the arrival of a ship we would let the men know at once.
250. Is advice sent to England from time to time as to the class of persons in greatest demand? I cannot answer that question.
251. Do you think it would be any advantage to the colony if you were able to offer to agricultural labourers, either with or without families, farms say of fifty or a hundred acres if they chose to go and settle upon them in different localities? This question opens up a large subject which I could hardly answer, except at considerable length and after serious consideration.
252. Answer it in a simple way: Here are half a dozen farm labourers with large families; you have a difficulty in knowing where to send them. Supposing you could say, "Here are farms of 50 acres each if you choose to settle upon them," would they be likely to accept them? No, for they would have no money upon which to live until they could obtain a return.

F. B. Treant,
Esq.
15 April, 1880.

- F. B. Treatt, Esq.
16 April, 1880.
253. You say some of these men have £200? I was then speaking of tenant farmers.
254. Supposing such an offer were made to a tenant farmer, do you think he would be likely to accept it? I should say yes, speaking from what I have observed.
255. If such an offer were made in the old country, do you think it would be a means of inducing an useful class of people to come out here as colonists? I do.
256. Do you think it would be largely taken advantage of now that you say there is a disposition in the old country to emigrate? The United States, British Columbia, and, more or less, the various Australian colonies are all competing for the class of tenant farmers from the old country, and I think we ought to put out special energies in that direction.
257. Do you think it would be beneficial both to the English people and to this colony to adopt such a plan? I consider the Colonial interests.
258. You think if such an inducement were held out it would be largely taken advantage of? Farming prospects may improve at home, although exceedingly depressed at present; other States may be offering larger inducements. It would depend upon the energy put forth, as to the value of the outcome.
259. All success depends upon the energy put forth. Do you think if this were put forth with energy by this colony, it would be largely taken advantage of? I do.
260. *Mr. Moses.*] How long have you held your present position? Since May or June, 1877.
261. Has the supply of immigrants for the last twelve months been larger or smaller than in the year previous? Smaller.
262. Do you find any more difficulty in obtaining employment for immigrants now than you did in the beginning of your career? Not among the farm-labouring classes.
263. Among what classes do you find greater difficulty in obtaining employment? The tradesmen and skilled artisans leave our control almost immediately after their arrival.
264. You do not find any difficulty in getting them out of the barracks? They do not go into the barracks. The married and single men remain on board ship.
265. Do not the tradesmen come on shore to the hiring-room? Yes, and they return each day to the ship at 1 o'clock.
266. The only barracks you have is the hiring-room? Yes; for married people and single men.
267. They do not hang about depending upon the Government—they get away from the ship within seven days of her arrival? Yes; but by every ship there are a certain number of men who lack self-reliance and who hold on to the ship up to the last moment, and who, if the ship remained here six months would like to stop on board until the last.
268. You have no difficulty in disposing of female immigrants? Not the slightest.
269. Could we absorb a larger quantity with great advantage? Far larger.
270. Persons who nominate their friends are increasing in number? Yes.
271. What class of persons do they generally send for? Mostly farmers and farm labourers, and domestic servants.
272. I suppose that would be a proof that the requirements of the colony are in that direction? Yes.
273. People generally would not send for their friends unless they were likely to obtain occupation when they came? No.
274. Who approves or rejects the applications in the old country? When I was in England it was done by the despatching officer, the emigration agent.
275. Had he any Colonial experience? None.
276. Do you think a person from the colony and who knew the requirements of the colony would be better suited to a position of that kind? Yes.
277. What knowledge of the requirements of the country can a man have who has never been here? He works under certain regulations, but he has no personal knowledge of the colony.
278. *Mr. Cameron.*] Does this emigration agent receive any fees? No, he has a fixed salary. He is an officer in the Agent General's office.
279. Do you remember what salary he receives? It was £300, but it was increased to £350.
280. *Mr. Moses.*] Do you think a person with Colonial experience could be induced to go to London to take the position at that salary? I do not think so, for my own opinion is, the emigration question is such a large one, that it requires for such an office a man possessed of great powers of observation, and of scientific method. I think none of the Australian Colonies have gone into this matter with sufficient thought, energy, and thoroughness.
281. In order to obtain suitable people as colonists should there not be a person appointed who was acquainted with the requirements of the colony to select those who applied for passages? Decidedly.
282. Would it not be better to pay a higher salary to a person so acquainted than to pay a lower salary to one who had no practical knowledge of the colony? Yes.
283. *Chairman.*] How many of the officers who were employed in the office of the Agent General had been in this colony? None.
284. Do you remember how many officers were employed in the office and in connection with emigration? The emigration agent, myself, and when I first entered the office, another clerk. The regulations of 1876 caused an increase in the staff, and three others were taken on.
285. Were they chiefly in connection with emigration? Yes; they had to attend to the ordinary duties of the Emigration Department.
286. What duties had the despatching officer to perform besides those of despatching officer? He at that time examined such applications as came from country and metropolitan districts; and when a certain number of emigrants had been approved, enough to fill a ship, a vessel was chartered and embarkation orders were issued.
287. Upon whom rested the decision as to who should be approved? In any case in which he had any doubt the Emigration Officer would refer to the Agent General.
288. He in the first instance would approve or disapprove? In the first instance he would approve or disapprove.
289. Had he ever been in any of the Australian Colonies? No.
290. Had he ever been out of England? Yes, he had been on board one of Her Majesty's ships of war.
291. In answer to a question of Mr. Barbour you spoke about the desirability of increasing the settlement of farmers in this colony;—do you think that persons having capital at their command would be likely to enter

- enter upon farming in the first instance without previous knowledge of the soil, climate, or markets of the colony? Not persons of small capital—in fact such persons ought not to do so.
292. Do you think persons of large capital would embark in these pursuits without some experience? They would come out and look around them for a time and live economically, as they do in the States of America and in British Columbia.
293. *Mr. Cameron.*] Are the emigrants medically examined before they leave the mother-country? Yes.
294. Since the abolition of these agents what means are employed to get emigrants? I cannot speak from personal knowledge.
295. Do you know officially? No; I believe the applications come direct from the emigrants to the Emigration Office in London.
296. Have you any applications from employers in the building trade at your office for men? Not of late.
297. During the last six or twelve months? We have had some occasionally, not many.
298. You have said that you know now, without consulting the Clerks of Petty Sessions, to what parts of the Colony it is desirable to send these people? Yes.
299. To what locality would you send, say a batch of fifty farm labourers now? Not to any one place.
300. Where would be the more likely places to send them? They would be distributed, and would have their own choice in the matter; but if they were not employed through any of the employers' agents, such as the agents in Sussex-street (for single men might hire outside and be forwarded at the expense of the employers), married couples with grown-up families, of whom some of the children could be employed in milking and other agricultural work, would be sent to the Bega District, some to Orange, Port Macquarie, Grafton, and other places.
301. With respect to tenant farmers, men who come out here with two, three, or four hundred pounds in their pockets, do you think the mere inducement of a free passage would tempt persons of that class to break up their homes and to go to a new and unknown country? No, I should say if a man is doing well at home let him stop there.
302. If a man had four or five hundred pounds were not doing well and wished to go to another country do you think a free passage would induce him to go to a country at so great a distance, or the inducements held out when he got there? If we held out inducements as great as those which lead people now to British Columbia or the United States.
303. Do you think a free passage alone would bring a man to this colony? Not alone to any considerable extent.
304. With respect to the nominations by persons here you say they are on the increase? Yes,—greatly.
305. You say you hold that to be a proof that the country can absorb them and requires the new comers? Yes.
306. Is it not the fact that in many of these cases people here send for their friends from motives of affection, and afterwards employ these new comers where strangers had been employed before? I cannot say.
307. It is quite possible? It is possible, but not probable.
308. *Chairman.*] I think you said you had some observations to make on the subject of colonization generally. You can either make them now or put them into writing and forward them to the Committee? May I respectfully request that any remarks I may have to make may be incorporated in any report that may be made to the Committee by the head of my department, the Agent for Immigration.

F. B. Treatt,
Esq.
16 April, 1880.

Mr. William Roylance examined:—

309. *Chairman.*] I believe you are Secretary to the Trade and Labour Council? I am.
310. What is your occupation? Stonemason.
311. How long have you been in the colony? Between four and five years.
312. I believe the Trade and Labour Council have taken a lively interest in the question of immigration? Yes, we have taken a lively interest in the question so far as it affects the employment of the masses.
313. Could you, on behalf of the Council, furnish the Committee with a statement of the rates of wages prevailing for the different trades and callings in and about Sydney, and as to the demand for men in these several walks of life? I can prepare one and furnish it to the Committee.
314. Can you say of your own knowledge whether any of the assisted immigrants who have been brought out have remained in and about Sydney, and swelled the ranks of the unemployed? Yes, I meet them in the streets frequently. I have known them to leave town and go into the country without obtaining employment. I saw a couple lately who came out in the Wagga Wagga seeking employment, and who had returned unsuccessful. They were big strong fellows who seemed fully equal to a day's work.
315. Of what calling were they? Farm labourers. I believe they were willing to take any work that offered.
316. Are you sure they were farm labourers? Yes, they had been brought up to that at home.
317. How long ago is that? Three weeks or a month since.
318. Have you met with any others in Sydney who have come out as assisted immigrants, and who are now unemployed? I have had them pointed out to me as having come out as assisted immigrants, but I have not cross-examined them.
319. How many of that class have you met? I could not say. I have met them in groups of two or three, and so on in Sydney.
320. Have you met with any at Newcastle? No, I do not know that I have seen them there. I have known them to come there seeking employment as miners and to fail.
321. Were they assisted immigrants? Yes.
322. Are you sure they were not from some of the other colonies? No, you can generally tell the difference from their appearance, their clothing, and general bearing. They generally have a seafaring air about them. You can generally pick them out at once.
323. Have you known many of the assisted class who have been brought out as farm labourers, who were in reality coal-miners? No, I could not speak definitely upon that point, but as to the working of the system generally I know it is done.

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324. Do you think there are many skilled tradesmen in and about Sydney who are unable to obtain employment? Any amount—their name is legion.
325. In what trades particularly? In all classes of building and iron trades.
326. You think the supply of people in these different trades far exceeds the demand? Far. With respect to myself I may say that I was out of employment nine weeks, although I am well-known in town, and could always obtain work until lately. I did not know where to look for work, as there was none going on.
327. *Mr. Cameron.*] If it has been stated to this Committee that in the vicinity of Sydney gentlemen in the building trades had been unable to obtain labour would you credit that? Decidedly not.
328. Could you, if an application were made to you, supply such a person with men? Yes, of any class at the current rate of wages. In fact I may say with reference to wages that although masons wages have been 11s. a day, Mr. Elphinstone, the contractor for the light-house at South Head, has been paying his men but 10s.
329. Have any cases come under your observation where newly-landed immigrants have been employed at a reduced rate of wages, causing the expulsion of hands who had been previously employed? As a rule, I do not like interfering with these people, but I have been told that those who have come out have been employed at lower rates than older residents.
330. Do you obtain that knowledge officially? Not officially, because my work has been such that I could not go into these matters personally.
331. Have you heard that that has been the case in Government departments or on railways? No, not in Government departments.
332. How many stonemasons are there in and about Sydney? Between four and five hundred.
333. Could you give the Committee a rough percentage of the number that would be out of work at the present time? I should say 300 in and about Sydney.
334. Carpenters and joiners;—what condition are they in? A similar condition.
335. Have they lately suffered any reduction of wages? Among carpenters there is generally what we may call a sliding scale of rates, and I believe they have suffered all round. That they are working for less than they would if trade were in its normal state.
336. Does that remark apply to the whole of the building trades? I believe it does, with the exception of bricklayers. They say they have not suffered any reduction.
337. Are bricklayers at the present time pretty busy? No.
338. Are many of them out of employment? A good few, but not so many as carpenters and stonemasons.
339. Can you tell the Committee the average daily wages of bricklayers? The average is about 9s. 6d. a day.
340. *Mr. Moses.*] Do they get only 9s. 6d. a day? There are some getting 11s.
341. Some of them, you say, get as high as 11s. a day? Yes.
342. Their wages vary from 9s. 6d. to 11s.? They go below 9s. 6d., I spoke of the average. I would explain that a great number of boys are employed in the bricklaying trade, and when a lad arrives at the age of seventeen or eighteen he, if he is a strong smart lad, can often lay as many bricks in a day in straightforward work as a man.
343. Speed is a great element in this trade? Yes.
344. What you wish to convey is that a young man of from 17 to 20 years of age can do as much work as an adult? Yes, but he has not the experience, and would not be trusted with a job that would be confided to a more experienced hand, and there is therefore a sliding scale of wages.
345. These men are unable to work in wet weather? Neither bricklayers nor stonemasons can work in wet weather in this country.
346. That would take from their average earnings? Yes.
347. Masons in the mother country do not lose so much time? No, because the shed system is adopted there—working under sheds. We have endeavoured to introduce it here, but it has met with much opposition owing to the apathy of employers.
348. Do you know anything of the condition of the iron trade? Yes, it is very bad.
349. Is it as bad now as, or worse than, it has been at any time during your experience? It is worse, and those who have been in the country a number of years say it is worse than it has been at any time during the last ten years.
350. You are aware that the Government have let a number of locomotives to two firms here? Yes.
351. Are the contractors not yet ready to take the men on for this work? Yes, but it has not yet made the perceptible difference in the employment that was expected.
352. Is not that attributable to the fact that the manufacturers have not the templates and other patterns of the work ready for active operation? No, I do not think it is so much that. I was told it would be months and months before they would get into going order, but they did not attribute it to want of patterns.
353. What did they attribute it to? I did not hear, but it was stated that so many men would not be employed as was at first expected.
354. Statements have been made in the public prints that skilled artisans were so depressed that they were working under the Corporation as pick and shovel men;—have you had an opportunity of knowing whether that is true? I have heard it officially stated that it was a fact, such as engine-fitters. Some of the delegates who have gone round to inquire into the state of trade have reported that good skilled men have offered themselves for any work, such as dressing, or anything to keep the pot boiling.
355. *Mr. Charles.*] You have stated that a great number of tradesmen are now out of employment;—are the wages here uniform with those of other countries, or are they higher here than in England? They are nominally higher here, but as I stated, in answer to Mr. Cameron's question, in reference to my own trade, that although wages in the old country are nominally not so high the amount earned is made up by more regular employment.
356. Tradesmen, I think, were all pretty well employed about two years ago? I think two years ago that was not the case.
357. Do you think if wages were somewhat reduced it would be an inducement for people to enter more largely upon building? No, I do not think it would.

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358. Do you not think the high rate of wages has some effect in preventing people from building? No, I do not. It may a little, but nothing to speak of, because the higher rents make up for the higher wages. There are now a number of unoccupied houses in Sydney. Rents here are far in excess of those paid in the old country.

359. But if there were more houses rents would go down? I do not know that. I see houses now empty, yet rents do not go down. I believe there has passed a general wave of depression over the industrial world, and New South Wales, in common with other countries, has suffered from this, but I believe the suffering here has been aggravated by the immigration policy of the Government here.

360. Do you know the number of tradesmen that have been brought to this colony during the last twelve months by assisted immigration? I have known some in my own trade.

361. Have there been 300 tradesmen brought in by assisted immigration during the last twelve months? I cannot say. When I spoke of 300 tradesmen I referred to those who were unemployed in my own trade.

362. The majority of immigrants who have been brought here have been farm servants? I do not think they are the majority.

363. You think the majority that come in are tradesmen? Tradesmen and labourers, not farm labourers.

364. Would these labourers be of a class whose introduction would be likely to affect the employment of tradesmen? It would affect the particular class to which they belonged. If they were labourers they would affect the labouring class, and if tradesmen, the class of tradesmen.

365. I am speaking of tradesmen. You say there are about 300 idle in and about Sydney? About 300 masons.

366. The introduction of farm labourers or labourers of any class could not affect their employment? No.

367. You seem to say that the introduction of these assisted immigrants has affected the employment and wages of these men? No, I spoke generally when I spoke of the introduction of immigrants as affecting trade. I spoke of the whole trade of the colony, of farm, building, and iron. All classes complained.

368. Do you know of your own knowledge that there is a superabundance of farm labour throughout the colony? Yes, I know plenty of farm labourers about the city who take to pick and shovel work, or do any labouring work about a building.

369. Do you think the city is a place suitable for farm labourers? Certainly not.

370. Do you think if these men were to go into the country they could not get employment? I am sure they could not.

371. Is there any particular district of the colony where you are sure they could not get employment? From official reports of persons who write to me I know it is so, and these reports come to me from all quarters. I had a letter yesterday from Wilcannia in which my correspondent informed me that station hands were reduced from 20s. to 15s., and from 25s. to 20s. a week, and I have the same information from Armidale, from Bulli, and from other places. Men are wandering about the country with their swags unable to obtain employment.

372. Are you not aware that for years past there have been a number of idlers travelling about the country with their swags—men who have no desire to obtain employment? I know there are idlers in all countries; that class of men is not peculiar to New South Wales; but I know some of these men personally, and they are able and willing to do a day's work if they can get it.

373. Have you seen in local papers advertisements stating that employment could be obtained in the country districts? I have seen such but not many; at the same time I do not think there was any necessity for them.

374. You seem to know better than the employers themselves what their wants were? It is not a question of knowing better what they want.

375. If a farmer wants servants and advertises for them, how can you say there is no necessity for advertising? From my experience in Sydney; I know persons to advertise for hands when at the same time hundreds are going about looking for employment. There are certain trades in Sydney in which employers are constantly advertising for hands when they have no need for or intention of taking on any.

376. *Mr. Barbour.*] As Secretary for the Trade and Labour Council, can you state whether they, as a body, object to all classes of immigration? No, we do not object to immigration at all, if it is necessary—that is, the majority; but we desire that only those shall be brought out who are required by the colony. At the same time we consider that there is a superabundance of all hands at the present time.

377. And for a time you think immigration should be suspended? Decidedly.

378. Would that remark apply to female servants—domestic servants? That is a class I could not speak about.

379. As a body, have the Trade and Labour Council any complaints to make with reference to female immigration? Our information is not explicit enough upon that head.

380. You say if proper regulations were adopted. Do you mean if agents in England, acquainted with the wants of the colony, were appointed to select immigrants that would be a step in the right direction? Yes; if there were proper men appointed who really knew the wants of the colony. I had a letter lately from Mr. Joseph Arch, of the Agricultural Labourers' Union in England, in which it was stated that lecturers went about who were not farming men and who knew very little about farming, and that when these men went into agricultural districts the people paid very little attention to them, because they could not give them the information they required with reference to farming in New South Wales.

381. Then the Trade and Labour Council do not object to immigrants of the farming class? We do not object to them if they are necessary; but at present we do not think they are necessary. We believe there are more here than the country can employ.

382. If facilities were given for additional settlement here, do you think that would be an advantage? Yes; I think that would be a great blessing and a boon to the unemployed.

383. Is it your opinion that the country is large enough to absorb any number of immigrants of a proper class if proper arrangements were made? Yes, for distributing them, and giving the men a start when they got here.

384. Do you think if a system were adopted of giving them a chance of settling upon small farms that would be an inducement to persons of the proper class to come out, and would be a benefit to the colony? I think if a proper system were adopted for placing farm labourers upon the land and maintaining them for the first twelve months, hundreds would be induced to come out.

385. You would give them an opportunity of settling upon the land, instead of entering into the general labour market? Yes.

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386. I suppose, from your own experience, you are aware that immigrants who come out here as farm labourers are induced by the temptations of town-life to remain in Sydney in the first instance, and to seek for employment under the Corporation, rather than to go into the interior to seek occupation in their own avocation? Yes; many would be induced first to seek occupation in town.

387. Is not that the reason you sometimes find farm labourers using the pick and shovel in Sydney? That is one reason, but I have known men who have gone up the country in search of employment as farm labourers, who being unsuccessful have returned to seek work in Sydney.

388. If these persons had an opportunity of settling upon land in the country there would be less inducement to them to remain in Sydney? Yes, the prospect would be much more encouraging.

389. Would it not be an advantage if the Immigration Department received information from the Government officials in the interior as to want of labour in particular districts? Yes, if the information were authentic, and from sources that could be relied upon.

390. If upon the arrival of an immigrant ship the department received information from certain districts, "We can take so many," would there not be less probability of these people returning to Sydney? Yes, provided when they got there work was obtainable.

391. You think some system should be adopted by the department before sending immigrants to a district to ascertain whether they were required there? Yes.

392. I suppose the Trade and Labour Council are not always inclined to grumble at a fall in wages if it becomes necessary by depression in trade? We do not grumble at that. We take it as a matter we cannot alter.

393. Do you not think that concession in wages sometimes induces additional employment? No, we do not think it causes additional employment, but that dire necessity may compel it.

394. Are not concessions made with the view of getting additional employment? Yes, because the men must get some wages upon which to live.

395. When trade becomes brisk again and there is an increased demand for labour of course you look for better wages? Wages come up again as a matter of course; but it is a great mistake to suppose that wages rise and fall just as the price of wool or flour according to the state of the market. Demand and supply does not affect the rate of wages as it does commercial commodities. I think the system the Government adopts in the matter of immigration, of running a ship into Sydney harbour, landing immigrants on the Circular Quay, and leaving them to take their chance either in the country or in town is a most objectionable system. The only provision made for them is that they are given a railway pass to some strange place in the country where they have never been before, and where they have no friend to advise them. I think a Labour Bureau should be formed, and some attention should be paid to these people after they are landed. I know the case of one tradesman who after walking about the town trying to obtain employment at his trade was obliged to take a situation as boots at an hotel.

396. You think some arrangements should be made for supplying the Immigration Department in Sydney with information as to the wants of the interior? I would take it out of the hands of the Immigration Department. I would have a Bureau, whose duty it should be to look after these men who come here.

397. *Mr. Moses.*] I suppose you are aware that Government does make some provision for these people by giving them free passes to enable them to go into the country? Yes.

398. Also that a number of them are sent for by their friends, who are in a position to receive them and to advise them upon their arrival? Yes.

399. Are you aware that the number of depositors who are sending for their friends are increasing very rapidly? I have heard the number has increased.

400. Do you think they would do that if they were aware that the country did not require farm labourers? I do not think that is a criterion, as many of these persons are sent for by their friends or relatives from motives of affection.

401. What parts of the country are you acquainted with? I have said before that I have lived in Sydney and Newcastle.

402. You are scarcely in a position to give an opinion of the requirements of the interior if you have not been out of Sydney or Newcastle? It is not necessary to go to Wagga to know what is wanted there. I have read Government hand-books and reports, and made myself acquainted with the subject in a variety of ways, and we must depend for most of our knowledge upon the information derived from others. I have never been in the United States, and yet I have made myself acquainted with the circumstances of that country through the medium of books and other sources of information.

403. From your personal knowledge you do not know much of the wants of the interior? Perhaps not. I have been to Bathurst and to other places.

404. How are bricklayers engaged; by the day or by rod? By the day.

405. I suppose you are aware that a bricklayer can earn much more than 11s. a day if he takes work by the rod. How much can a first-class workman earn a day taking work by the rod? The prices are not fixed by the Trade and Labour Council; it is a gross error to suppose that they fix or interfere with wages at all.

406. *Mr. Cameron.*] They only collect information and exercise their influence in favour of the men? Yes, and prevent strikes by a system of conciliation.

407. *Mr. Moses.*] You have a current rate of wages I suppose? Yes, we have a current rate of wages; for instance, the current rate of wages for masons is 11s. a day, but we know that a number of men are working for less.

408. For bricklayers? The wages are 11s.

409. At per rod? We do not recognise that system; the contractor takes it at per rod.

410. What are the wages of bricklayers' labourers? 1s. an hour.

411. How many hours do they work in the day? Eight hours.

412. Is that a full eight hours? Yes.

413. From the time of commencing to the time of leaving off? Yes, the meal hours intervening. They work eight hours and are paid for eight hours.

414. Do the men in the iron trade work eight hours? Yes, in most of the branches.

415. Do any work less? No.

416. For instance if the men are employed outside the manufactory? Do you mean jobbing?

417. Yes. Is the time deducted from their leaving the factory until they get their time ticket? The man generally goes to the works and books his time, and then goes to his job.

418. Is the time occupied in going to the job and returning to get his ticket included in the work? Not generally. On the first morning it may be charged but afterwards he charges his usual time. Mr.
W. Roylance.
419. You say there are 400 or 500 masons in and about Sydney and its suburbs? I speak approximately.
420. Of that number about 300 are out of employ? Of course it must be borne in mind that this is a constantly migratory class. 16 April, 1880.
421. That would leave about 200 who are employed? Yes.
422. How do you account for the depression in trade? I account for it partly through over speculation, and partly through the state of the political atmosphere at home and on the Continent.
423. In the iron trade? I attribute all to the same causes.
424. Do you not think that the importation of a large quantity of engines has somewhat caused the dullness in this department of trade? It has intensified it.
425. What are the working hours in your trade in the old country? 48½ hours in some towns, 50 in others, and 54 in others per week.
426. What are the working hours here? 48 hours.
427. Does the same apply to the iron trades? 54 hours at home, 48 hours here.
428. Do you not think if the men here were to come down in the rate of wages, or to increase the number of hours, it would prevent the bringing out of such a quantity of machinery as is now imported? I think it would make matters worse. Suppose eight men were to work nine hours a day instead of eight, it would enable the employer to do without the ninth man.
429. Should we not be in a better position to compete with outside manufacturers? That is a matter of speculation, but the other is a matter of certainty.
430. Do you think there is any chance of improving the present position by still holding out for the rate of wages and for shorter hours? I hardly understand the question.
431. You say that in England the men employed in the iron trade work 54 hours a week at a lower rate of wages than is paid here—do you not think if wages were reduced a little here, and the men worked a greater number of hours employers would be in a better position to compete for the trade which is now sent away? I do not think it would make any perceptible difference.
432. Do you not think it would be better for the men to have full employment at a lower rate of wages than only partial employment at a higher? It is a mere speculation whether they would obtain fuller employment; I have heard this argument in England, where it has been tested, but it has always fallen through; a capitalist would not invest his money in building, for instance, unless he had a prospect of return? He could build at a low rate now—he never had a better opportunity.
433. You say that at the lighthouse the wages of the men have been reduced from 11s. to 10s.? Yes, that is an all round reduction, and I have heard that there has been a reduction made in the wages of the men at Mort's dock; men, as a rule, do not like to say that they are working at lower wages than the ordinary rates, and we do not hear about it.
434. What is your recognized rate? 11s. a day.
435. *Chairman.*] You have stated that there has been a wave of depression over the whole world? Yes.
436. Do you think New South Wales has suffered more from that depression than any other country? I do not think it has, excepting so far as it has been affected by local circumstances; I think the immigration system has aggravated the evil very largely.
437. Have you seen any signs of reaction during the last three or four months? Not a permanent one.
438. Have you seen evidences of greater activity in the building trades? In the building trades there may be signs of a little activity.
439. Do you know that in consequence of the restoration of confidence capital is more abundant than it used to be? The money market is not so tight.
440. Are you aware that the banking and building companies have reduced the rate of interest for deposits? I am not aware.
441. Are you aware that the deposits in the Post Office Savings' Banks and other Institutions of the same spirit indicate the possession of a large amount of money among the industrial classes? Not more than usual.
442. Has your attention been drawn to the fact that as far as returns afford a criterion we have a greater amount of deposits per head for what may be called the industrial classes, than they have in most other parts of the world? You mean comparatively; no.
443. With regard to the reduction in wages, do you find that the cost of living has been at all affected by these changes? I think not—I think it is about the same.
444. Do you think the cost of living is as low here as it is in England? Upon the whole I think it is about the same, taking one thing with another, except with respect to clothing. I think good clothing is much dearer here than at home. What we call slop clothing is about the same price.
445. I think you have stated that you could give a list of houses now to let;—in what locality are they to let in Sydney? I passed two down in William-street, on the east I think.
446. Houses for the working classes? I do not know whether they are called houses for the working-classes—working men often live in houses of six rooms, and let out a portion of them to others. Further up the street I found two or three others.
447. Are you aware that visitors from the other colonies, particularly from Melbourne, have remarked how very few houses there are to let in and about Sydney? No.
448. Have you been in Melbourne at all? No; in reference to house property I had a letter from an official in the Council at Newcastle, stating that there were a large number of houses to be let there.
449. That does not apply to Sydney and its suburbs? No.
450. Are you aware that there is an immense amount of suburban property owned by mechanics wholly or in part, through various building societies? Yes.
451. Are you aware that that class of property is rapidly extending? Yes.
452. *Mr. Cameron.*] Are you aware of the manner in which railway contracts are carried out in the Colony? Yes; I have not been employed upon a railway, but I have received complaints.
453. What has been the nature of those complaints? What has been complained of most bitterly is the system of advertising for hands in the city papers where they have not been required; and the men have found after travelling into the country that they have not been required. Some parties seem to have a system of keeping a standing advertisement in the city papers.
454. Can you name to this Committee any particular railway contract in connection with which there has been this standing advertisement? Yes; both north and south—Junee and Narrandera, and the section between Tamworth and Gunnedah. Persons have told me that they have seen these advertisements in the city papers; when they have gone to these places there have been no such advertisements in the local papers, and upon application at the works they have been told they were not wanted.

WEDNESDAY, 20 APRIL, 1880.

Present:—

MR. BARBOUR,
MR. CAMERON,MR. CHARLES,
MR. DAY,

MR. JACOB.

J. F. BURNS, Esq., IN THE CHAIR.

Mr. Henry J. Windon examined:—

Mr.
H. J. Windon.

20 April, 1880.

455. *Chairman.*] You are secretary to the Amalgamated Society of Engineers? Yes, to the Sydney branch of it.
456. What is your own occupation? I follow the occupation of iron turning principally.
457. Are you in business on your own account? I am working for one of the Sydney firms.
458. Have you been long in the colony? Twenty-eight years.
459. In what part have you spent most of that time? Most of the time in Sydney, very little out of it in fact.
460. Have you seen much of country districts? No, very little, having served my time in Sydney; of course I have been occupied in my business here.
461. *Mr. Cameron.*] How many members have you in the Amalgamated Society of Engineers in Sydney? About 270.
462. Are there branches in other parts of New South Wales? There is one at Newcastle, and there are branches in all the Australian colonies.
463. Are there not in fact all over the world? All over the world; there are over 400.
464. Do you, as Secretary of the Society in Sydney, correspond with the iron-workers of the mother country? Yes, monthly.
465. Could you tell the Committee how many branches of the iron trades are admitted into the Amalgamated Society of Engineers? The turners, fitters, millwrights, pattern makers, planers and borers, and blacksmiths.
466. That comprises the whole of the engineering branches? Yes.
467. You make provision, do you not, in your society's rules, for bringing workmen from one part of the world to another if periods of depression exist in particular places? Yes, we have rules to that effect.
468. If there were a demand for extra hands here you would place yourself in communication with the authorities of the iron trade in the mother country to supply that demand? Yes.
469. Can you tell the Committee what is the state of trade in the various branches of the iron trade just now? It is very bad, and has been for the last twelve months.
470. What is the average rate of wages for the various branches of your Society? So far as our Society men are concerned—into which a man is not admitted unless he is a good average workman—the average wages is 14d. an hour in Sydney; that would be rather above the average paid in Sydney.
471. Is 14d. an hour paid to turners, blacksmiths, millwrights, and all the various branches? I think it would be a little higher if you take all the branches together, and it might be a little below if you take a single branch. For instance, pattern makers, who are few in number, may some of them receive 15d. an hour; perhaps 14½d. would be a fair average to take in their case.
472. Can you give the Committee any idea of the number of iron-workers in Sydney altogether—men who are employed in the iron trade? I think I am within the mark when I say 600 engineers, boiler-makers, from 200 to 230, moulders in Sydney and its suburbs from 120 to 130, pattern makers somewhere from 70 to 100, blacksmiths I could hardly say with any degree of accuracy, but I know there are a considerable number of them.
473. Do you think that the men who are employed in these trades at any time have found fault with the introduction of men of the same trade by assisted immigration? I might almost say that they always find fault with it. For instance, take our own society; it causes a great expense to our society, from the fact that if our members come out here the Sydney branch has to support them before they get employment. They obtain a travelling card in England from their various branches, and on their arrival here these are placed in my hands, and the parties are entitled to the benefit of the society, the same as if they were in England.
474. How does that entail expense? In this wise: It places a larger number on our books while they are waiting for employment, often from three to six months. At the present time there are I think I can count six or seven men who have not done a hand's turn for months together, as far back as the time of the arrival of the "La Hogue." One of these is a man named Hartley.
475. Do you know any number of skilled mechanics who have been compelled from the depression of trade to take employment as ordinary labourers? Yes, several I can name at the present time who are at labouring work and dressing castings in foundries, and as blacksmith's helpers.
476. Statements have been made in the public press, from time to time, that skilled mechanics have been compelled, in order to get a living, to take to pick and shovel work on our railways and under the Corporation. Are you aware of any such cases? I know of two instances under the Corporation. I know too that men go into the country and seek for employment and sometimes write to me that they are compelled to take to the pick and shovel.
477. Have you had any considerable addition to your ranks for the last two years from assisted immigrants? Yes, by almost every vessel there are never less than three or four, and sometimes as many as six; three arrived by the last vessel "Norval," which in the latter case entails an expense of at least £3 a week upon the society.
478. Your society is not so much a *bond fide* trades' union as a society to provide for sickness and distress among its members? Its principal objects are to provide for members out of work, for old age and sickness. I have brought with me a few of our latest annual reports which I shall be glad to give to the members of this committee, and a copy of the rules and the last monthly report I am in receipt of, from which report it will be seen that although this society has been adversely criticised the Honorable W. E. Forster acknowledged that it had been of some advantage to England.
479. Have not the Government at the present time a number of locomotives being constructed in the colony? Yes.

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480. Will not that have the effect of increasing the amount of employment in the iron trades? I was in hopes it would have done, but from the statements I have received from some of the employers it will not make the difference I had expected. They say it will not increase the numbers of men employed in the various shops by more than four or six fresh men in the different departments in those shops which are confined to this job, because they had previously a sufficient number of hands.
481. If that contract were doubled do you think there are a sufficient number of hands to carry out the work? *That has reference to the engineers; it would require extra hands for boiler-making.
482. I would wish you to speak of the iron trade as a whole. Could you give the Committee any idea of the number of iron-workers at the present time out of work? I feel convinced that there are at least 200 engineers, and I suppose of boiler-makers, who number from 200 to 230, there are half; of moulders, there are a large number out of work, and of pattern-makers also; and of blacksmiths a very large number.
483. You have for some years been connected with the Trades Associations of this city? Yes.
484. Have you any knowledge of the state of trade in the building trade? From all I can learn I believe it is very dull, and has been for some time past.
485. Statements have been made here that out of about 450 or 500 masons in the police district of Sydney some 300 are out of work;—would you think that a correct statement? I should think that rather exceeded the number. I would not like to say there are not so many, but I am about the city every day going to work and to my meals, and I hardly think there can be so many. I know there are a large number, but I do not think it would amount to that.
486. *Mr. Day.*] What are the objects of your society? Principally to assist its members when they are out of work, to provide for sickness and for old age, so that when unable to compete with their fellow-men they may have a superannuation fund to fall back upon.
487. Are you bound by your rules to give assistance to all your members who are out of work? To all our members who are out of work who are entitled to it by keeping their payments up.
488. They would not be members, I suppose, unless they kept their payments up? They can go to a certain limit without ceasing to be members. A man is not entitled to receive the pecuniary benefit if he allows his unpaid contributions to exceed 10s., and some instances 14s. He would then have to go without the benefit for a month. These provisions are made to compel members to keep up their payments and maintain the fund.
489. Are you bound to afford assistance to all members whose names are on the books? Yes, if entitled to it.
490. What assistance do you give them? 10s. a week for fourteen weeks, 7s. for thirty weeks, and 6s. as long as they may be out of work even if it should be for the rest of their lives. Of course while they are in receipt of the benefit they are not expected to pay.
491. Have you any notion of how many are on the books? Within the last fortnight, through the energy of the men in employ, they have decreased a little; but I find this morning on looking at the book they have increased by five. Almost every week we have men who come from the other colonies encouraged by the idea that they will be required in the construction of a large number of locomotives.
492. How many are there on your books who are now getting assistance? Seventeen this week. At the latter part of last year and the early part of this we had twenty-five to thirty, causing an expenditure of £15 or £16 per week for donation benefit alone, as shown by my books for the week ending January 30th; besides these we had the sick and superannuated on the 30th January. We have not so many now. One cause of the decrease in the numbers is that some of those belonging to our society, who have come out as assisted immigrants, after tramping over the country in search of employment, and seeking it in vain, have returned to England. I know two or three who have gone by each trip of the Orient Line of steamers at 1s. a month. I know one who went home by the "Garonne" as a coal-trimmer.
493. Have you any way of finding out whether these men have been offered fair wages? Yes, they would be compelled to take them or to forfeit the benefits of the society if they refused.
494. How do you find out if they have been offered and have refused? Because if they applied at any shops where there were members it would be known and would be sure to come to me.
495. They do not apply to the members but to the employers. Supposing an employer were to offer fair wages and these men were to refuse how would it be known. Have you any means of finding out whether they refuse a fair rate of wages? Sometimes the employer himself will mention that he has offered a man work, and he has refused it. In such a case the man loses the benefit of the society. As an instance: Not above six months ago a man declined to work for the wages offered, and as the rate of wages offered was within the average allowed, he forfeited his donation.
496. Then you have no certainty at all that some of the members on your book who are getting assistance have not refused work at a fair rate of wages? I feel confident from the condition of the men that they would not refuse it—they would be too glad to get it. A man met me no later than this morning, and told me he had got a job to dig a drain at the lower end of Druiitt-street.
497. From your position as secretary to the Amalgamated Society of Engineers are you in a position to give us some notion of the state of the labour market with regard to immigrants when they come in? Yes, I think so.
498. What has been your experience with regard to those people getting employment when they come into this colony;—have you found that large numbers have not been able to get employment? Yes, I have always found it so.
499. Then if the Immigration Agent has said that is not the case he has not stated the truth? Undoubtedly he has not stated the truth if he has said that they get work, for I am in a position to state that they cannot get it.
500. If the Immigration Agent has stated that the whole of the shipments of immigrants who have arrived here lately have not remained above a day or forty-eight hours but have found employment, would that be incorrect? It would be undoubtedly; I have no hesitation in saying so.
501. Is it within your knowledge that those who have not found employment have communicated with the Immigration Agent? I know they have, and that he has given them a pass to the country.
502. I suppose your information would be principally with reference to engineers and those belonging to your association? Yes, principally to those, but our members are scattered about, and are in contact with others

*NOTE (on revision).—This answer is intended as a qualification of the previous one, while the answer to the last question should be simply "Yes."

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503. Did I understand you to say that if work were plentiful here you would communicate with the 400 other branches and tell them to send out men? It would be my duty to do so.

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504. You do communicate with these societies and tell them when labour is plentiful? Yes, each of the branches communicates with the head office, and each branch is supplied with these reports.

505. Do you often have occasion to communicate with the head office that labour is plentiful here? Seldom from Sydney, for we have always sufficient hands to do the work. As a sufficient proof of that I do not think any member of the committee can point to an advertisement from any of the Sydney engineering firms for an engineer, excepting perhaps, for one of a second-class on board a small steamboat, within the last two years. I may say that a little while ago, in consequence of the good harvests there, trade was pretty brisk at South Australia, and they were short of hands, and in accordance with the rules of our society the secretary of the branch there wrote to me, and we sent five away. Two of them found employment about a fortnight after, and the others a little later.

506. *Mr. Jacobs.*] Do the members of your society fix the minimum rate of wages? Yes.

507. Periodically, according to the state of the market? Yes.

508. Supposing members refused to receive this minimum rate, would they cease to be members? They would have to show that they were competent and able to earn a higher rate.

509. If these men went to be pick and shovel men would they take a less rate? They could take what they liked.

510. And remain members of your society? Yes.

511. As engineers they are not allowed to take less than a certain amount—as labourers they are? Yes.

512. What they get as labourers is just to keep body and soul together? Yes, that is what they take it for.

513. Just to obtain a mere maintenance? Yes, those who take to labourer's work are employed chiefly in inferior grades connected with their own trade; for instance, dressing—in moulder's shops—the castings. Of course engineers are better able to adapt themselves to work of this kind than unskilled labourers from their general knowledge of engineering.

514. Then your society keeps up the general rate of wages for engineers? For their own members; they do not interfere with any one else. But in saying that they keep up the rate of wages, I wish it to be understood that the rules are not immutable. For instance, now that trade is bad and there is an evident desire on the part of employers to reduce the rate of wages, I believe it will be found that the average is lower now than it was. Six years ago the rate was 14½d. an hour, now it is 14d.

515. *Mr. Barbour.*] Is that your average? That is the minimum.

516. There are higher rates than that paid? Yes, with reference to the rates of wages we find no fault with the Monthly Labour Summary sent away, with this exception, that a larger number is represented as receiving the higher rate than is really the fact.

517. What is the maximum rate at present paid? There is one man to my knowledge getting 17½d. an hour, but he is a brother of his employer. That amount is put down in the Labour Summary, but it is quite an exceptional case. A few get as much as 16d., 15d., 14½d., and some down to 1s. and 11d. an hour.

518. Are these men working in accordance with your rules, who are working for 11d.? The only men who are working at these rates by permission of the Society are young men who have just served their apprenticeship. They are allowed to come in as junior hands at 1s. per hour for a certain term until they have qualified themselves for the higher rate.

519. Is there plentiful work for men as labourers? I should think not.

520. It is dull for labourers as well as for tradesmen? Just so.

521. *Mr. Jacob.*] Of course you speak of Sydney? I speak of Sydney.

522. *Mr. Barbour.*] Supposing your members go into the interior have you any cognizance of what they are doing,—do you control them in any way? Yes, they are bound to correspond with me as secretary to inform me as to their whereabouts. Of course if they are out of work we must have an authentic document to that effect if they apply for assistance.

523. If they go into a district where there are no established engineering shops, and can get only occasional work, would they then be regulated by your rate of wages? No, we do not compel them to adopt any particular line of action when they get into the country, knowing that they can only obtain casual jobs.

524. Your opinion is that at the present time there are plenty of tradesmen in the colony? Yes, I believe so; indeed I am sure of it.

525. Do you think there is an opening in the colony for any description of labour at all? That is a matter of opinion. I believe the colony is large enough to receive a considerable number of people, and as we all live for each other, if the proper kind of people were to come there would be room enough for them, and be a benefit to the country.

526. Then you do not object to immigration of a proper description? No; but so many come out who, according to my ideas, are not of the proper description, but possibly my ideas might not be accepted.

527. It is your ideas we want to get? There is one point upon which I have a strong opinion, and it is this, that there are now such improved means of communication and facilities of transit that people are able to come out here if they desire to do so,—that is, people who would be likely to be a benefit to the colony. The cost is now so trifling that people could come out at their own expense, and that it is a waste of public money to expend it in bringing them here.

528. What I want to know is whether in your opinion there is any class of immigrants who would be beneficial to the colony if we continued to bring them out under a similar system to the present. You think it is not advisable to bring out tradesmen? I am fully of that opinion.

529. For example, do you think it would be advisable to bring out people of the farming class? I am afraid they lack the great thing that is needful—Colonial experience. They would find the circumstances of the colony so different from those of the country they had left that they would be of little service when they arrived. They would also require considerable assistance when they arrived here unless they had means of their own at their disposal for a time to enable them to look about.

530. Is not that a common thing with people of all classes who come here—they cannot jump at once into the position they like? I admit that.

531. With all these conditions do you think there is any class of immigrants who would be useful and beneficial to the colony if they were brought out? I incline to the opinion that the agricultural class would be the most beneficial to the country, provided there were a sufficient inducement, but I do not think the mere fact of an assisted passage being offered would be sufficient; I think it would be necessary to support them for a while after their arrival here.

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532. Do you think if farms were offered them on their arrival that would be an inducement? I think it would be more useful to give them to those who have come here and have helped to make the colony what it is.

533. Your experience is principally confined to Sydney? Yes.

534. Do you think the country should still bring out female servants? From all I can learn, by bringing them here we are only increasing the people somewhere else. There seems to be the same cry all over the world.

535. What is the cry? That servant girls are scarce. I know as a fact that in my own humble sphere of life it is difficult to get a female servant if I want one.

536. Do you not think the country could absorb a number more of them? I believe there is room for them, and that they could obtain employment.

537. *Mr. Jacob.*] You think we should increase the difficulty in the places whence they came? Yes, I think we should shift the difficulty merely.

538. You think there is a scarcity of female domestic labour. I think so, from what I gather from the public press.

539. *Chairman.*] I think you said you send home a regular report of the state of business in your own particular line, to your societies, which are affiliated throughout England? Yes.

540. In the face of your reports that trade is so bad here, how can you account for a number of men in your trade still coming out to this colony as assisted immigrants? I can to a certain extent by their being induced to believe that the reports are not true.

541. Although you have authenticated them? Just so. They have been told that they could not be sent out as mechanics, but if they liked to apply as farm labourers they could go, and they have so applied, and have come out as farm labourers.

542. Do you know of your own knowledge that any parties in the iron trade have come out as assisted immigrants, as farm labourers or agriculturists? There are three I know who have gone back again. They went back as coal-trimmers.

543. Do you know of your own knowledge that they were in the iron trade, and that they come out as assisted immigrants under the designation of agricultural or farm labourers? From what they told me.

544. You have only their word for it? I have only their word for it.

545. How long ago is that? Within the last eighteen months these three cases have occurred.

546. Have you known men in the iron trade who have had to come to pick and shovel work? Yes.

547. Were they persons who had come out here notwithstanding your reports of the bad state of the trade here? Yes. The first question I put to them when they arrive here is, what brought them out and if they had read my reports.

548. Are you sure that those who have had to take to pick and shovel work have been assisted immigrants? Yes, they have come out in immigrant vessels. There is one notable case which I am sure Mr. Wise would know because the person has given him a great deal of trouble. His name is Robinson, and he came out in the "Nineveh." He was assured he would find an opening upon his arrival, but he has done very little work since he came here.

549. I think you stated in answer to Mr. Barbour that work for labourers in Sydney was dull? Yes.

550. Do you state that from any knowledge of your own? Yes, from my personal knowledge.

551. You also said that the means of communication and transit between England and this colony were now so easy that a person disposed to immigrate could easily do so;—do you know the cost of immigration? From £16 to £20.

552. Is not that a large sum in the estimation of the industrial classes in England? I admit that; but I qualified what I said, and stated that persons who were able to pay for their passages would be of greater value to the colony, as they would more likely be able to provide for themselves for a time while they were getting used to the colony, and obtaining means to subsist afterwards.

553. Is it within your knowledge that most of our successful agriculturists have come out here as assisted immigrants? I am not prepared to say that. I have no definite knowledge on the subject.

554. *Mr. Cameron.*] There are a large number of labourers employed in the iron trade in Sydney? Yes.

555. Can you tell the Committee the rates of wages paid to them? From 28s. to 36s. a week blacksmiths' strikers, boiler-makers' helpers, labourers about the yards, and so on.

556. They average from 28s. to 36s. a week? From 33s. to 36s. a week for the better class of labourers.

557. Are many of them out of work? Yes, a great number.

558. *Chairman.*] Have they been long out of work? I know some who have not done any work this year, beyond a day or two occasional work for the Corporation.

559. Do you know many? Yes, personally, I know twenty.

560. *Mr. Day.*] Who have been out of work all the year? Who have not done anything all the year? I know mechanics who do not belong to our society who would gladly take any wages they could get at labouring.

561. *Mr. Cameron.*] Have you ever heard of cases where Trades Unions have paid immigrants landing here not to go to work, when they were offered good wages? No, never.

562. You are pretty well acquainted with the rules of these several Unions? Yes.

563. Do you know any Union in this city which does this sort of thing at all? No, I am not aware of any.

564. If you heard a statement made that that had been done by any Trades Unions, would you say that that statement was untrue? I would unhesitatingly say it was untrue, for this reason, that none of the Trades Unions have been in such a position as that they could keep men from work.

565. *Mr. Day.*] I suppose you have plenty of experience among immigrants who arrive in this colony? Yes, particularly those connected with our line, but I see a great deal of those outside, many of whom come in contact with me, and are introduced to me as shipmates by those belonging to our society.

566. I suppose you make it a practice to learn all you can in regard to assisted immigration? I do not make

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make it a special duty, but I glean casually, from the men with whom I come into contact, a good deal of information, and knowing as I do that so much money is spent, I have taken the matter into consideration.

567. Do you hear any complaints among those men with whom you have come into contact, as to their having been deceived by the Agent General with regard to the rate of wages in this colony? Not as to the rate of wages, as to the prospect of employment I have.

568. Have any of the men complained that the Agent General has misled them? Yes, they have said that the Agent General told them they would have no difficulty in obtaining employment.

569. Although when they said this they were out of employment and had been seeking it for some time? Yes.

570. Have you many complaints of that kind? Perhaps as many as a dozen or fifteen. I had one only a week back from a man who was induced to come out. He is a German, and he told me that before he came out he went and saw the Agent General, Mr. Forster, whose name he mentioned and told him that he was a locomotive engineer. Mr. Forster told him that he was just the man we wanted, that he would readily obtain work, and gave him a letter to Mr. Wise. He also gave him his credentials copied from the German into English.

571. *Chairman.*] Did he get employment? He is now employed, but not by the Government; he is a first-class workman.

572. *Mr. Day.*] From what you have heard from the immigrants who have come into communication with you, have you reason to believe that the Agent General has misled them with regard to the rate of wages or the prospect of employment? I should not like to say as to the rate of wages, but with regard to the prospect of employment I have reason to believe they have not found it exactly as they have been told.

573. Have you ever heard a report in Sydney that some of these men who are walking about without employment have said that they did not want any work because the Society is keeping them? No. I know that no member of the Society dare do it. It could not be done without my hearing of it from some one, and the parties would soon be punished, as according to the rules no member is allowed to be insolent to an employer, or to boast of his independence as a member of the Society, either to his employer or to any one else.

574. *Mr. Jacob.*] Have I drawn a correct inference from your answer to Mr. Barbour, that from your practical experience, reading, and knowledge of the labour market, it is not desirable to continue assisted immigration? Yes, that is my opinion.

575. Have you any objection to labourers coming out if they have the means of paying their passages and of providing for themselves for a short time after their arrival. Do you not think that the field is wide enough? Yes.

576. Do you not approve of assisted immigration as at present carried out? No, I do not.

577. *Chairman.*] Your objection has special reference to mechanics because you think the market is fully supplied? Yes, and to labourers generally.

578. You have no knowledge of the demand for labour in the country districts? No personal knowledge exactly, but I learn from our members who go into the country.

579. Your members are mechanics? Yes, but they are prepared to take other labour in many cases. I have an instance in my mind of a first-class mechanic who is now employed as a labourer at Messrs. Brown's City Iron Works. He went up to work as a labourer on the railway extension at Hanging Rock, and had not been at work above a fortnight when one of the contractors came up, and in a fit of anger discharged him and over fifty others. This is only three weeks back. The consequence was that these men had nothing to fall back upon.

580. These were all railway labourers? Yes, but the man to whom I refer was a mechanic who had gone up seeking work.

581. *Mr. Day.*] Have you endeavoured to obtain correct information as to whether that statement was true. Did you seek any confirmation of the statement? No.

582. It might not be true? It might not, but I have every reason to believe it is.

583. Did you make any effort yourself to find out whether it was true or not? I did not.

584. Is the man in Sydney now? Yes, his name is William Riddell, and he is working as a labourer at Brown's City Iron Works. I know he is a man who would not tell an untruth with reference to this case. He is a married man with a wife and children.

585. *Chairman.*] You think the labour market is well supplied both with mechanics and labourers? Yes, we always have an influx from the other colonies.

586. An influx both of labourers and of mechanics? Chiefly of mechanics; labourers are hardly in a position to bear the expense, unless they are single men.

587. How can you account for this migration of mechanics from other colonies if trade is so bad here. Would they be likely to come to New South Wales unless they thought there was a better prospect of obtaining employment here than in the colonies they were leaving? I have asked the men when they have brought their travelling card to me why they had come here, and they have said it was because they thought they had a better chance of getting back to England from Sydney.

588. You say there are a large number of mechanics constantly arriving from other colonies—how long has that been the case? During the last 12 or 18 months. The report that we were about to construct 100 locomotive engines brought engineers, boiler-makers, moulders, and others connected with the iron trade; and the Exhibition brought carpenters, bricklayers, and others in the building trade.

589. The cessation of work at the Exhibition must have caused some disturbance in the market both for persons in your own trade, and labourers also? Yes, it did.

590. From an answer you have given I infer that before the Exhibition building was commenced people were coming from other colonies to New South Wales? Yes, trade was declining to some extent, but it seems to have got much worse since such a large amount of machinery has been imported.*

591. Are you aware that trade has been dull all over the world? Yes.

592. Must it not have been somewhat better in New South Wales than in other colonies to account for the large number who arrive here from those colonies? I am of opinion that New South Wales has been better for trade generally.

593.

* NOTE (on revision):—This answer refers to the state of trade prior to the commencement of the Exhibition, and is in no sense an answer to the question as quoted.

593. Now, at the present time? No, I think they are all on a par just now.

594. It has been better here, you think? Yes, the majority of our manufactories are better, have had better trade, no doubt.

595. When do you think the decline in the prosperity of this Colony as compared with others took place? I am not prepared to say there has been a decline in the prosperity of the Colony to such an appreciable extent as there has been in the particular trades lately.

596. Do you think that all the demand for skilled mechanics can be supplied from the other colonies? Yes, and from the surplus labour within this Colony.

597. Do you think there will be still a tendency on the part of mechanics to come to New South Wales from other colonies? Yes, I do, because the colony has been in existence longer than the other colonies. It is generally thought there are more avenues of employment in the various departments of trade, and there is an opinion very general that men can obtain work more readily here.

598. If there had been this general opinion, and time had proved it to be false, would not this have led to the cessation of this immigration? I can hardly say that, because we have constantly in our report to England tried to prove that there was no work here—still assisted immigrants come.

599. Are you aware that the men who are now walking about Sydney unemployed are assisted immigrants? Yes, those whom I know are principally mechanics.

600. How many mechanics do you suppose have been brought out as assisted immigrants during the last 18 months? I am hardly in a position to say, but from six to ten by each vessel.

601. *Mr. Cameron.*] Of your particular trade? In the iron trade I think the "La Hogue" brought out ten in the last batch.

602. Did they come out as mechanics? I do not know whether they came out as mechanics, but they announced themselves as mechanics when they came.

603. Do you think the depression in your trade arises from the influx of these assisted immigrants or from persons coming from other colonies? From immigrants principally, for this reason, that they are not so well prepared to hold out as those who come from the colonies; they do not know the rates of wages and are glad to take anything that offers. Besides, when immigrants arrive by the same ship, two or three families will live together at first until they are able to get separate homes.

604. *Mr. Barbour.*] Did I understand you to say that the wages of labourers in iron yards was 28s. a week? From 28s. to 36s. a week.

605. Does the 28s. a week include board and lodging? No.

606. 28s. a week is only 4s. 8d. a day? Yes, and many a man thinks himself lucky to get five shillings a day. These are unskilled labourers.

607. Do you know what is the usual rate of wages for labourers at pick and shovel work on the road? From 6s. to 6s. 8d. I think.

608. Is not about 7s. the average? I think not. From the reports I have seen I believe the Corporation pay to hands who have been some time in their employ 7s. a day, to others 6s. 6d.

609. How do you account for labourers in iron yards being satisfied with 4s. 8d. a day when labourers at work outside in the open air get 7s.? I do not wish you to understand that the majority get only 4s. 8d.

610. The highest rate you say is 36s., so that the average would be about 33s. or 5s. 6d. a day? Yes.

611. Are these men who are working alongside tradesmen who get a much higher rate of pay satisfied to remain as labourers at 5s. 6d. a day, when people outside are getting 7s. a day as labourers? They would gladly take 7s. a day, but the men who are employed by the Corporation are only those principally who are known to the aldermen or officers. Besides there is not a large number employed by the Corporation.

612. Are these rates of wages paid to youths or to men who are capable of doing a man's work? 4s. 8d. a day would be given to young men of from 20 to 22.

613. These rates are paid only to lads not to men? There are plenty of men, married men with large families, who are in receipt of not more than 5s. a day.

614. Is it likely that these men whom you describe as tradesmen would be willing to work as labourers in an iron yard at 36s. a week when they could claim assistance from your society as mechanics? They would have to prove their right to assistance before they could get it.

615. If the assistance had not been there, and the big wages had not been there, would they not have been satisfied with the small ones? They would not have worked at the trade for it.

616. Not if the big wages were not there? If those were the only wages to be had. But if a workman knew that his fellow-craftsman received higher wages he would be likely to ask for the same.

617. There is the probability that these men came out intending to be satisfied with the labourers' wages, and when they found tradesmen's wages were so big they determined to rank themselves as tradesmen? I do not think that line of argument exactly the thing, for they may have represented themselves as labourers in order to get here; thinking we had got the work in our own hands they have when they have come here determined to take their stand as tradesmen.

618. They are satisfied with small wages when they cannot get big ones? They are mechanics; but in order to get here they have deceived those in power, as they would not obtain passages as mechanics.

619. Suppose you had a brother in the old country who was a good mechanic, he had a difficulty in getting employment, and had sufficient means of his own to keep him for three months after his arrival in this colony, I ask you whether, under these circumstances, you would advise him to stay at home or to come out here? I should, seeing he was my brother, certainly advise him to come here if he could show me that he had the money to keep him for some time after his arrival.*

620. Then I infer that you think if immigrants could get over the first three months from the time of their arrival, there is a better field for their labour here than in the old country? Not if mechanics are brought out here pell-mell.

621.

* NOTE (on revision) :—Owing to the rapidity and directness of the questions put by Mr. Barbour, I must confess that I was unable to make myself clearly understood in the answer given, which conveys a wrong impression, and I would wish to alter the answer in order to be clearly understood, which would be thus:—"I should possibly, through the ties of relationship as a brother, be inclined to advise him to come here upon the distinct understanding that he could assure me that he had sufficient means to keep him for some time after arrival, and also with the knowledge that he was a single man, as under no consideration would I be a party to inducing or advising a brother who was married to come here under the present circumstances connected with the labour market."

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- Mr. H. J. Windon. 621. But being properly selected? Yes.
- 20 April, 1880. 622. Not too many of one sort, you think then this would be a better field for their labour than the old country? Not in particular industries.
623. Do you not think there is an impression upon the minds of many in the old country, who are pretty hard up, and have difficulty in keeping the wolf from the door, that if they could get away to a new country, if they did not get one job they would get another? I believe there is that feeling.
624. Do you not think it is better for such men to come here? I believe there is a better chance here of being kept from starvation; but it is upon the working men who are already here that the burden falls when they come. These people generally have some friends here of their particular class, and the burden of keeping them falls upon them. It is no unusual thing to go round in the workshops to make collections for new arrivals under such circumstances,* to enable them to return home.
625. Have you in those cases known people want to go home, preferring the old country to this, or from some peculiar circumstances, such as a desire to see their friends or an unfitness to adapt themselves to the colony? No; they have desired to go back because, after walking about the streets in search of employment, they have been unable to get away.
626. These are only exceptional cases; they do not often occur? By every one of the Orient line steamers there are some who return as coal-trimmers or oilers at a shilling a month. By the last there were two men, one named Macintosh and the other Macdonald.
627. Were there any special circumstances connected with those men that induced them to go? The only circumstance was that these men had been out of work a very long time, and they believed there was a better chance for them in the mother-country. There are more shops to go to.
628. *Chairman.*] Were these men assisted immigrants? Several of those who have gone home have been. I am not prepared to say whether those particular two I have just mentioned were.
629. You have said that some went back by the "Garonne"? Yes; I know some of those were assisted immigrants.
630. How many? Two.
631. How long had they been here? Eight or ten months.
632. Were they iron-workers? Yes, both engineers.
633. Had they come out as iron-workers? That I could not say.
634. They could not succeed in their own calling here? No.
635. Had they any special reason that led them to return to England except want of employment? That was the only reason.
636. *Mr. Day.*] Are you quite sure, from your own knowledge, that that was the reason? I feel confident it was.
637. Why do you feel confident? From the distress they seemed to be in. They appeared to be in great poverty.
638. What wages were they getting on board the "Garonne"? They had a shilling a month, to comply with the law, as they were required to sign articles. They were working their passage home.
639. Then they were working for nothing? Yes; and were glad to get home at that.
640. Are you quite sure that two engineers went on board the "Garonne," and worked on board for a shilling a month? I am sure there were four.
641. On what date? I forget the date; the last time the "Garonne" went out.
642. You are quite sure that the last time the "Garonne" left here there were four engineers who went on board, and worked there for nothing? They did not work as engineers, but were glad to do any menial work as coal-trimmers or in any other capacity, in order to get home.
643. *Mr. Cameron.*] Is employment more fluctuating in its character here than in England? No, I cannot say that it is more fluctuating, but that the demand here does not increase to the extent of the people who come here.
644. *Chairman.*] Have you known any of your trade to nominate their friends to come out here as assisted immigrants? I am not aware of any.
645. I suppose you are aware that a large number of persons of different callings have come out under such circumstances? I am not aware that any of our particular trade have come out on the nomination of their friends. I have no knowledge of any.
646. *Mr. Charles.*] Are you aware of engineers going home at a shilling a month to see their friends with the intention of coming out again? No.
647. Do you know a man of the name of Waugh, an engineer in the city of Sydney? I know him by name but am not personally acquainted with him.
648. Do you know that he went home at a shilling a month? I was not aware of it.
649. Is he one of the four you spoke of just now? No.
650. Did he not deliver a lecture on his experience of his voyage home and out? Yes, I saw an account of it as read to the Engineering Association of Sydney. I know him by sight.

WEDNESDAY, 28 APRIL, 1880.

Present:—

MR. BARBOUR, | MR. GREENWOOD,
MR. JACOB.

J. F. BURNS, ESQ., IN THE CHAIR.

William Jarrett, Esq., examined:—

- W. Jarrett, Esq. 651. *Chairman.*] You are Manager of the Industrial and Provident Permanent Building Society? Yes.
- 28 April, 1880. 652. In what year was your Society established? In January, 1871.
653. How long have you held the office of Manager? Since the commencement.
654. Can you tell us the amount in round numbers advanced by the Society for building and the like purposes since it was first established? About £591,000. 655.

* NOTE (on revision):—Many of whom say they would be only too glad to return home.

W. Jarrett, Esq.
23 April, 1880.

655. What amount was still due to your Society on mortgages on the 1st of January last? £298,865 2s. 5d.

656. To what class has your advances for the most part been made? Principally among the working classes, or to those who have raised themselves a little above their fellows, and who require houses of their own.

657. Were the properties upon which you made advances chiefly in the suburbs? Yes, or within 5 or 6 miles of the city.

658. For the most part in the suburbs? Yes, in the city and suburbs.

659. What has been your experience as to the fulfilment of their obligations on the part of the borrowers? They have paid up very well; we have not had £100 loss since the Society first started. We have sold very few properties, and those we have sold belonged to parties who never do pay well and cannot be coaxed into paying—people who probably give way to drink, some of them. I do not suppose we have sold ten properties since we have started.

660. Has your experience led you to the conclusion that the industrial classes of the city and suburbs are of thrifty habits and in a prosperous state? Certain classes are not so well off—clerks for instance—but so far as mechanics are concerned in the building trade they have generally been well off during the last few years, until within about five or six months.

661. What amount did you advance upon mortgage in 1878? £78,500.

662. In 1879? £132,874 in round numbers.

663. I believe that like other Societies of the kind your business was curtailed to a large extent by the stringency of the money market? In 1878 we could have lent a great deal more; also during the first few months of 1879 we could have lent one-fourth more than we did; we could have easily lent £50,000 more.

664. From what class do the applications chiefly come? They are for suburban properties; most of our applications are for houses from £200 to £450 or £500.

665. You could have lent much more last year if you had had a sufficient supply of capital at your command? Yes.

666. Have you experienced a change in the condition of the money market during the present year? There has been a great difference during the last two or three months.

667. Have you not also reduced the rate of interest on deposits? Yes, we have reduced that 1 per cent., and we shall reduce that still more.

668. In consequence of your supply of capital being so much greater than formerly? Yes.

669. I believe the reduction is common to all Building Societies? Yes; I think so.

670. And banks also? And banks also.

671. What amount did you hold on deposit on the 1st of January last? £174,000; that is simply deposits.

672. From what class do you get these deposits? Although some of the working classes who are very thrifty make them by far the larger portion comes from capitalists.

673. Could you give the Committee some idea of the amount advanced by all the Building Societies of this city upon buildings or for building purposes in 1878 or 1879? In 1879 I should think about a third of a million. I think we lent one-third of a million in 1879, which is as much as the three leading Building Societies put together, perhaps a little more.

674. You are aware that the Savings Bank also advances upon mortgages? Yes; but they do not lend so large a proportion upon buildings as the Societies, although they charge less for interest, and therefore people generally cannot avail themselves of the advantages that Savings Banks offer.

675. I presume that your duties bring you largely into contact with architects, builders, and persons connected with the building trade in Sydney and its suburbs? Yes, to a considerable extent.

676. If you were told that there were at the present time two or three hundred masons unemployed in Sydney would you believe it? I believe there are more masons unemployed than any other workmen in the building trade. Their trade has not been very brisk for some years. They are not like some others, as plasterers, carpenters, and bricklayers; plumbers it has been difficult to get, but I think the market is overstocked with masons.

677. What is the impression you have formed from your intercourse with professional architects and builders as to the present condition of the building trades in Sydney and its suburbs? For the last five or six months it has generally been slack, but for the five or six years previously the trade was very brisk, you could hardly get mechanics at the building trades. Indeed a plasterer would not undertake a job out of town, at a place like Ashfield, unless the employer paid for their carriage, or sent them by a spring cart.

678. What is the present position of persons in the building trades? It is not so good. Now if a job is advertised in an architect's office there is a great deal of competition for it, and the consequence is that houses are built very cheaply. Indeed in many cases I believe the contractors are losing. Last year you could hardly get men to tender.

679. To what do you attribute the excessive competition? There must be an excessive supply for immediate requirements.

680. Owing to assisted immigration or to immigration from other colonies? I could not say. I dare say a great many come from other colonies. People have been building very largely in the suburbs of Sydney lately, and it may be overdone. There are many more houses now empty than there were.

681. Since when? The last four or five months. I have had five empty out of six in a good position at the Glebe.

682. How do you account for so many houses being empty? In my case I attribute it to the fact that there have been so many houses built on Pymont lately, and many people like to go into new houses, perhaps too it may be because they are a little nearer to Sydney.

683. Do you think people prefer living at Pymont on account of its being nearer to Sydney, and that therefore houses beyond are left empty? If there are many houses built nearer to Sydney people who are living at a greater distance from the city naturally take them, and leave the outside houses empty; but I do not think it is general. I cannot account for mine being empty as the rent is not excessive, still several of them have been for the last five or six months.

684. Do you not find the demand for advances for building still as active as ever? Yes.

685. And are mechanics and others still building in the suburbs? Yes, faster than ever as far as our Society is concerned.

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686. What is your general observation as to the demand for persons in the building lines, such as carpenters and others? I think it is rather slack now.

687. Have you ever heard of any newly-arrived immigrants remaining about Sydney and competing unduly with other mechanics? I do not think they can come into competition with them to any extent; they may work for a little less, but there is less work going on than there was a year or two ago. At that time we could scarcely get a contractor to tender for a house that would be worth £500 or £600 without tendering £100 more than it should be. Now if an architect has a job he has sixty applicants for it, where before he would not have six. That I think shows that there must be less buildings going on, for a man just arrived here as an immigrant would hardly become a contractor at once; he must have a little experience before he can tender.

688. *Mr. Greenwood.*] You have said that one out of six of your houses were empty? Yes.

689. Is that at the present time? I think I have now about six empty.

690. Out of how many? Out of thirty-four. They are houses suitable for working men.

691. Then you mean that you have one out of six empty? I have had five out of six in one row.

692. Does that apply to all your houses? I have had one-third empty, or twelve out of thirty-four.

693. Have you now? I have now about six or seven. They are houses on the Glebe, not far from the Glebe Road.

694. Are these houses the Society's houses or your own? My private property.

695. Have you any means of knowing what proportion of the Society's houses, or houses upon which the Society has lent money, are occupied, and what are unoccupied? I presume they are occupied, because we get the returns from the parties. Generally the people who borrow money from the Society live in the houses themselves, or where they have five or six houses they live in one of them, and are in a better position to look after, and to let any that may be unoccupied, they themselves being upon the spot. They are more likely to get good tenants, while I, not being able to look after the property myself, may get bad ones, which I often do.

696. What is the average rent of these thirty-four houses? 12s. and 13s. a week—they have four rooms and a kitchen.

697. They are in the Glebe? In the Glebe.

698. When had you the largest number of houses unoccupied? Within the last twelve months. Just now they are beginning to be occupied again. Three or four weeks ago I dare say there were ten empty.

699. When so many were empty did you reduce the rent at all? Yes, they were 14s. a week, and I reduced them to 13s. and 12s.

700. How long is it since they were 14s.? Seven or eight weeks ago. Mine are by no means high rented, because there are houses almost within a stone's throw, which are no larger, which are let at 15s., while I am getting 12s. These are new houses, but mine are not old, some of them having been built within the last two years. Houses exactly opposite some of mine are letting for 14s. a week, while I am getting 13s.

701. How do you explain that? I really cannot tell.

702. Do you find neighbouring houses vacant to the extent of yours? No, I do not.

703. How would you explain that? I cannot explain it.

704. Judging from your knowledge as Secretary of a Building Society, would you not imagine that if a house is vacant more than others of a similar description in the same locality, it must be due either to its being in a worse situation or to higher rent? That mine are not. It may be due perhaps to their not having been so well looked after, as I have not been able to attend to them myself, but it is not to the high rent.

705. Speaking of the suburbs generally, are there many houses vacant now? No, I do not think there are many houses empty.

706. And yours are better occupied now than they were previously? Yes, just lately; a few have been let lately—the last two or three weeks.

707. At lower rents? I have reduced them from 13s. to 12s. These are on the main road, leading from Sydney to the Glebe, the Pyrmont Bridge Road, where five out of six were empty near the Park which has been laid out between the City and the Glebe.

708. In the suburbs generally do you think buildings are progressing and still there are not many houses empty? Yes; they are still building, perhaps not as fast as formerly.

709. You are lending money more than ever on new buildings? Yes; still that might not prove that more houses are going on. We have a run that probably no other Building Society has; perhaps we may be a little more favourable to the borrower, though I cannot say there is much difference in that respect. However, we have a run and we are likely to keep it.

710. You believe that buildings are erected more cheaply now than they were some time ago? Yes.

711. About when would you fix the date of the change? During the last six months.

712. Building is cheaper than it was formerly? Yes, a great deal.

713. What means have you of knowing that? Only from a knowledge of the tenders that come in. We have an architect's office above in connection with our Society, and I get information from the architect and others.

714. Are the tenders for buildings on which you advance submitted to your Society? No; we have the architect's and valuator's reports.

715. Does the architect or valuator tell you what is to be the cost of the building on which you make an advance? I see all the valuations, and have myself generally a good idea of the value of property, and I know from my own knowledge that a few years ago you could scarcely get mechanics to tender for a job; and as I have said, if plasterers were required to do a job at Petersham or some other place a short distance from Sydney, they would require the employer to find them a spring cart or some other conveyance to take them there. It may be so now with respect to plasterers, for they have been very busy, and I have heard that they intended to strike for more wages.

716. In the building trades which of them are now fully employed as far as you know? Bricklayers and plasterers chiefly; I think they are the only two classes in the building trade.

717. What about carpenters? There are more carpenters than are required just now. Carpenters as a class do more in the way of tendering for the entire building of a house than either bricklayers or plasterers. They are in a better position to get a knowledge of the value of the whole work. There are more contractors among carpenters than among any other branch of the building trade. 718.

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718. So that they are very often masters and not merely labourers? They become masters if they have any tact or management, that is, the best of them. (Of course there are also bricklayers who undertake to do the whole work, and there may be masons, but I think there are more carpenters than any others.)

719. What hours do builders work at present in Sydney? Eight hours.

720. Plasterers the same? Yes.

721. Carpenters the same? Yes.

722. What is the ruling price of labour per hour or day of men engaged in the building trades? 10s. and 11s. for most of the building trades. I dare say you could get as many as you wanted just now at 10s. a day.

723. How long has that been the ruling price? I think it has been the ruling price for a considerable time—four or five years perhaps.

724. Do you remember it to have been either higher or lower? Yes, I remember mechanics getting 35s. a day.

725. That was a long time ago, I presume during the gold mania? In 1853 and 1854, I think.

726. Were they working the same hours then? I think they worked a little longer then; ten hours for some time after that, perhaps eight or nine years, and they then struck for eight hours.

727. Have you any recollection of what was the price of provisions when wages were so high? Provisions were very little higher than they are now. Rent was higher. For a short time bread was up, I think to 1s. for a 2-lb. loaf, but only for a little time, it then came down to 4d.

728. This was about the time the gold mania was at its height? Yes.

729. How long did these high wages continue? It is a long time back to think about. They were 10s. a day in 1852, and gradually went up to 35s. and even 38s. a day. Of course I cannot be positive as to the time these high wages were maintained, but I think for a couple of years, and then wages gradually went down to about 8s. I do not think they ever went lower than 8s. or 9s.

730. You consider that due to the exceptional state of the Colony at that time in consequence of the gold mania? Yes, the great demand for mechanics at that time caused it.

731. How has assisted immigration affected the building trade so far as you have had the means of observing during the last two or three years? So far as the building trades are concerned I do not think it has done a great deal of injury. Those who have come here seem to have obtained employment. I am speaking only of the building trades. If I were to speak of clerks I should tell another story altogether.

732. What trades do you think are overdone in New South Wales, so far as you can judge? I have not much knowledge of any other class of tradesmen than those in the building trades. There are certainly too many masons just now, and I think from what I can see the same will soon have to be said of carpenters, but I do not think that will be for long. You might bring from any country or from any class of labourers a number into the country that might at first be too great for the demand, but they would soon be absorbed.

733. *Mr. Barbour.*] What do you mean by overdoing—that the supply may become greater than the demand, or that building may be stopped for a time? If too many houses were built, as a natural consequence people would stop building.

734. Do you think there is at present a tendency to build more than there is a demand for? Yes, I think so; and that people will cease to build.

735. The consequence would be that shortly the labour which is now employed would be unemployed? I think so. That is what seems looming in the future to me; building has been going on at so rapid a rate that I think it must soon quite exceed the demand. Hundreds of houses must have gone up on Pymont within the last two or three years.*

736. Do you think there has been an extraordinary influx of tradesmen during the last two or three years which has exceeded the ordinary demand? That I cannot say.

737. Do you think there is any depression at the present time in the Colony, that it is any less prosperous than it has been in times past? No; I think it has been an excellent time lately for the Colony.

738. How do you account for the greater supply of buildings at the present time than the usual demand in the Colony? It must have been in consequence of an influx of population from somewhere, probably from the old country.

739. That would require more houses? Yes; if there were not a demand houses would not be built.

740. Do you think there is anything indicating that the demand will stop? Yes, I think so. From the knowledge I have I should say we have been building too fast for the population.

741. Do you think to make good the extraordinary demand from the extraordinary influx of people, there has been an extraordinary addition to the tradesmen of the Colony? Yes, I think so.

742. Where have these generally come from? That I could not tell you. I do not know.

743. Do you think they have come from the old country? I do not know. I have not taken particular notice; but I know there must have been a great accession to the population of the Colony during the last two or three years, and consequently there has been a greater number of houses built than hitherto.

744. Can you say whether it is owing to the depressed state of trade in the adjoining colonies, or to immigration from the old country? I cannot say. I could only speak from hearsay of Victoria.

745. From your own knowledge you cannot tell us in what way immigration, assisted or other, has affected the building trades? No, I cannot.

746. If contracts are taken at a lower rate now than formerly, does that indicate a reduction in the workman's wages? No, that might not, an immediate reduction. The contractor has his hands and a certain number of jobs going on, and probably he might take a job to-day at less than its value to keep his men going, in the hope of getting a better price for the next contract he took.

747. Would not that be a very exceptional circumstance—it could not continue for any length of time? It would not continue; nor have I said that this depression has existed more than five or six months. It is only recently that jobs have been taken at these low rates.

748. You gave us to understand that the time was when the workmen were very saucy, and had to be driven out to Newtown in a spring cart, or to have their fares paid;—is that state of things removed? I cannot say that it is. I believe that now if an employer had a job at Ashfield for a plasterer he would either have to pay the man's fare or to take him to the job in a spring cart.

749.

* ADDED (on revision):—We have made advances on some two to three hundred of houses in the last two or three years.

- W. Jarrett, Esq.
28 April, 1880.
749. Then the extraordinary prices that contractors demand for their contracts were not due to exceptional circumstances, as I understood you to say? I am speaking of from two to four years ago, when it was a difficult matter to get contractors to tender for a job—now there are more contractors than jobs.
750. What is the cause of that—is it from any ease he has received in the reduction of wages, or from better bargains made with the workmen? No, I think he has to pay the same wages.
751. Then are we to understand that at the present time the competition is unhealthy? It is just now.
752. And if persisted in will end in ruin both to the contractor and to the workmen? Yes, I think it will. Of course you will understand that I am now referring to general building contracts, not to large Government contracts.
753. You have no knowledge yourself of the influence of immigration upon anything else than the building trades? No.
754. Do you know yourself of any class of immigrants that could be beneficially to the Colony brought here, and that the Colony could absorb? I do not know of my own knowledge.
755. For example, do you think it would be beneficial to continue to import female immigrants? Yes, I think we could take some thousands.
756. With that exception, is there any class that you think could be beneficially brought to the colony? I cannot say that there is.
757. Do you know anything of the iron trade? No, I do not. Trade here seems to be too much restricted—only just the same line of work over and over again. There are no industries that would absorb mechanics.
758. Do you think if any industries were established here it would be beneficial to the Colony? Yes; industries and immigration should go hand in hand together. We could scarcely have too many immigrants if we had local industries.
759. Those industries would have to be payable industries? Yes.
760. Do you know any such industries in the Colony that are payable? No, I do not.
761. Then of course you could not say whether an accession of population would be beneficial, either of mechanics or of others? No.

John Wesley Watkin, Esquire, examined:—

- J. W. Watkin, Esq.
28 April, 1880.
762. *Chairman.*] You are manager of the Sydney Permanent Freehold Land and Building Society? Yes.
763. When was the Society established? This is our fifth financial year.
764. Can you tell us what amount has been advanced by the Society to its members for building purposes since it was first established? £109,000.
765. What amount was due upon mortgages on the 1st January last? £72,000.
766. What has been your experience with respect to the repayment of advances by members? We have never had to sell any one off.
767. You find the payments made by way of redemption regular? Yes, that can be answered pretty well by the amount of fines. We inflict fines if the parties do not keep their payments up to the mark, and the whole of our fines last year was £70.
768. What class has chiefly availed itself of the privilege of borrowing from your Building Society? Chiefly what we may call the artisan and middle class, such as clerks, warehousemen, and others. Most of our transactions have been in the suburbs.
769. The properties upon which advances have been made have been for the most part in the suburbs? Yes; occasionally we have made advances upon outside city properties at Surry Hills and Woolloomooloo.
770. What amount was advanced last year upon mortgage? It was a bad year—£22,300.
771. Was that in consequence of the state of the money market? Yes; the previous year we advanced £30,000.
772. Since the opening of the present year have you experienced a greater supply of capital? A marked change is beginning to be felt; up to to-day we have paid £16,722.
773. The Society has of course been in a better position to make advances to those who have required them for building purposes? Yes; there has been a better supply of money.
774. I believe one of the consequences of a greater supply of capital has been a reduction in the rate allowed by this and other building societies for deposits? Yes; a reduction of 1 per cent.
775. The banks also have made a reduction in the interest upon deposits? Yes.
776. Your business has brought you in contact with architects and persons in the building trades? Yes.
777. What is your impression of the condition of the building trades at the present time? I should say it is very good; far better than it was last year.
778. Owing to the great amount of building that is going on? Yes, through the building societies of houses ranging from £100 to £2,000.
779. The building is chiefly in the suburbs? Yes.
780. Are you aware whether there are many houses unoccupied in the suburbs? Very few indeed, so far as my observation has extended on the railway suburbs.
781. You live at Ashfield? Yes; and I do not believe there are half-a-dozen now to let in that borough.
782. The Society with which you are connected is in the habit of purchasing land in large blocks, subdividing it and selling it to its members? Yes.
783. Your business leads you to travel about a good deal, and to see the different suburbs? Yes.
784. Looking at lands offered to the Society for sale, and giving instructions for subdividing the lands after their purchase? Yes.
785. Have you been travelling much lately? Yes.
786. And your observation leads you to the conclusion that there are very few places to let? Yes; in the railway suburbs.
787. Have you been about the Glebe at all? I know very little about the Glebe.
788. Redfern and Pyrmont? No; I do not know much about those places, as we do not lend on leasehold properties to any extent.
789. Paddington? No.
790. There are a number of freeholds at Paddington? Yes; still I have not an intimate knowledge of that locality.
791. Do you think building has been carried on in excess of the requirements of the Colony? Certainly not, so far as I can see.

J. W.
Watkin, Esq.
28 April, 1880.

792. Is it your opinion that there has been a large increase in the population of the city and its suburbs to require these buildings? Yes; the natural increase alone is very great.

793. Is there not also an increase from immigration? Yes, although I do not see many new-chums about.

794. You do not meet many persons who have newly-arrived? No, I do not.

795. You know them from the style of their clothing? Yes, from their general appearance and conversation.

796. Have you met in the building trades with many newly-arrived immigrants? Very few. The men I meet seem almost all to be men with some Colonial experience. I come mostly in contact with the contractors and not with the men.

797. Still your business leads you to see what is going on in the trade? Yes.

798. Have you heard of greater competition in the trade for building contracts? Yes; when there is any work a greater number of people come to look at the plans and specifications than formerly. I think there are more small contractors, and that is evidence that some of the men are getting on better. Many of these men who have been employés become employers; they make a few pounds and then become contractors, and the employers of others.

799. Does your experience as the manager of this Society lead you to form the opinion that the industrial classes of Sydney and its suburbs are fairly well off? I certainly think so. As a seller of land I think I may say I am in a position to form some judgment. I had a sale about a fortnight since at Ashfield, at which a large number of people attended, and I sold land to the amount of £4,500 to 60 buyers, mostly of the artisan class. I do not think any of them were new arrivals.

800. You also act as auctioneer for the sale of land for the Society of which you are the Manager? Yes.

801. Who are the principal purchasers of the land sold by you on behalf of the Society? The lands we have sold hitherto have been in the suburbs at Ashfield, Petersham, and some between Newtown and Sydney; the purchasers have been persons chiefly of the middle class and artisans.

802. Have you met with any newly-arrived immigrants about Sydney seeking employment? No.

803. Have you heard of any of them competing unduly with artisans and others in different trades for employment? No, I recollect the other day a man came to me who said he was a stonemason, and I sent him to Mr. Elphinstone, the builder, but he said that for the work he had he required a man with Colonial experience.

804. Have you heard that many masons are out of employ? I have heard so, but I do not know it of my own knowledge.

805. *Mr. Barbour.*] You say that contracts are now more easily let than formerly? There are more tenderers for small jobs—there is greater competition.

806. What do you think is the cause of this? Many men who have been journeymen have saved a few pounds, and have become contractors.

807. Is it likely that such a great change should take place in a few months? Yes, I think so. At this time last year there were few jobs out.

808. Is it likely to have occurred from the influx of immigrants from the old country? I think not; the men I have met with have been men with Colonial experience. Whether they were men who had come from other colonies I had no chance of knowing.

809. "New chums" do not jump into the position of contractors at once? No.

810. Nor do they take leading positions among tradesmen, or even among labourers? No.

811. But if they are on the lower rungs of the ladder they still press those above them still higher up? Yes, I should think so.

812. I suppose that the influence of new-arrived immigrants in the Colony will be more indirect than direct upon the working population? Yes.

813. Do you think that the immigrants we have been bringing out the last year or two have been acting in this way? I can hardly say—I have not given the subject consideration.

814. Do you know any class of immigrants that the Colony could profitably absorb at the present time? We want brickmakers. I know half-a-dozen jobs standing still for want of bricks. Notwithstanding all the brick-making machinery that has been imported the supply of bricks does not come up to the demand.

815. Is there any reason why if there is an excessive supply of masons, masons should not become bricklayers? I should hardly think masons could become good bricklayers—the trades are quite distinct, and there is a general unwillingness on the part of tradesmen to undertake jobs not connected with their own trades.

816. *Mr. Jacob.*] Does not a sort of freemasonry among the trades prevent that sort of thing? Very likely it does in Sydney. I dare say in the country a man who is a mason may also act as a bricklayer.

817. *Mr. Barbour.*] Do you attribute the large demand for houses at Ashfield by the middle class and artisans to their leaving the more immediate suburbs? Yes, and to the facilities the Building Societies afford them of becoming their own landlords. The people swarm out of the city to the suburbs—along the railway-line.

818. Their coming there would have a tendency to cause empty houses in the Glebe and Pyrmont? Yes, it is likely; besides we do not lend money on leasehold property, as that at the Glebe and Pyrmont is for the most part.

819. Is there any want in the Colony of female immigration? As far as they are concerned there is plenty of room for two or three thousand.

820. There is no surplus of female servants? No.

821. Do you know whether there is any surplus of tradesmen? People in the iron trade complain of being short of work. I know a pattern-maker who has complained to me that he has been out of work a long time, and also a boiler-maker, but I know it only from what they have told me.

822. *Mr. Jacob.*] With reference to Mr. Barbour's question as to female servants, you state that there is plenty of room in this Colony for several thousands;—are you aware from reading the newspapers that there is the same want of female servants in the old countries, and especially in England? Yes.

823. Then if we were to bring out servants from England at the public expense we should be increasing the difficulty there? No doubt we should only shift the difficulty. What is wanted is that these girls should learn the dignity of labour instead of seeking to become fine ladies by working at sewing-machines or serving in shops.

824. What is your opinion from reading and observation as to assisted immigration;—do you think assisted immigration

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immigration should be continued, or that all classes of people should be allowed to immigrate at their own expense? I think one volunteer is worth a dozen pressed men, and I fancy if we make the Colony attractive enough we should draw people here. Under the present system we get all sorts—some good men, and a great many of the other kind.

825. *Mr. Barbour.*] You do not approve of assisted immigration? I do not believe in people being shipped out here at so much per head, as I believe has been done.

826. You believe it would be beneficial if the people were properly selected? Yes, certainly; what would the Colony be without population?

827. Would you bring out population at the public expense? That is a question for a politician rather than for me. If we could get the right sort I should certainly say bring them here, but I hardly believe we have been getting the right sort.

828. *Mr. Jacob.*] You say you have not come in contact with many newly-arrived immigrants? No, I have not.

THURSDAY, 29 APRIL, 1880.

Present:—

MR. BARBOUR,

MR. CAMERON,

MR. JACOB.

J. F. BURNS, ESQ., IN THE CHAIR.

Mr. William Davies, called in and examined:—

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829. *Chairman.*] You are Chairman of the Miners' Union of the county of Northumberland? I am.

830. I believe you are yourself a miner? I am.

831. How long have you resided in the county of Northumberland? Twenty-four years.

832. Have you been all that time engaged in mining pursuits? Yes.

833. I believe that what may be called a crisis in mining affairs has lately arisen in your district, owing to the breaking up of what is known as the vend scheme? No; it is not owing to the vend scheme that the crisis has been brought about.

834. To what do you attribute it? To the falling off of trade and the great amount of surplus labour in the district.

835. In consequence of the falling off of trade, the vend scheme is at an end, is it not? It is at an end so far as the miners are concerned.

836. I want you to carry back your mind to the period before this disagreement, I suppose we may call it, between the masters and the men, and to ask you whether the number of miners in your district was then in excess of the requirements of the district itself? They were even then in excess; there was a great deal of short-time-work even at that time—in 1874. In 1874 there 1,450 miners in the district; in 1879 there were 2,700; an increase of 1,250. Taking the output of coal for 1874, and the output for 1879 there was somewhere about 60,000 tons of increase.

837. Of the number of miners you have in your district, what number do you suppose are regularly in receipt of wages? I may answer the question in this way: The number of days per fortnight worked by the various collieries in 1879 was as follows:—Newcastle Company, 4½ days; Ferndale Company, 5¼ days; Wallsend Company, 5¾ days; Greta Company, 4¾ days; Borehole Company, 6¾ days; Minmi Company, 5½ days; New Lambton Company, 6¾ days; Co-operative Company, 5 days; Lambton Company, about 9¼ days; averaging a fraction over 5¾ days per fortnight for the whole year.

838. The average employment at the mines was 5¾ days per fortnight? Yes.

839. What was the average rate of wages earned by those who worked during that time? About 10s. a day.

840. Were there at that time—I am still speaking of the period before the late disagreement—many miners in the district who were unemployed? There were some unemployed even in 1874, but nothing to what there are now; say in 1872 there were some. I have not the number then unemployed, but that was the year in which the agreement was entered into—the early part of 1873.

841. In 1872 the vend scheme was arranged? No, not the vend scheme; the agreement between the masters and the miners; that was when the sliding scale was arranged—in 1872.

842. When you came to this understanding in 1872 do you think there were many men unemployed after you had completed your agreement? Not many after the agreement was come to.

843. Now as to 1873 and subsequent years, will you tell the Committee what your observation is with regard to the supply of men in proportion to the demand? The supply has been in excess of the demand; I may say that for the first year or two of the agreement the collieries worked pretty regularly—say for the first two years.

844. The miners were pretty regularly employed then? Yes. I do not know that ever I saw the district in such a prosperous state as it was then—say in 1873 and 1874.

845. What was the price of coal then? 14s.

846. What did the miners get for cutting the coal? They received then 5s. a ton when it was at 14s. It went to 14s. I think in July, 1873.

847. In what year did you first notice that the miners were to any extent in excess of the demand? More particularly in 1876, 1877, and 1878.

848. During those years did you observe that there were very many wanting employment? Very many.

849. How do you account for that? A number of miners arrived in the Colony at the expense of the Government.

850. In what years? In 1877, 1878, and 1879.

851. Do you know the number of miners that arrived in 1877? I could not say.

852. The number of coal-miners, according to the report of the Immigration Agent, was 337 in 1877, 114 in 1878, and 33 in 1879;—Do you think the numbers set out in the report of the Immigration agent included all the miners who really arrived as assisted immigrants? Nothing like it.

853. Do you know of your own knowledge whether any of the parties who came out as farm labourers, and under other designations, were in reality miners? Yes.

854. *Mr. Jacob.*] Many? Yes, many.

855.

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855. *Chairman.*] Where did these persons locate themselves? About Newcastle.
856. Are many of them there now? Yes.
857. In what years did they come out? They came out about 1877, 1878, and the early part of 1879. I may say this, that I had occasion during the Anvil Creek strike to be in Sydney, and I visited nearly every immigrant ship that came in during that time.
858. In what year was that strike? About 1878, and the early part of 1879.
859. What did you learn with regard to these immigrant ships? I was trying to hire miners sometimes. I do not know that I am obliged to say what I was down upon at that time.
860. Did you learn that there were many, or any parties who had come out under other designations who were really coal-miners? Yes.
861. Do you know it of your own knowledge? Yes. Some came as labourers, some came as quarrymen.
862. What became of these men? They are at Newcastle. They did not engage here.
863. They left here to go to work as coal-miners? Yes; they are working now as coal-miners.
864. Are there some of these people in your district now? Yes.
865. How many do you suppose? I could not say how many, but I know there are a great number of them. I know that in the Newcastle Company's pit, where I am working, half of them are newly arrived.
866. Of course you have observed that there has been a great falling off in the number brought out as coal-miners since 1877? Yes; I may account for that. We interviewed Sir John Robertson, and he promised that no more coal-miners should be brought out, believing they were not required. We also interviewed Mr. Fitzpatrick, when he became Colonial Secretary, and he wrote a memo. that a telegram should be sent to the Agent General to send out no more miners; but I know parties that came out after that as coal-miners.
867. Do you know whether any have come recently? Not as coal-miners; but I know some coal-miners who have come out.
868. How recently? As recently as the "Northbrook."
869. What became of them? Some went to Newcastle and some to Wollongong; there were also some who came in the "Ellora," and I know they are working at the present time at Wollongong.
870. I would like to ask you whether in your experience miners as a class become attached to their occupation and do not care to go to other pursuits? They do not care to go to other pursuits.
871. Have you noticed that men brought up to other pursuits, who cannot get profitable engagements in their own particular callings, are willing to take other employment? Yes.
872. It is not so with miners? No.
873. Are miners as a class provident? Yes, as a class they are.
874. Do you see any prospect of any improvement in mining at the present time? Not the slightest.
875. Do you think we have in the Colony an ample supply of miners for all the work to be done in that particular line? I think we have a great many more than are needed. I have a note here that there are about two men for one or five for every three required, and I do not exaggerate when I make that estimate. We are working even less this year than in 1879.
876. *Mr. Barbour.*] Did I understand you to say that when things were prosperous with the coal-miners they only made five and three-quarter days per fortnight as an average? No; the number of days I gave you were for 1879.
877. *Mr. Jacob.*] When there was a surplus of labour? Yes.
878. *Mr. Barbour.*] That would leave less than 30s. a week at an average rate of 10s. a day? Yes; I think I have gone beyond the average.
879. Why did these men go on working at that rate, when by going as navvies on the railway they would have made a great deal more? Will you point out any section of railway where they were required.
880. *Chairman.*] You do not know any place where they were wanted? No, I do not.
881. *Mr. Barbour.*] Were not lots of men wanted for the extension of the Northern Railway on Amos's contract? It was stated so; but I know that men returned back from there because they could not get employment. At a time when there was great distress among the miners, when men did not know where to turn for a loaf, men have gone to the railway and found there were hundreds of men in camp in the vicinity waiting to get taken on, and then these men returned back. I judged by their returning back that it was something like Noah's dove with them—that they could not find a resting place, otherwise they would not have returned to starvation.
882. Was there not plenty of work to be done on the railway? No, they could not get employment.
883. Was it that they could not get the wages they wanted? No, it was because they could not get employment; that was the statement of the men when they came back.
884. Did they report that there was no work at all going on at the railway? No, they did not report that; they reported that every morning when they went up there would be perhaps a hundred men seeking to get on; some were put on for a day or two and discharged, and another lot put on.
885. Did that arise from the incompetency of the men? I could not say. I should judge that coal-miners would make as good navvies as could be found.
886. Did the men consider the wages sufficient? I could not say what the wages were.
887. If the contractors put a man on to-day and discharged him to-morrow would not that indicate his unfitness for the work? Not always.
888. As a rule? Not even as a rule either.
889. Speaking of the large influx of immigrants during the three years you mention—1877, 1878, and 1879—are you aware that a large number of these were sent for by friends among the coal-miners of Newcastle? I believe they were; I believe many of them were sent for by their friends.
890. Do you know that the largest number were sent for in 1879? I could not say whether the largest number were sent for in 1879.
891. The returns show that in 1877 there were 165, in 1878 there were 186, and in 1879 there were 504. Are you aware that a large number of these, if not the whole, were sent for by coal-miners? That may be. I think I remember Mr. Wise telling me once that 75 per cent. of the moneys paid were paid out of our own district. I also know this, that some of the men that came out in 1879 sent for by their friends have not got work yet—they are lying idle.
892. Would you not think it a very cruel thing of their friends to send for them from England and assist to pay their passages, when they knew there was no work for them when they came here? I think it was cruel and very injudicious of them to do so.

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893. Do you think it is usual for persons here to send for their friends at home when they know there is no work for them? It is usual in our district.

894. How do you account for that principle of action, so different from human nature generally? They want their friends to be with them I suppose. But you must remember that during the last two years things have been fearfully depressed in the mining districts of England, and therefore miners there have been glad to leave.

895. Do you think this depression in England induced their friends here to pay part of their passage-money in order to bring them out? Yes.

896. And that although the men who have come out are badly off here they would have been a great deal worse off in England? I do not know that they would be worse off; they would have some kind of employment; there is none here. I know of one family especially who spent a lot of money to get their friends out, with the clear understanding that when they came they should pay the money back, but they have not got work yet—four of them. They arrived here soon after last Christmas, 1879.

897. Then you believe that a large number of these people that came out came out of their own free will and accord, knowing trade was bad in the Colony? Yes; they knew trade was bad.

898. And yet they preferred coming here to staying in England? Yes; they thought things might turn out better, perhaps—that things might improve.

899. And as a further proof of their anxiety to come out here they represented themselves as farm-labourers? Yes.

900. When in reality they were coal-miners? Yes.

901. Do you know anything about work generally about Newcastle;—is there anything but mining depressed? Yes; all trades are to a greater or less extent depressed; they depend entirely on the coal trade. When that is depressed they are all depressed.

902. Has the Miners' Union done anything to try to induce the miners to go into the interior? Not as an association we have not.

903. Has there not been any desire to find out how the labour market could be relieved at Newcastle—has there been no attempt made by the Society to try to find out how the excess of miners could be relieved? No, I do not know of any steps being taken. I may say that during the distress about fifty men from the colliery I am working at left to go to different parts, and within a few weeks their places were filled up by new hands.

904. Is that the reason why the men hang on, though they do so badly, the fear that if they go away their places will be filled by other workmen? No; the reason they do not go away is that they do not know where to go.

905. Has the Society, acting on behalf of the miners, endeavoured to find out what part of the Colony they might go to with advantage to themselves? Not as an association. The reports that men bring back, after being away some considerable time, are that there is no employment to be obtained.

906. How do you account for the great difference in the demand for coal—for the falling off of the coal business? There are various causes. Perhaps I am not so well up as to give a definite answer.

907. Has the price of coal had anything to do with it? It may have had.

908. Do you think irregularity in getting supplies, caused by strikes and other such causes, has been the cause of sending the trade to other ports? There have been no strikes lately.

909. Have there not been interruptions in getting supplies of coal for ships that come there? Not that I know of.

910. Have you not heard it reported? No, not that ships could not obtain coal; and I think I would be very likely to know.

911. You said there were no strikes—Was there not a time when there was a long strike, and nearly all the coal held in reserve was exhausted? That was in 1872. We have had no general strike since 1872.

912. Was there not a strike in 1878 or 1879, when almost all the coal was exhausted that was held in reserve? No, there has been no strike since January, 1873, with the exception of the strike at Anvil Creek, where they employed about thirty men, and a strike at Lambton for about a fortnight last August.

913. I remember myself being told, by steam-boat proprietors I think, that owing to a strike at Newcastle their stock of coal was nearly exhausted, and that the steamships would have to be stopped unless the men went to work;—was that true? No, it was not. There was no strike except those I have named since 1873.

914. Was there no scarcity? No, not at all. The Lambton Colliery was idle for about a fortnight.

915. Was that caused by a strike? Yes; but there was no general strike.

916. Was that strike not sufficient to cause a scarcity of coal? No; one-half of the collieries were idle a great part of their time at the same time those men were idle.

917. Would not that make the supply still more scarce? No, they were idle for want of trade; there was no work for them to do. Does not the return I have given of the number of days work in a fortnight for 1879 speak for itself?

918. You think strikes and interruptions in the supply were not the cause of the trade leaving the district? No, there was no interruption of the supply at all—no interruption whatever.

919. *Mr. Jacob.*] The miners who sent for their relations and friends from home nominated them in this Colony? Yes.

920. And represented them as being other than miners? Yes.

921. Then the authorities at home were not blamable for allowing them to ship as labourers—they would not know they were miners? No.

922. You said there was an indisposition on the part of miners to undertake other work? No, I do not know that I said that; I said they became attached to their work, and unwilling to leave it as long as there was work for them to do; but they would take any work they could obtain if they could not get employment in their own trade.

923. They have gone up north to get work, and are as capable to work as navvies as they are as miners? Yes.

924. You state that the depression has been owing to surplus labour? Yes.

925. Chargeable to those sent for by their friends under the Government system of immigration? Yes.

926. Do these men supplant the older hands? No, they do not.

927. They come there and remain idle? No, they take a share of the loaf—a share of the work that is going.

928. Do they work for less or for not so many days? No, they have the same wages as the others.

929. Then they are absorbed? No, not exactly. Through there being so much surplus labour each man has less work to do. This is where we have a difficulty to make outsiders understand mining matters. The thing works in this way: Say there is a certain amount of trade, which sixty men are capable of supplying; perhaps next week seventy men are put on, with no additional trade to supply; and then the same amount of work has to be shared among the seventy as among the sixty; consequently each man gets less pay; instead of being divided amongst the sixty it is divided amongst the seventy. The same amount of work is done for the same amount of money, but in less time, and the pay being divided among a larger number there is a reduction in the receipts of all. The new arrivals do not get less pay than the others.

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930. You have stated that because of some interviews with Sir John Robertson and Mr. Fitzpatrick, a stop was put to sending out miners from home? Yes, as coal-miners.

931. How could that be done if miners have been sent for by their friends—how has a stop been put to it? A stop has not been put to the sending out of labourers, and miners now come out as labourers.

932. You say less miners have come out as a result of these interviews? No, I say a promise had been given to us that they should not be sent out under the head of coal-miners, and therefore they have now to come out under the head of agricultural labourers, or other designations.

933. Then, being miners, they do still come under other designations? Yes. I know that on board the "Northbrook" there were twenty or thirty coal-miners; I would say within bounds there were thirty.

934. Do you blame the Agent General or the emigration officers at home for this? I have gone on board immigrant ships to inquire for coal-miners, and I discovered that it was sometime before they would acknowledge themselves as coal-miners, though I was sure from the marks on their hands and faces that they were so. I have gone up to them and said, "Are you not a coal-miner?" and they have said "No;" and then afterwards, when I got a little bit more acquainted with them, I was told that the reason why they did not like to acknowledge themselves as coal-miners was that they had come out as farm labourers; they had gone to the Emigration Agent at Home, and were told they would not be taken as coal-miners; but it was said, "Can you do nothing else; can you not use a pick and shovel, or do farm work, and then they could come out as labourers?"

935. Though to the knowledge of the agent they were coal-miners? Yes.

936. And when they come out do they come to the coal-mines? Yes, they come where their friends are.

937. I suppose their real position is not always known to the agent. Do you think they could be detected as being miners by the authorities at Home? Yes, undoubtedly by anyone who had lived in a colliery district, by the marks on their faces and hands; and there is a freshness in the appearance of a farm labourer that is not seen in a miner.

938. *Mr. Barbour.*] An experienced miner would be able to tell whether a workman was a miner or not? Yes, anyone living in a colliery district.

939. If a man had been a coal-miner, and then for the last ten years a farmer, could you tell then that he had been a miner? No, I could not. If you were to put a hundred miners and a hundred free selectors together you would soon see the difference.

940. *Mr. Cameron.*] You said in answer to the Chairman that the average rate of wages the miners could earn was about 10s.? That was about the average they have earned.

941. I would like this to be thoroughly understood;—do you mean 10s. for every day they work, or 10s. a day on an average? 10s. for each day they work. Of course I do not mean that they earn £3 a week at 10s. a day, but when they work say two days a week they earn £1.

942. The 10s. merely applies to those days when they work? Yes. Do not misunderstand me. That was the rate they earned when the price for cutting coal was 5s. a ton. Of course I do not take one colliery only; at some collieries they may earn more, where less men are employed; but I take an average, all the pits through.

943. Which colliery employs the largest number of hands in your district? The A. A. Company.

944. Next to that? The Lambton Company, I think. I have here a list of the number of hands employed by each colliery, taken from the last mining reports:—

	Number of men employed,—		Total.
	Above ground.	Below ground.	
A. A. Co.	105	696	801
Waratah Co.... ..	52	196	248
Wallsend Co.	103	490	598
Co-operative Co.	66	384	450
Lambton Co.... ..	36	400	436
New Lambton Co.	40	256	296
Duckenfield } Minmi {	60	186	246
Brown's }	25	166	191
Newcastle Co.	25	239	264
Ferndale Co.... ..	19	133	152
Greta Co.	94	155	249
Total			3,931

945. Could you give the Committee any idea how many days per week on the average the coal-miners have worked during the last six months? I have given that—a fraction over five and three-quarter days per fortnight for the whole year 1879. I may say it is less than that this year, so far as we have gone. The number of days worked by the various collieries during 1879 has been:—A. A. Company, 174½ days; Wallsend, 149½ days; Ferndale, 139½ days; Glebe, 120 days; Greta, 112 days; Minmi, 140 days; New Lambton, from 23rd December, 1878, to 23rd December, 1879, 173¼ days.

946. With reference to the miners who came out as agricultural labourers—had you any knowledge of mining in the mother country? Yes, I was brought up as a miner.

947. Is it a fact that coal-miners in certain districts work part of the year as agricultural labourers in addition to being miners? In some of the very small collieries they do. In the Forest of Dean I know that some of them do farm during part of the year, and they may go into the pit during the winter.

948. Do you think that state of affairs to any extent represents the average coal-mines of England? Not at all.

949. It is merely in exceptional cases? Yes. I may say that in the large mining centres of England, such as the North and South Wales, there are no farms at all about the mines to employ the men.

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950. You said to the Chairman that some of the miners here had sent for their friends, owing to the very depressed state of things amongst the coal-miners of England during the last two years? A good number have.

951. Do you find any unwillingness amongst them to accept employment elsewhere in other lines? I do not.

952. Does your experience lead you to believe they would take other work if they could get it? Yes.

953. Do you recollect that, a year or two ago, one of your district officers, in conjunction with myself and Mr. Sweet, of Newcastle, waited upon Mr. Watkins, the railway contractor, with a view to getting employment on the railway works for miners for whom there was not sufficient employment at the coal-mines? Yes.

954. Did any number of them go seeking work on the railway? Yes.

955. What sort of reception did they meet with—did they obtain employment? They did not.

956. Did they stop such a time as they might expect to get employment? They stopped as long as their funds allowed it.

957. Mr. Barbour asked you whether they could not earn better wages on the railway contracts than they were doing at the collieries; do you think that if inducements were offered to these men they would go now to work on the railways? Yes, if they were *bonâ fide* offers.

958. Did you hear any complaints from the men who went to Mr. Watkins's contracts as to the prevalence of the truck system? Yes, I did. What the men complained of most was that tools were not supplied as they expected; they had to purchase barrows, shovels, and planks, without which they could not go to work, and they could not get them; they also complained—those few that did stop—that they had to take slops instead of cash for their work.

959. Did you hear anything at that time about certain persons having the right to sell food to the men on the line? Yes.

960. They were compelled to take out the result of their labour from the storekeepers? Yes.

961. Did you hear this in many instances? Yes.

962. Did you ever meet men in your district, who having been at work as railway navvies, came looking for work as coal-miners? Yes.

963. Among the collieries at Newcastle there are, I understand, certain of them associated and certain non-associated collieries? Yes.

964. How many collieries are there associated? Five now.

965. These associated collieries are at the present time not working? They are not.

966. The non-associated collieries are working? Yes.

967. Is it true, as has been alleged through certain sections of the Press, that these non-associated collieries can supply the whole trade, if the associated collieries do not work at all? They can supply the whole trade.

968. What are the rates of wages now in the non-associated collieries? 4s. and 4s. 6d. per ton.

969. Then so far as the present strike among the associated collieries is concerned, people who want coal will not suffer inconvenience? None at all.

970. Mr. Barbour.] Referring again to these men who went up to the railways to seek for work—you said they could not accept the terms of the contractors? I did not say so.

971. I will put it in another way: You said that the reason why they did not stop to work was because they were made to buy their barrows and shovels, and they could not do that, and therefore they could not commence to do the work? Yes.

972. Were these terms which were submitted by the contractors to these coal-miners different from what the workmen on the works were subject to? Yes, they were different.

973. Then the navvies that were regularly employed on the work were not made to buy their barrows and shovels? No, they were not. I may say, in explanation, that a promise had been made, I think, that these things should be supplied when they got on to the work. We made an offer to supply 500 men anywhere where they could find employment for them, and the men found there were not tools on the work for them. The old hands had their tools found, but the new hands had to purchase what they required to start them.

974. Mr. Cameron.] Is it a fact that more men went than could be employed? Yes, considerably more than could be employed.

975. Mr. Barbour.] The reason was the want of tools? There were other reasons besides that.

976. Mr. Cameron.] If they had all had tools, more men went than could be employed? Yes, they would not have come back to starvation if they could have been employed.

977. Mr. Barbour.] You have given certain numbers of miners that are employed at certain mines;—are those the numbers that are employed now? Those figures are taken from the last mining report.

978. What date does that refer to? The number of men I have given is for 1879.

979. Do I understand you to mean that all these men were in full work? No; I have just put in a statement that they were working only so many days a fortnight.

980. I asked was I to understand that the numbers you have given were men in full work? Not at all.

981. Then there was another matter. You said there was great misunderstanding about in the public mind, that was as to the share of the loaf—I do not understand it yet? We will say there are £60 of wages to be earned, and sixty men are earning it, that will be £1 a man; but if seventy men are put on to earn the £60, it will be so much less to each.

982. Mr. Cameron.] What you mean is that the men in work will employ their fellow-men rather than see them starving? Yes.

983. Mr. Barbour.] Who puts on these extra men? The manager.

984. Why does he put on 70 men when there is only 60 men's work to do? That is what we cannot understand.

985. If you had a certain amount of work you wanted a workman to do, and no more than one man could do, would you put on two men to do it? No, I would not.

986. Is that done in the coal-pits? Yes.

987. Is it because they are asked to do it? Yes; it is because men come seeking employment.

988. Supposing there was work for 50 miners, and 100 men came asking employment, would the 100 men be put on? It has been done, and is done now.

989. Mr. Cameron.] The 100 men would work half-time? Yes.

990.

990. *Chairman.*] After all it is piece-work—the employer pays by the piece? Yes, it is no loss to the employer.

991. *Mr. Barbour.*] Supposing fifty men only were employed to do the work during a fortnight, if 100 men were employed the pit would work only one week? No, it would work just the same. There must be some misunderstanding between you and me.

992. I want you to explain this: Supposing there are fifty miners to do certain work, and it requires that they should work two weeks in the fortnight, but 100 miners are put on, is the work then done in a week and the pit left idle the other week? It is this way. Let me put it my own way: Say the A. A. Company has two ships, and they are going to take 700 tons each, instead of spreading that over four days, at 350 tons each day, they would do it in two days; they would draw out 700 tons each day.

993. Then it keeps the pit working half the time if there are double the quantity of miners; the pit is idle the other week? Yes, the pit lies idle then; they work two days in the fortnight instead of four.

994. Is the object of employing double the number of workmen to save money to the owner of the mine by working half the time? No doubt it saves time.

995. Is that course adopted by the owners of the mines of their own will, or is it adopted at the suggestion of the miners? Of their own accord. The miners have on more than one occasion asked the masters not to employ any more labour till those they have already employed get seven days in a fortnight.

996. You said the wages a miner earned were 10s. a day—I suppose that is if he puts out 2 tons of coal? Yes, 2 tons at 5s.; that was the price in 1879.

997. If he puts out 3 tons of coal? He gets 15s.

998. Are there any rules of the Society which limit him to 2 tons? Not at all.

999. Can he put out as much as he likes? He can put out his turn. Say there are six working places, each one takes his turn, the man with the waggon turns into each man in his turn; if a man's skip is not full he loses his turn; but as long as he can fill it he can do as much as the others.

1000. But he cannot do more—he must keep his turn? He must keep his turn.

1001. Do I understand that each one of the whole six has to do the same amount of work? Yes, because the waggons only come round at certain intervals. I know it is alleged against us that we prevent men earning what they can, but it is not the case.

1002. *Mr. Cameron.*] As a matter of fact does the Coal-miners' Association restrict any man from producing as much as he can? It does not.

1003. From every coal-pit there is a line laid down on which trucks or skips are run into each man's working place, and if a man is behind-hand the skips cannot wait for him, so that it is to every man's interest to produce as much as he can, in order not to lose his turn? Yes.

Mr. John Dixon, called in and examined:—

1004. *Chairman.*] You are secretary to the Miners' Association of the county of Northumberland? Yes. *Mr. J. Dixon.*

1005. How long have you held that position? Three years and seven months.

1006. How long have you resided in the district? I have been 23 years in the district.

1007. Have you been all the time a miner? Yes; all my life, since I was 11 years of age.

1008. *Mr. Cameron.*] Were you set to work as young as that? Yes.

1009. *Chairman.*] Have you any personal knowledge of any persons in your district, now working as miners, who arrived here in 1878 and 1879 as assisted immigrants? I have.

1010. Do you know it of your own knowledge? I do.

1011. Do you know whether they arrived under the designation of coal-miners? They came under the designation of some other occupation, not as coal-miners.

1012. Do you know in what year they came? In 1878, and the commencement of 1879, especially.

1013. Have you any knowledge of the return by the Agent for Immigration showing the number of miners brought out in 1877, 1878, and 1879. The numbers are stated to have been 337 in 1877; 114 in 1878; and 33 in 1879. Are you sure the miners you speak of did not come out as miners? I am sure by what they told me themselves.

1014. *Mr. Cameron.*] Were you ever coal-mining in the mother country? Yes.

1015. How old were you when you left there? Fourteen; I did not have much of an experience.

1016. You would not know what the practice was in other parts of England? No.

1017. Do you think that if inducements were offered to miners in your district to work at anything else they would take it? They would jump at the chance to-morrow.

1018. Are there a good many single men among them? Yes.

1019. Suppose some of these single men were offered positions as farm labourers at £30 or £40 a year, and rations, do you think they would go? Yes.

1020. Any considerable number? I could not say for any considerable number; I might say for perhaps fifty or sixty.

1021. Suppose any squatter in the country is prepared to give the wages I have named, do you think there would be any difficulty in his being supplied with labour from your district? I do not think so.

1022. Do you think you could find the men in three or four days? I do.

1023. If any railway contractor wants men do you think he could be supplied? Yes.

1024. How many men could you send to a railway contractor at the present time? If anything like a reasonable wage were offered 500 men could now be got in our district before this week is out. That is my firm conviction.

1025. What would they work for—8s. a day at the railways? They would.

1026. Do you know what generally are the wages of a navvy? It depends on how he is put on. There is so much contracting and sub-contracting that a man is screwed down sometimes till he scarcely knows what he is going to get;* but 8s. a day I reckon a good day's wage for a good man.

1027. A year or two back do you recollect going with me and Mr. Sweet, of Newcastle, to Mr. Watkins, the railway contractor? I do.

1028. Mr. Watkins was then constructing the line from Werris Creek to Gunnedah? Yes.

1029. He offered to take on a certain number of men? Yes.

1030. Could you give the Committee any idea how many men availed themselves of Mr. Watkins' offer? I can say of my own knowledge about thirty went up to spy out the promised land. 1031.

* Revised:—But for 8s. a day I reckon good men could be got.

- Mr. J. Dixon. 1031. What you mean to convey is that these thirty men went to see what it was like in order to let their fellow workmen know? Yes; just so.
- 29 April, 1880. 1032. What was their report? The report of those that came back—and I could name some of them that came back blind.
1033. That would be no fault of Mr. Watkins? No; it was like this: Going out of a pit where a man is not used to the sun, on to that clay in hot weather, they got disease of the eyes, and some of them are suffering now.
1034. I am not so much concerned in finding out the effects of the trip as whether they found employment? They did not—not according to the promise given to us by Mr. Watkins.
1035. As a matter of fact, did any men go from your district to Mr. Watkins' contract and find themselves unable to obtain any employment at all? They did.
1036. Did you ever come across railway navvies who, being out of employment themselves, came to the Northumberland coal district looking for work as coal-miners? Yes.
1037. Does it frequently occur? I have not seen them lately, but during the last year I know of several instances.
1038. Do you ever hear any complaints from people who have come out here by immigrant vessels, of having been deceived by false representations in the mother country? Bitter complaints.
1039. Do they at any time throw the blame on any particular person—do you hear any name mentioned as that of the person who has deceived them? I cannot say I do; they only complain of the emigration agents.
1040. Have you seen any immigrants who have been sent from Sydney up country as farm labourers;—have you seen them as they passed through your district or come back? I cannot say for farm labourers.
1041. Anything else? Yes, I am well acquainted with some in our district at the present time, who were sent up to Orange from here, and promised constant work, but how they got to Newcastle they scarcely knew themselves. There was no work for them when they got there, and after various wanderings they found themselves in the coally regions after all; they scabbled or begged their way somehow.
1042. I am alluding more particularly to the Northern districts—Murrurundi, Tamworth, and so on—have you seen immigrants who have been sent there? I have.
1043. Have you at any time heard complaints made by those who have gone up there, relative to the difficulty of finding employment? I have.
1044. Can you mention any specific case that came under your more immediate observation? Not through having conversed with any one on it, but by letters; I have had letters sent me during the past year by men I knew well, stating that there were scores of men up the line waiting for a chance to get work, and amongst these scores were some recently arrived in the country; they could not get a day's work, though they were anxious to take anything they could lay their hands on.
1045. There is considerable distress in your district just now, is there not? There is.
1046. Is it true that some men have worked as little as 27 days in so many weeks? It is.
1047. There is a disagreement just now, is there not, between the colliers and the Associated Masters? Yes.
1048. Before this disagreement was it as bad then? The work?
1049. Yes? Yes.
1050. Then the present disagreement has but little to do with the existing distress? It can have nothing to do with it yet; the disagreement is of only three days duration, and the probabilities are that the collieries would not have worked above half a day out of the three if there had been no disagreement.
1051. The non-associated collieries are still working? Yes.
1052. Are they sufficient just now to supply the demand? Yes, amply sufficient.
1053. Then, as a matter of fact there are too many men in the district? Yes.
1054. *Mr. Barbour.*] How many of these men went up to look at the railway works? About thirty.
1055. How many returned? I saw three of them coming down in the train. I came down with them one night.
1056. The three men that had the bad eyes? Yes.
1057. Three out of thirty? Yes.
1058. Were the others put to work? The others got scattered abroad. They travelled their way round, and got work where they could. They found their way home again to the district.
1059. Their finding their way back to the coal-pits would be an indication that they were fonder of that kind of work than of any other? No, no indication whatever.
1060. *Mr. Jacob.*] It might be because they could not get work? It was simply because they could not get work, and they came down amongst their friends, where they were sure of getting a share of the loaf that was going instead of starving.
1061. *Mr. Barbour.*] That was not a very large proportion—three out of thirty? Those men had the blight, and it showed determination on the part of the men to go up there to try and get something to do in preference to remaining in Newcastle.
1062. You said the coal-miners would accept 8s. a day at navy's work;—would they accept less than 8s.? There are coal-miners now—good men—napping slag that comes from the copper works, all along the road, wherever the Government has let the road to be made. I can go and pick miners out—good men—napping away from early morn to late at night, and earning perhaps 6s. a day.
1063. Then they would take less than 8s. if they could get the work? Yes.
1064. Are you aware that a large number of the miners that came out last year were nominated by their friends who were miners at Newcastle? I have every reason to think so by reports I have heard.
1065. And owing to representations from the miners' societies to the Government the immigration of miners having been stopped, do you know whether their friends nominated them as farm labourers? I could not say.
1066. Had they been nominated as miners, would they have been sent? I do not think they would. I give the Government credit for having kept their word to us that no more miners should be sent.
1067. *Mr. Jacob.*] We have been told that an experienced miner, or a person who has been accustomed to see miners, could detect a miner from other people? Yes, that is quite true.
1068. Could an ordinary emigration agent be capable of doing that? No, I do not think so, unless he had been brought up amongst coal-miners.

1069. Then you would hardly blame the agent at home for allowing them to come out under other designations? I would not; but I blame the agent for sending them out when, on their own confession, he knew they were miners. For instance, a man would go to the agent and say, "I want to go out to New South Wales." "Well, what are you?"—"A coal-miner"—and the agent would return the papers and tell him to put on farm labourer. Mr. J. Dixon.
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1070. Have you known people who have come out in that way? I have. The Government agent told them to put on anything but coal-miners; I know people who have told me that has been done with them.

1071. *Mr. Cameron.*] Is there a strong feeling against assisted immigration in the district where you reside? Yes, throughout the district, from one end to the other.

1072. Do the miners, as a body, complain that they have suffered through immigration? Yes, they do.

1073. *Chairman.*] I presume the miners would not object to the continuance of immigration of the really farming class, which does not in any degree interfere with their own pursuits? Well, the miners look at it in a broad light; they cannot see room for immigrants of any class in the way they are brought out, for eventually it tells on any class of people when the country is flooded with labour; it is bound to; if men do not get work at one thing they must turn to another.

1074. Do you think it is a broad view to say new hands are not required? I cannot see how it can be otherwise when men are out of work in other pursuits besides coal-mining.

1075. In your district? Yes.

1076. Have you lived anywhere besides in Northumberland? Yes, I have lived in the Hartley district, and in the Fitzroy district.

1077. You have always been confined to mining districts? Yes.

1078. *Mr. Jacob.*] Your objection would apply to all immigration assisted at the public expense? Yes.

TUESDAY, 4 MAY, 1880.

Present:—

MR. CHARLES,

|
MR. JACOB.

MR. DAY,

J. F. BURNS, ESQ., IN THE CHAIR.

John Young, Esq., examined:—

1079. *Chairman.*] I believe you are an old colonist? Yes.

1080. You have, I think, been a resident of Sydney for many years, though you previously resided in Melbourne and Hobart Town? I have been in Australia five and twenty years.

1081. And you have carried out contracts for important buildings in the Colonies of Victoria, Tasmania, New Zealand, and New South Wales? Yes.

1082. I believe you were the contractor for the Exhibition Building at the Prince Alfred Park, the General Post Office, and the Lands Office, and that you superintended the building for the Sydney International Exhibition, known as the Garden Palace? Yes.

1083. You have consequently had extensive transactions with architects and other professional gentlemen, and have been a large employer of stonemasons, carpenters, and others in the building trades? In all the skilled trades nearly.

1084. I think you are a Director of the Operative Building Society, of the Annandale Freehold and Investment Company, and also of the Civil Service Building Society? Yes.

1085. Would you then be good enough to tell the Committee your opinion of the state of the building trade in this Colony at the present time, more particularly in the city of Sydney, stating first the prevailing rate of wages in each line, and next what relation the supply of hands bears to the demand? The present state of the building trade is very fair, neither excessively brisk nor yet dull—about medium.

1086. Are there many hands out of employment at the present time in Sydney? Not a great many.

1087. Do you suppose that there are as many as 200 or 300 masons out of employment. If that has been stated do you think it is the fact? It is not true.

1088. Do you suppose that at any time during the last twelve months so many as 200 masons could not find employment in Sydney? No; I should say such a statement was quite wrong.

1089. Have many masons at any time during that period been seeking for employment, and been unable to obtain it? A few have been, but I should say the buildings about to be commenced and in hand will absorb all the masons to be obtained, and I would say that had I to carry out the extension of the Post Office I believe I should have greater difficulty in getting really good masons now than I had at the time I erected the original building. This work alone will require from 150 to 200 men, and it will be hard to find men to carry out the good work required upon it.

1090. You think there is a scarcity of good masons at the present time as compared with the time when you took the contract for building the Post Office? I think there was a much better class of masons then than now, although there are still some good tradesmen among them. But I speak of them as a class.

1091. What has become of these good workmen? They are either dead, have left the Colony, or have gone from the business. I speak from experience, and I know we cannot get men to do the work as they did formerly.

1092. In other branches of the building trade, for instance among carpenters, painters, and others, is there a fair demand? A very fair demand.

1093. Do you think mechanics in these and other trades, if they are good workmen, need wait long for employment? No, if there is any distress among mechanics I think, as a rule, it is in consequence of their being inferior workmen.

1094. It has been stated to the Committee that New South Wales has, during the last eighteen months, been indebted to the other colonies for a large number of mechanics who came on their own account;—has that been your experience in the building trades? Yes, a great number have come from Victoria, New Zealand, Queensland, and Tasmania.

1095. How do you account for this voluntary immigration? Because of the additional work that has been doing here during the last year.

J. Young,
Esq.

4 May, 1880.

- J. Young,
Esq.,
4 May, 1880.
1096. Have you observed any reflux of this tide of immigration? Some of those who came here have returned.
1097. Have many returned? I should think about one-third. The rest have settled down in New South Wales.
1098. You think they have found employment? Yes, they have fallen into something suited to them.
1099. I presume that the new Lands Office and the Garden Palace were your latest works in this Colony? Yes.
1100. Were many of those you employed in connection with these buildings persons who had come from other colonies? I employed a very large number, and some no doubt came from other colonies. I could not say how many.
1101. Must not the demand for skilled labour have been greater here than in those other colonies to have induced this voluntary immigration? Certainly.
1102. What is your opinion of the financial condition of the industrial classes of this city? I think it is very comfortable; and I wish to say with respect to the working classes of Sydney that they are much more sober and steady than the same class in England. I do not think they drink so much.
1103. Do you think the cost of living here is greater than it is in England? With the exception of house rent I think it cheaper.
1104. Would your experience as a director of various building societies lead you to the conclusion that the working classes are frugal, and able to meet their engagements for advances for building from those societies? Yes, in fact there are very few defaulters in any of the societies with which I am connected.
1105. I suppose you are aware that a large portion of suburban property is owned by what may be called the industrial classes? Yes. I think the great majority are careful and saving.
1106. You are no doubt aware that the building societies and banks have, during the present year, reduced the rate of interest upon deposits? Yes. I may say in reference to one of the societies to which I belong that there is a large increase in the number of applicants for advances in consequence of the change in the money market.
1107. Then there is greater liberality shown by the building societies in making advances in consequence of the greater supply of capital? Yes.
1108. Is there much building now proceeding in the city and suburbs? A considerable amount of suburban property is now being erected. As a proof of this I may mention that, although at the time the Exhibition building was going on, when sometimes 50,000 or 60,000 bricks were laid in a day, the price of bricks delivered was only £2 10s. a thousand—the price now is £3.
1109. *Mr. Charles.*] With new brickworks in operation? Yes. This too at a time when the weather is fine for making bricks.
1110. *Chairman.*] Your private residence is at Annandale? Yes.
1111. Are there any empty houses there? No; there are not a great many upon the estate.
1112. Have you observed any signs of over-building in the suburbs? No, and for many years I think Sydney has had scarcely sufficient buildings for the demand.
1113. You think then there is not a probability of over-building? No, not for many years to come.
1114. Have you at any time employed any assisted immigrants? Yes, frequently.
1115. Shortly after their arrival? Yes.
1116. Have you known these immigrants to compete unduly with other persons who have preceded them here in the city? No, I think it has been quite the reverse; people who come here require to reside here some time to get Colonial experience before they can compete with older residents.
1117. Do you find notwithstanding their want of Colonial experience that they look for as good wages as those who have been here before them? Precisely the same.
1118. As a matter of business I suppose you prefer persons who have had some experience in the country to new hands? Yes, that is natural; still I have found some good tradesmen among the new arrivals.
1119. Have you ever known any assisted immigrants to loiter in and about the city instead of looking for employment? No doubt some of those who come out do loiter about the city; they are not always the best fitted for the Colony who are selected.
1120. Have you met with many who did not seem fitted for the Colony? No, very few; still there must be some.
1121. Do you think the requirements of the Colony with reference to skilled labour would be sufficiently met if assisted immigration were to be discontinued? No, while work is at all brisk or in its usual state. Of course if work were very dull less men would be required; but that is not the case at the present time nor has it been for a good while.
1122. Do you not think the seasons with which the Colony has been favoured, the high price of wool in the English market, the ease with which the New South Wales loans are floated on low terms in London, and the public works projected on Governmental and private account, afford a good outlook for the industrial classes of the community? Yes, I do think so, undoubtedly.
1123. *Mr. Day.*] I suppose you understand the regulations under which assisted immigration to this Colony is conducted? I believe I do; a certain amount is paid by persons here to bring out their friends, that is the usual rule.
1124. Do you think from your experience in the building trades that there is profitable employment in this Colony for immigrants at the present time? I think a certain number can be absorbed with benefit to the Colony.
1125. Supposing we were to have a ship-load of 300 or 400 a month, do you think that would be too much? No, not if they were properly selected.
1126. If we were to have ship-loads of from 300 to 400 once a month, of different trades, you do not think that would be too many to find profitable employment in the Colony? No; but if men are badly selected in the first instance, that is to say, if they know nothing in England, when they come out here they know nothing more. Such men must learn, and will have a difficulty in falling into their proper places. I do not think it desirable that we should have clerks or people of that description sent out here; I think there are quite enough of them here already.
1127. I think I understood you to say that you knew artisans to be out of employ, such as masons and carpenters? I have known them sometimes to be out of employ. There are always some men out of employ; inferior hands for instance are refused if you can get better ones.
1128. Have you known the same parties to be out of employment for a length of time together? Not very long; I think it is generally their own fault if they are very long out of employment. 1129.

1129. You have had I suppose more experience than any man in Sydney in the building trade;—will you have the goodness to state what rate of wages you pay to masons and carpenters? The average rate for carpenters is 10s., sometimes we pay 9s., but very seldom. The rate is 10s. a day for eight hours. For masons it was formerly the same, but when I was doing the Lands Office they struck for 11s., and they have continued at that rate since.

J. Young,
Esq.,
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1130. Does that rate of wages apply to masons, carpenters, painters, bricklayers, and plasterers? Bricklayers get 12s. a day, of eight hours, plasterers according to quality—10s., 11s., and 12s.

1131. That is the rate you have been paying for a long time? Yes.

1132. You never employ tradesmen at lower rates than those you have named? No.

1133. What rate do you pay to labourers? What are termed pick and shovel men get 6s., 7s., and 8s. a day, according to quality.

1134. How many hours do they work? Eight hours. Bricklayers and plasterers' labourers get 9s. and 10s. a day for eight hours work; painters get 9s. a day as an average; plumbers get from 10s. to 12s., according to quality.

1135. *Mr. Charles.*] You have stated that you knew in some of the building societies with which you were connected that there were large sums of money available for carrying out buildings? Yes.

1136. Is that capital or any part of it the accumulated savings of the working class? Yes; it is their money.

1137. You say that there are some men generally out of employment;—do you believe that industrious men, good tradesmen, could find employment within a reasonable time? Yes; good tradesmen could.

1138. And that it is from other causes than scarcity of work that these men are out of employment? Yes, various causes; some men may not like to take work far from home, others may be given to drink, or may be known as inferior workmen. Masters do not care to employ men who are inferior, unless they are compelled to do so; good men soon become known, and are naturally preferred.

1139. If the building trade continues to be carried on as briskly as it has been during the last two or three years will a steady supply of good tradesmen be needed to maintain the supply, or would the demand be met by apprentices in the usual way? I do not think the apprentices here are sufficient to make up the deficiency.

1140. Therefore you think a steady influx of a moderate number of good tradesmen will be required? Yes. There seems a little disinclination among Colonial youths to apply themselves to handicraft; they seem to lack the application necessary to make them good tradesmen; of course there are exceptions to that rule, for I have some apprentices of my own who are as good as any tradesmen in the world; but I am speaking generally, and I think it would be better both for themselves and for the Colony if more of our Colonial youth would learn trades, and become good tradesmen, but they seem to prefer something lighter, and have not the plodding application necessary to success.

1141. Is there a sufficient supply of female domestic servants in the Colony, or is it necessary that we should import them? There can be no doubt that female domestics are greatly required here, but there again the difficulty I have alluded to with regard to our youths come in; young girls instead of devoting themselves to house or domestic duties take to sewing, or to other employment which they think more genteel. It would be better for them, as well as for the Colony, if they would learn to perform domestic work.

1142. *Chairman.*] Have you observed that for any kind of light employment there is always a large supply in excess of the demand? Yes, for all light employment.

1143. For porters? Yes, or watchmen. I had a hundred applications for the situation of a watchman.

1144. There will always be a large floating population looking out for employment of a light character as porters, doorkeepers, and so on? Any kind of light work where no skill is required, we can get any number of such persons. As an instance of the great number of certain classes that require employment I may mention that at the Town Hall the other day there were five clerks required, and for these situations we had over 500 applications. The highest remuneration offered was £300 for audit clerk, for which there were seventy-nine applications; for a situation of £200 a year we had 179; for one of £180 a year we had, I think, 160 or 170; and for the other two of £120 a year each, upwards of 150.

1145. It is not then, I infer, desirable to assist any of that class to immigrate? No.

1146. *Mr. Day.*] I understood you to say that there were over 500 applications for these positions at the Town Hall? Yes, the reason I mentioned the number for each is that some applicants applied for two or three, thinking perhaps if they failed to get one they might obtain another.

1147. These were all clerks? Yes.

1148. And they understood no other business? That I do not know; but they all had testimonials as clerks.

1149. I suppose these offices were advertised, and persons were invited to send in applications? Yes, to the City Council.

1150. Suppose you were to take a large contract to-morrow and to call for applications for artisans, say masons, bricklayers, and others in the building trade, how many applicants do you think you would have? I cannot say, for if the work were in town and nearer their own residences than the job on which they were employed they would leave their old work and come to the new.

1151. Do you ever advertise for tradesmen? Very seldom. The men know me so well, and in fact we know how to go about getting all the men we require for any work.

1152. I suppose you have a lot of tradesmen who follow you wherever you go? Yes, if I had a contract 1,000 or 2,000 miles away I could get as many men as I wanted.

1153. They would knock off other work to go to you? Yes, many would in a minute.

1154. *Chairman.*] You generally have large jobs on hand, and that I suppose is one reason why men would prefer going to you, knowing that the work would continue for a long time? Yes, I have a very large staff, and they can depend upon me.

1155. You are clearly of opinion that if Government continue assisted immigration and bring out a proper class such as good masons, carpenters, bricklayers, and plasterers, they can find profitable employment here? Yes, some of the people who are brought here are quite unsuitable; for instance, when I was carrying on the Exhibition building I had application for employment from two Manchester weavers. I did employ these two, but of course they are not the class we require. They cannot earn their wages properly. Still, any self-reliant man who comes to this Colony can do well, no matter what his trade or calling.

1156.

- J. Young, Esq.
4 May, 1880.
1156. If he is willing to adapt himself to any occupation that may offer? Yes, and has a genius for it. He must have the genius and be able to settle down to it. But, unfortunately, there is an outcry against emigration, and it arises in a great measure from the fact that the men who come out and do not succeed are those who have been relying at home upon steady work upon one single thing, going through one little routine in a certain way; and when they come to Australia, circumstances being different, they cannot accommodate themselves to the change.
1157. *Mr. Day.*] Have you had any experience at all in the farming line? Not a great deal.
1158. Do you think the Colony is fully supplied with farm labourers such as ploughmen, horse-drivers, and others? I should think not. I think they are wanted.
1159. You think this class of men and tradesmen could find plenty of employment in this Colony? Yes.
1160. Do you think we could absorb 400 a month if they were sent out? Yes. I think there is an unlimited extent for farming men, if they were self-reliant and would settle down; but they are not generally willing to do that at once.
1161. *Chairman.*] Have you found a general unwillingness on the part of the people you have employed to go into the country? Yes. If a contract were taken at a place like Armidale it might be difficult to get workmen to go there.
1162. They show great reluctance to leave the city? Yes; they would require more wages to go. In fact they do not care about leaving, and the reason in many cases is that the good workmen, who of course are the men we want, are settled in Sydney, and they do not care to go away and leave their wives and families.
1163. *Mr. Charles.*] Do you consider that these persons who applied for offices under the City Corporation were all out of employ, or that a portion of them were in other employment? I should think, judging from the references I read, about one-fourth were out of employment, and the remaining three-fourths were employed, but that they sought to improve their positions.

Mr. Joshua Farr examined:—

- Mr. J. Farr.
4 May, 1880.
1164. *Chairman.*] I believe you have been a resident of the Colony for many years? Twenty-five years.
1165. And that at the present time you are in business as a builder at Redfern? Yes.
1166. How long have you been in business on your own account? About twelve or fourteen years.
1167. On your first arrival in the Colony what kind of employment did you obtain? I took employment as a carpenter and joiner, to which trade I served an apprenticeship at home, in England.
1168. Have you taken any interest in the question of immigration? Only on this side—I have always been an advocate for it.
1169. Can you tell us the present condition of the building trades; you say you have taken an interest in immigration. Will you have the goodness to state why you have taken that interest? Because I have often thought in a young country like this the more people come here the better it will be for those who are. Being about so much among the working classes I hear what is said on both sides of the question; but I take my stand on my own side, and I believe that the increase of population of the right description will be for the benefit of all.
1170. To those who come? That I am quite sure about.
1171. Since your arrival here have you been the means of inducing any of your friends to come out? Soon after I arrived I sent home for my brother, and paid his passage out; he is a bricklayer by trade, and has done very well by coming, even better than myself.
1172. I think you have done very well in your business? I have no cause to complain.
1173. You are what is called a prosperous man? Yes, I think so.
1174. Has your brother done as well as yourself? Yes.
1175. How long has he been here? About twenty-two years.
1176. May I ask you whether, when you embarked in business on your own account, you had much capital of your own? Perhaps £200 or £300—scarcely that.
1177. Which you had made here by your own labour? Yes; when I came here I had nothing.
1178. Do you know whether at the present time there are many persons in the building trade unable to obtain employment? From what I hear there are a pretty good number, but I can hardly say whether that is true. If you wish me to state my own opinion I will do so, and it is this, that in a large city like Sydney there will always be a number of men out of employment; and we can hardly wonder at it, when we know that a good tradesman can do as much in one day as some of these people who are wandering about will do in two. Some of these are good tradesmen but slow, and an employer will only give them work to suit his own convenience, and when he cannot get others. The consequence is that there are a good many of this sort of men in and out of employment; and there are some who keep in work just long enough to earn a little money, and then remain for some time unemployed.
1179. You think there are many of this sort about Sydney? Yes, I know many myself.
1180. You think that these men, although good workmen, are slow, and therefore have a difficulty in getting continuous employment? Yes, that is exactly what I mean.
1181. Do you think that at any one time these are long out of employment? No, not for any length of time.
1182. *Mr. Jacob.*] Do you think they would obtain employment if they were willing to take less wages? They will not take less wages; a bad mechanic expects the same wages as a good one. A good mechanic is honestly better worth 12s. a day than many of those men are worth 7s.
1183. *Mr. Day.*] Still you say these men are good tradesmen? Yes, but they are men who always have pipes in their mouths, will not push on with their work, and all they seem to think of is to get the day's work over.
1184. *Chairman.*] Have you many men now in employment? At the present moment I have about fourteen.
1185. You reside at Redfern? Yes.
1186. You have some property of your own there? Yes.
1187. Do you know of any empty houses in and about Redfern? No, empty houses are almost unknown.
1188. Has it come within your knowledge that in any of the suburbs of Sydney there are many houses to let?

let? At the present time I think there are very few. There may be a few more now than there were twelve months ago, but they are very few. I may state that I am not only the owner of a good bit of property myself, but I am also the agent of a gentleman who is away from the Colony who has considerable property. Mr. J. Farr.
4 May, 1880.

1189. Do you think there is any probability of buildings being erected for residences in the suburbs in excess of the demand? I do not think so.

1190. When you have a house vacant in Redfern do you experience much difficulty in re-letting it? None whatever.

1191. Have you any connection with building societies? No, I have never had any.

1192. If you were told that at the present time there were 300 masons in Sydney unable to obtain employment, would you think that statement reliable? I should think it most unreliable—I should not think it correct. I discharged two masons the other day, having finished the job on which they were employed, and I saw them working the second day after.

1193. Assuming it were said there were 200? I should not think it true.

1194. Do you think many masons have been unable to obtain employment for any length of time? I certainly should think not.

1195. Do you find the cost of living in this Colony any greater than it was in England? No, I think, to speak truthfully, it is not, and I was in England nine months ago.

1196. Did you when you were in England endeavour to induce any of your friends to come to the Colony? Certainly I did.

1197. Of what class were they? I offered to pay the passages of two or three, but they were frightened at the water.

1198. You thought so well of the Colony that you were desirous of inducing friends to come with you? Yes, and I told many persons at home that the best thing they could possibly do was to come out.

1199. Were they principally mechanics? Yes.

1200. And you thought they would be better off here than in England? I am positive of it.

1201. Did you call at the office of the Agent General when you were in England? I did.

1202. Did you make inquiry as to the terms upon which your friends could come out? I know that two or three made application at the emigration office, Park-street, Westminster, and they were told that instructions had been sent from New South Wales to send out no more mechanics. They did not meet with the respect they thought they were entitled to, considering what I had told them, that mechanics were in great demand, which was the case when I left, twelve months ago.

1203. When did you leave here? Last April twelve months.

1204. At what time did you call at the office in London? About last July.

1205. What description of mechanics do you speak of? Good carpenters and joiners.

1206. From your experience as a man of business do you think these men would have been likely to do well here? I should have been glad to have had them in my employ.

1207. Did you while you were in England come in contact with other classes who were desirous of emigrating? Yes, many came to ask me about immigration, and I told them it was an easy matter; but while I was in England a *Sydney Morning Herald* came with a letter in it, written I think by Mr. Cameron, through remarks made by him in the Legislative Assembly, and that set people against emigrating.

1208. Your business is chiefly among artisans and mechanics? Yes.

1209. Is it within your knowledge that during the last eighteen months we have had a large accession to our population by arrivals from the other colonies? I have heard so; but I was away during the greater part of last year. I believe a great number came here during the Exhibition.

1210. Were they not coming for sometime prior to that? Yes, they were coming before that from Melbourne, and as a builder I was glad to see them come, because it enabled us to get some good men.

1211. I presume they would not have come unless they had heard a good report as to the state of business here? The business was very brisk in Sydney, and good mechanics were not obtainable.

1212. Have you heard of many of these tradesmen returning? No, I think most of them have located themselves here.

1213. Have you found an unwillingness on the part of new arrivals to go into country districts? I have. I have had one of my carpenters who came out in the ship with me, who has been working for me ever since I came from England; but some of the passengers returned by the same ship that brought them out, because they could not get employment.

1214. What were they? Weavers and tailors; and I did not wonder that they returned.

1215. Have you met any newly-arrived immigrants loitering about the streets of Sydney unable to obtain employment? I certainly have not.

1216. You have spoken of some men returning to England by the ship which brought them out. You say some of these were tailors, and that they could not obtain employment? I heard this from others—I know positively that some of them did return.

1217. Were there many? No, there might have been three or four.

1218. Out of one ship? Yes.

1219. *Mr. Day.*] What is the rate of wages generally ruling for masons, bricklayers, and carpenters? From 10s. to 11s.—a great number are getting 11s., not less than 10s. I am paying that myself, and to one of my carpenters 11s., and he is worth more than that.

1220. For how many hours? Eight, and not a minute more if they can help it.

1221. And you think there is profitable employment for men at these trades? Yes, for really good mechanics.

1222. You do not think the market is overdone in consequence of assisted immigration? Not for really skilled tradesmen, but there are many who call themselves mechanics who know very little of the trade they profess? At the Exhibition Building there were a number of men at work who had never used a tool before. These got on a little by degrees, and they call themselves carpenters now. This is the class of men I complain of. If you were to put one of them to make a door or window they would only spoil the timber.

1223. Still they call themselves tradesmen? Still they call themselves tradesmen, and it is this that is doing the Colony harm.

1224. From your knowledge of the wants and requirements of this country do you not think we could absorb 300 or 400 immigrants a month, provided they were well selected? That is my firm and honest belief.

1225.

- Mr. J. Farr. 1225. Will you be kind enough to state what class of people would be most likely to succeed here, having regard to their own good and to that of the country? The only class I could recommend would be skilled labour.
- 4 May, 1880. 1226. What do you mean by skilled labour? Carpenters, joiners, masons, bricklayers, plasterers, first-class skilled men not afraid to work.
1227. Then it would be useless to bring needle-makers, weavers, pin-makers, iron-moulders, or persons of that kind? I believe it would be a waste of money.
1228. Have you had any experience in the farming line in this country? Not the slightest.
1229. Have you had any experience as to the wants and requirements of the people of this country with regard to domestic servants? I think the want is very great for good domestic servants; I tried to induce some respectable young females to come out, and told them what an excellent chance there was for them here, but the same thing frightened them as had alarmed the men—the water.
1230. Do you know what is the rate of wages for domestic servants, cooks, housemaids, and laundresses? I should say from 10s. to 14s. a week.
1231. You think there is plenty of employment for them? I am sure gentle people would be too glad to get a good class of servants.
1232. Have you found any difficulty yourself in obtaining domestic servants? If I must be candid my wife would not be troubled with them; she would rather do the work herself.
1233. Have you a large family? Yes.
1234. Does your wife do the whole of the work? No, I have a daughter just about twenty-one.
1235. Then your family is grown up? My youngest child is now six years of age. I have seven in all; and my second eldest daughter and her mother do the whole work.
1236. I suppose during your experience you have heard many persons exclaim against assisted immigration? Yes, I have continually.
1237. What class of people were they? Persons of all classes, even in the building trade.
1238. Labourers and artisans? Yes; they run away with the idea that if immigration continues it will tend to reduce wages, but I have endeavoured to convince them that the more people come here the more work there must be, for every person who comes must be a consumer—he must have a house to live in, in, food to eat, and clothes to cover him. The more people come the better it will be for those who are here, and for the colony at large.
1239. Have you had many applications for employment in your own line of business, when you have had work going on? No, I have not; twelve months ago I could not get men, but for the last three months I have been away from Sydney doing some work for the Honorable Mr. G. H. Cox, at Mulgoa.
1240. Being connected with the building trade if many people had been out of employment they would have been likely to have applied to you? They would have been sure to.
1241. And you have not had many applicants? No; I have been troubled two or three times with a class of men who as soon as they get a few shillings to spend get on the drink, and do not care for work or for anything else.
1242. What prospect is there in this country for a good tradesman, who is sober, and will keep diligently to his work? I consider that there is the same prospect for him as there was for myself. When I came here I had scarcely £1 in my pocket, and I worked at the bench for years and years as hard as any man. I was never particular about its being early or late. After I had been a few years at journey work I thought I might better myself by taking jobs myself. I have done so, and have always endeavoured to give satisfaction, and I have prospered.
1243. And now you are a large employer? Not a very large employer, and I do not intend to be. If you offered me work just now I should decline it, whatever it might be, because I do not want to be bothered with too many men.
1244. I think you said you had fourteen men at work? Yes; I have just now, because I am now doing some work for Mr. Cox at Mulgoa, but as soon as that is done I shall go on in my own quiet way.
1245. What do you mean by your own quiet way? Keeping on only six or seven men.
1246. If you had a number of friends in England—artisans, such as masons, bricklayers, and others in the building trade,—would you strongly advise them to come to the colony? Yes; if they could not get on well at home I should certainly say come.
1247. You think if they came here and were careful and industrious they would be bound to succeed? I have no doubt whatever of it.
1248. Mr. Charles.] You have stated that you have a job in the country; from your observation and knowledge of working men would you say that a number of these could find employment in the country? I have my doubts about it.
1249. Do you not think they are required in the country—upon farms? I could not say much about that; I am not in a position to speak positively upon that point, but I may say that I was at Tamworth about two years ago, when I was asked by a builder there to send him up some good men as he wanted them badly, and could not get them.
1250. You think the cause with most of the tradesmen who are out of employ, and who are complaining, is either that they are bad, or slow workmen, or through drunkenness? That is the cause with many of them.
1251. Probably these three causes combined may account for so many being out of employment? They may, but I do not think drunkenness is so prevalent among tradesmen now as formerly.
1252. Mr. Jacob.] From the general tenor of your evidence I infer that you are in favour of an increase of population of the right description? Yes, certainly, if properly selected.
1253. Have you given any attention to the assisted immigration system, or to the regulations under which people are sent out here? I must candidly confess that I hardly know what the rules are.
1254. Do your remarks apply to those who come out at their own expense, or to those who come out under the system of assisted immigration? I was given to understand that any person desirous of coming here from the old country could do so upon the payment of £2.
1255. You have not given the system of assisted immigration sufficient consideration to enable you to speak as to the desirableness of continuing that system? No.
1256. Do you know if there is a great scarcity of bricks? At the present time there is.
1257. Could others take to the trade of brickmaking. For instance, it has been stated that a number of masons are out of employment;—could they readily adapt themselves to the business of brickmaking? I do not think they could.
- 1258.

Mr. J. C. Glue. 1295. Have you seen many newly-arrived immigrants loitering about Sydney unable to obtain employment? No; perhaps they may come to me and make application three or four times, and then they drift off in some other direction. Perhaps I do not see them again, and could not state whether they get work or not.

1296. *Mr. Cameron.*] I suppose your experience is more confined to people open for hire to go into the country than with people whose more immediate calling lies in the city? Yes, generally it is.

1297. As a rule you say you have no difficulty in supplying any demand made upon you, except in one or two cases? Some of the orders are on terms that are not according to their ideas of what the rate of wages should be; or there may be an objection to the locality.

1298. But you have an unlimited demand for female domestic servants? Yes.

1299. For more than you can supply? Yes, of the right sort. A great many women apply for service whom I would not send from my office.

1300. Do you not think that the employment in factories of various kinds, and at sewing-machines, of females, when they have their evenings and Sundays to themselves, has had a great deal to do with the scarcity of female domestic servants? No doubt it creates a great disinclination to domestic drudgery.

1301. With the natural love of liberty common to women as to men, they desire to have their evenings to themselves? Yes.

1302. With reference to farm labourers, what are the ruling rates for healthy farm labourers—single men? Up to within the last six months—I should say for the last five or six years—they have been equal to £40 a year to hire for the country, with rations.

1303. Have you in any marked manner been brought into communication with the class of persons who have been the recipients of this assisted immigration vote? No.

1304. As far as you, as a man of the world, are able to form an opinion, do you think the class we are importing here is the right class at the present time? Of course in a ship-load of immigrants there are a great variety of people. Some of them I have no doubt are very good men, in this way, that they are of industrious habits and want to push on in the world, and as a matter of course they do get on. They find employment and remain in it until they themselves are able to become employers, or work on their own farms. Others are of a careless kind, who do not care whether they have work or not, and they of course begin to condemn the Colony, that they had no business to be brought here, and that the Colony was not what it had been represented.

1305. I am not speaking so much about the moral character of these people—I will put the question in another way: Do you think the class of people sent out under the present system of assisted immigration, having regard to the nature of their previous avocations, the best suited to make enterprising colonists as a rule? I do not see how the difficulty could be got over.

1306. You admit there is a difficulty then? Yes, I think so.

1307. For instance, the result of your observation and long connection with the labour market would not induce you to bring out a large number of the artisan class in the building and iron trades? No, I think they ought not to be brought out so numerous as the others; I do not think there is the same scope for them. Another reason is that it does not give the rising generation a chance.

1308. At the present time you would not be in favour of bringing out coal-miners? No.

1309. In that line the supply is equal to the demand? Yes; I have lately engaged a man and his wife to go to the Richmond River. They have been in the Colony about twenty months. He is an Irishman, and had been engaged as a miner for 14 years in Wales, and on his arrival here he went to Newcastle, where he followed the same occupation for a time, but at length wrote to me to obtain a situation for himself and wife. I told him he had better come to Sydney, and when he had been here about a week I obtained an engagement for them to go to the Richmond River. His statement to me was that he had great difficulty to obtain constant work at Newcastle in consequence of the disturbances with the men there, that he could keep no money in his pocket, and that the district was not suited to him.

1310. Do you find an unwillingness on the part of mechanics out of work—men in the building and iron trades—to go into the country to other avocations? No, not if they are adapted to it. But the difficulty is to engage a man who has been brought up in a fitter's shop or as a moulder to do farm work.

1311. Then you think the present system of immigration could be amended by refusing to bring so many people of these particular avocations? I think so. There is plenty of scope for farming men. Bushmen will find their level here, and will work their way if they have any energy in them.

1312. A man who has served his time in the mother country to a skilled trade is not fit to go into the country to follow farming pursuits? No.

1313. To put the matter in another way, from your experience would you be inclined to think that a man who had served his time to the iron or building trades, or who had been brought up to some manufacturing industry, and who upon coming here could find no employment at his particular trade or avocation would be fit to go into the country and work on a farm? No, unless he had great muscular strength.

1314. He would not command the wages? No.

1315. *Mr. Charles.*] You think that although there might be an odd man here and there who might adapt himself to the work it would not be advisable to bring out this class of men? I do not think the Government of this country has any right to assist that class of persons, as there appears to be at present plenty here. I think labouring men are better adapted to the wants of the colony.

1316. You say you believe many persons could improve their condition by coming here. Do you think if a number of stout robust farm labourers were to come out they would have any difficulty in finding employment upon their arrival? No, I think not.

1317. Have you any knowledge of the assisted immigrants who came out during the past years as to how they have succeeded? I suppose there are few agents whose experience is not similar to mine, and that is that many of those who formerly passed through my hands as servants are now my constituents and the employers of labour themselves. There is a vast number of such in the Southern Districts.

1318. *Mr. Day.*] You have had very great experience in the labour market in this colony? Yes.

1319. From your experience in the labour market of this Colony are you under the impression that the present system of assisted immigration should be continued or abolished? I do not think it should be discontinued for this reason, that a great many people who are poor and needy at home have not the means of coming out here. This is an extensive country, and there is plenty of scope for them here, and they have a better chance to do well here than at home. I do not see because in a number of people who come here there are some bad, that therefore the good should not be allowed to come. 1320.

1320. You are under the impression that if the present system of assisted immigration were carried on properly, the people who came would find remunerative employment? Yes, if they do not come out with too extravagant ideas. Some people when they arrive in the Colony seem to think they shall pick up gold in the streets, that money is to be obtained without working for it. Besides, there is a class who, when they arrive here, fall into bad, dissolute, and drinking habits, and we therefore require a constant supply to renew the stock. Mr. J. C. Glue.
6 May, 1880.

1321. Are there at the present time many men out of employment in and about Sydney? A great number in Sydney.

1322. What class of men are these out of employment? They are generally men who would seek lighter employments, such as driving a horse and cart, or pick and shovel men. The great majority of them appear to be men who have been in a better condition of life.

1323. Are they some of the assisted immigrants who have come to the Colony? I do not know. I could hardly answer that question.

1324. Do you know of many of these assisted immigrants being out of employment? No, I do not know of any particularly.

1325. I suppose you lose sight of them as soon as they get engaged? Yes; when they fulfil their engagements they come back to me.

1326. What is the daily rate of wages now for masons, carpenters, and bricklayers? Bricklayers from 10s. to 11s. a day; masons, I think, 10s.; carpenters are not confined to one rate, it all depends upon their skill; they get from 7s. to 10s.

1327. What is the average rate for carpenters? It is a little less now than it has been—from 9s. to 10s.

1328. That is for eight hours a day? Yes.

1329. I think you said before that farm labourers received about £40 a year on the average? That was up to six months ago.

1330. Do you find that there is plenty of demand for that class of labour in the interior? Not so much for farming men. There seems to be a disinclination to engage just now. I do not know whether it is because there are sufficient people in the districts, or whether the farmers are not in a condition to engage them. One of these two causes it must be. I sent a man to Shoalhaven for Mr. John ———, whom I engaged at £35. About six months ago I engaged a man for the same farm at £40 a year. Men are now easily obtainable, and of course the rate of wages is reduced.

1331. You are clearly of opinion that if assisted immigration were carried on properly it would be beneficial to the country? Yes, and to the people themselves.

1332. What is the average rate of wages for married couples for station hands? It differs a great deal. I engaged a man and his wife at £75; I also engaged the miner I spoke of and his wife at £65; I have just engaged a man and his wife at £65, and am going to engage another couple to-morrow at £70. It depends a good deal upon the experience of the parties engaged; and some squatters give a little more than others.

1333. Are they also allowed rations? Yes.

1334. The last time I went to your place I paid £75? Yes, and I engaged a couple for a neighbouring station at £75 at the same time. I engaged a couple a short time ago at £95 a year, but the man was a skilled carpenter. He had several houses at Woollahra, but they were in a Building Society, and he wanted to pay off the advance upon them; as work was not very plentiful in Sydney he took this engagement.

1335. *Mr. Cameron.*] I suppose you have a great glut of persons seeking for light employment, such as porters and clerks? Yes. With regard to female emigrants, in some of the classes that come out they are not satisfied to remain in one employment; I refer especially to general servants. If these would confine themselves to one thing it would be well both for themselves and for their mistresses, but after they have been here a little while they get into bad habits; they do not like the drudgery of a general servant, and strive to obtain superior situations as parlour maids and upper servants, for which they are unfitted, and as a consequence they go from office to office, idleness creeps upon them, and they fall into bad habits.

1336. *Chairman.*] What are the wages current in Sydney for general female servants? From 12s. to 15s. a week.

1337. *Mr. Cameron.*] Some lower than that? I seldom engage a good servant for less than 12s.; the rule is above 12s. I sent a rough Irish girl to Jerra Jerra at 14s. a week, and if I could get another for ——— I would give her 16s. as cook and laundress, but I cannot induce one to go; they will not go into the country, they like town life, to be among their friends, and to display their finery.

Mr. Robert Micklejohn examined:—

1338. *Chairman.*] You are in business, I think, as a produce and general merchant? Yes.

1339. I believe you are agent for a large number of persons in the coast districts? Yes, I am.

1340. Have you been long in business in Sydney? In connection with that business about twenty years.

1341. Have you ever resided in any country district? No.

1342. Your business brings you closely into association with farmers, graziers, and others engaged in the like pursuits? Yes.

1343. Can you tell the Committee whether in the course of your business you have many applications from your constituents for persons to be sent to them? Yes; we have constant applications from time to time.

1344. For what class? Agricultural laborers.

1345. Recently? Occasionally; perhaps once a month, or something of that sort.

1346. At what rate of wages do you generally engage them? Latterly about £40 a year and rations.

1347. Would that be for farming men? Yes; formerly we used to get them for £30, £31, and £32.

1348. Since when has there been this advance in wages? Within the last few years.

1349. Have you found any difficulty in getting the class of men you have wanted? Yes, very great difficulty; perhaps we do not get one man in five that is any good.

1350. That is, those who have been accustomed to farming? Who say they are when they are engaged, but who, when we send them prove themselves to be absolutely valueless. It is a most difficult matter to get really good agricultural labourers.

1351. Have you engaged many newly-arrived immigrants as farm labourers? Yes.

1352. How have they turned out? Very badly. We lately engaged a very likely-looking family—a man, his

Mr. R.
Micklejohn.
6 May, 1880.

Mr. E.
Micklejohn.
6 May, 1880.

his wife, two daughters, and son—supposed to be agricultural laborers, for Kiama. When our constituent had had them a very short time he was glad to pay their passages back to Sydney to get rid of them.

1353. I suppose the persons whom you find most suitable for the requirements of people in the country are those who have been in the colony some time? Yes.

1354. Can you get many of them? No, not really first-class men. There are always good openings for them in the country.

1355. Do you think if the Colony were to bring out a regular supply of persons experienced in farming they would be able to obtain employment? I am sure they would.

1356. Then, I presume, you are in favour of immigration of that class being assisted? Most decidedly. In fact, a really good man can in three or four years save money, make a selection, and in a short time become an employer of labour himself.

1357. Have you any demand for any other description of people? No; my business is confined entirely to produce and in connection with agriculture.

1358. The price of farm produce, especially with respect to grain, is at present rather low? Yes, it has been, and is likely to be for some time to come; consequently there is, perhaps, not so large a demand for labour at the present time, because farmers are economising as much as they can, and do with fewer servants than usual.

1359. Yet the grazing and agricultural interests are in a prosperous state? Yes.

1360. Mr. Cameron.] You are not brought much into contact with the labour market, so far as it affects artisans and mechanics in Sydney? No.

1361. You do not know whether it is in a prosperous state or not at the present time? I cannot speak from personal experience.

1362. From your experience, what the country wants is first-class agricultural labourers? Yes, they are very necessary.

1363. Mr. Charles.] From what you say I infer that immigrants who are suitable, good agricultural labourers, in a short time take up land and become employers themselves? Yes.

1364. Do you consider that we require a steady supply of others to take their places? Yes, because the demand is gradually increasing. As these people take up land they in a short time require servants, and consequently a constantly increased supply is needed.

1365. You think then that any assistance that might be afforded to immigrants should be given to people brought from the agricultural districts of the old country? Yes; and even in the case of girls, those should be brought out who are acquainted with dairy work—a class hardly to be obtained in Sydney.

1366. You think there would be a good opening for girls who have been brought up on farms in the old country? Yes; I have had orders for them, and have been unable to get them in Sydney.

1367. Do you often get orders to supply female servants for your constituents? Yes.

1368. Is it within your experience that when immigrant ships arrive in Sydney people in the country write to their agents to engage newly-arrived immigrants? Yes; but the girls are seldom willing to go into the country.

1369. Mr. Cameron.] I suppose they prefer working at sewing-machines? Yes; most of the girls do not care about going into the country. If it could be arranged that girls intended for agricultural districts could be sent at once to those districts it would be far better than the present system of allowing them to land and remain in Sydney.

1370. Would you advocate the same course of conduct in reference to farm labourers, that instead of being allowed to remain in Sydney they should be at once sent to the agricultural districts where they were required? Yes, I think that would be a great improvement.

1371. Mr. Day.] Have you had any experience with reference to our assisted immigration regulations? not much.

1372. Do you know anything at all about them? I know that many years ago large numbers came out here under the assisted immigration regulations; many of the present settlers in Illawarra who are now well off were brought out here by their friends.

1373. Mr. Charles.] Are you not aware that a large number of the assisted immigrants who have been brought out for Illawarra were assisted by persons who had themselves come out under that system? Yes.

TUESDAY, 11 MAY, 1880.

Present:—

MR. BARBOUR,
MR. CHARLES,

MR. DAY,
MR. JACOB.

J. F. BURNS, ESQ., IN THE CHAIR.

Francis Campbell Brewer, Esq., examined:—

F. C.
Brewer, Esq.
11 May, 1880.

1374. Chairman.] You are connected with the Press in this city? Yes.

1375. How long have you been in this Colony? Since 1834.

1376. I believe you visited England a short time ago? Yes, in the latter part of 1877.

1377. How long did you remain in England? About a year and nine months.

1378. Where did you reside? I went home in connection with the *Sydney Morning Herald*; my office was in George Yard, Lombard-street, and my private residence at Gloucester Terrace, Kensington Gardens.

1379. While you were in London you acted as agent for the *Sydney Morning Herald*? Yes, in an editorial, and in other capacities.

1380. Were you in the habit of calling at the office of the Agent General for this Colony? Only upon two or three occasions. My first call was just after I arrived there, and I saw Mr. Forster and Captain Jopp—I had some conversation with them with reference to office matters.

1381. Was it your habit at any time to call there to obtain information relative to the Colony? Occasionally—not very often.

1382. Did you meet with persons in the office other than the Agent General who had any personal knowledge of Australia? No. Captain Jopp was there, and I think there were two clerks in another office.

1383. Could they give any information relative to the Colony to those calling at the office, other than they had gained from books and newspapers? I do not think either of them had been to the Colony.

1384. Had you many applications made to you while you were in London for information about New South Wales? Yes.

1385. From intending emigrants? Yes. I may state that I advertised my office in London in the papers, and that brought a number of persons to me asking for information respecting New South Wales.

1386. Could they have obtained the information respecting which they came to you at the office of the Agent General? Unless from Mr. Forster I do not think they could.

1387. What was the nature of the information these intending emigrants wanted? Principally they used to inquire with reference to the modes of employment here, the avenues for industry, the openings for mechanical and other labour, and the price of food, and out of these inquiries several others arose. In several instances I had applications also from clerical persons.

1388. Did they ever send parties from the office of the Agent General to you for information of this kind? That I cannot say, but I referred persons generally to the office of the Agent General, after I had given them any information.

1389. Were they in the habit, or have they at any time sent to you from the Agent General's office for information? Not from the Agent General's office.

1390. Did you find much disposition on the part of the people who called upon you to emigrate? Yes, they were particularly anxious to get information about the Colony. No work seemed to supply them with many of the details of information they required, which they considered of importance.

1391. What class of mechanics was it who desired to emigrate? I did not keep a note of them, but so far as I can recollect among others there were one or two carpenters, two engineers, and two cutlers; the two latter had been employed, I think in Sheffield; they sent letters to me and asked if there were an opening for men of their class out here.

1392. Did you find that there was much or great misconception with reference to this country? I found the most profound ignorance with regard to New South Wales in London, and in other parts that I visited.

1393. Did you travel much while you were in England? Not much, my duties did not permit me, as they required my stay in London, but I went to Yorkshire, Sutton, and Gloucestershire.

1394. Did you go into any of the agricultural districts? I noticed many tenements vacant, good sort of farm-houses, such as would be occupied by what I should call yeoman farmers. These were, I think, upon Sir Richard Phillips's and Lord Redesdale's estates, and I inquired from some persons as to what had become of the tenants, and was informed that most of them had emigrated to New Zealand. One family, consisting of father, mother, and six children, had sold out of their farm and had taken four labourers with them to New Zealand.

1395. Did you make any inquiry as to the cause that had attracted them to New Zealand rather than to New South Wales? There is more known about New Zealand than any other Colony. It is kept more constantly before the public.

1396. You think there is the most profound ignorance with respect to New South Wales? Yes.

1397. Did you find that ignorance pretty general? Yes; I may say that I mixed a good deal with various classes in London, and I also visited some country districts around London, and many persons whom I met hardly knew that such a place as New South Wales existed.

1398. Do you think it would be easy to get parties who have been accustomed to farming to emigrate to this Colony, if agents were to go among them and speak to them in their own language, pointing out the advantages the Colony offered to their class? Yes; I think so. I do not think this class of people can be reached by pamphlets, they do not care about reading them, they want information communicated to them *vis à voce*, or by letter. They ask questions as to a number of details with reference to climate, the cost of settling on the land, the class of land, the cost of clearing, and many others which are not answered in a pamphlet.

1399. I presume you are aware that a very large number of pamphlets, written by Mr. Charles Robinson, were sent to the Agent General for distribution? Yes, I believe I was told that some 50,000 were sent Home, but I have reason to think that they were not distributed, but simply given to persons who called at the office, which is really no distribution at all. I may say that I did not see a single copy, either of that pamphlet or of Mr. Reid's, while I was in England. Of course I could have seen and obtained copies if I had applied for them.

1400. Did the class of persons who were coming out here as immigrants at all come under your observation while you were in England? The only emigrants I saw were the hop-pickers, who were sent out by Sir Julius Vogel to New Zealand.

1401. You saw none of the emigrants who left for this Colony? No, I did not. I know some of those who called upon me came out, for I went with some few of them to Thompson's, the ship-owners in Leadenhall-street, and also to Anderson and Anderson of the Orient Line, and they paid deposits on their passages.

1402. Could you make any recommendation as to the best means of attracting the attention of desirable persons as immigrants to this Colony? I do not think the pamphlet or lecture systems correct ones, for the effect of the lecture is simply local, and does not extend beyond the town where it is delivered, and agricultural labourers are not a class who will read heavy pamphlets, or go through statistics so as to get anything out of them. The best way to get at the British public is through the columns of the newspaper, and if anything is published in any of the leading London papers with reference to Australia it will be republished, not only in other London papers, but in a hundred and fifty newspapers in the provinces. If there were some one in London who would make it his study to get the Colony brought before the public through that medium, I am certain it would do more good than anything else I can possibly imagine, because the British people are a great newspaper reading people, and there are an immense number of papers published in the provinces.

1403. And the provincial papers reprint from the London press? Very largely. I used to go to places where the country papers were received, in fact it was my business to do so, and I have constantly seen many things that had appeared in the London papers, with reference to Australia, Canada, or other colonies likely to attract the attention of persons likely to emigrate, copied into numbers of them.

1404.

F. C.
Brewer, Esq.
11 May, 1880.

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1404. Anything about the climate, the soil, the crops, prices, or the experience of others who had come to this Colony, if published in the London Press would be likely to get circulated all over Great Britain? Yes. I visited Dublin and the country just around. I was there about seven or eight days, and I found considerably more was known about New South Wales there than at any other place I visited. This I attributed to the greater number of persons who had gone from that part of the United Kingdom to this Colony, and who communicated with their friends at home.

1405. How do you suppose the getting the Colony noticed by the Press in the way you suggest could be accomplished? It could only be accomplished by a person who understood Press operations.

1406. Who would compile extracts from the Australian press ready for use? Ready for use and brief. I never found any great difficulty myself in getting extracts into the press, provided they were not too long.

1407. Could that work be well done in the office of the Agent General? I think so, but it would require somebody who understood the business.

1408. It would also require some one who had been in the Colony, and who was able to understand local allusions? Yes.

1409. *Mr. Charles.*] You state that in Ireland you found a better knowledge of the state of this Colony than in England? I spoke only of Dublin, and of the country around. I did not go into the interior of Ireland.

1410. You think that any person who might be appointed in the office to perform the duty you mention should have a thorough knowledge of the geography of the Colony? Yes, of its social life, its organization; indeed he should have a thorough knowledge of the Colony all through. I think he should not be confined to the Agent General's office, but that the same person who arranged for the notice of the Colony by the press might take trips in the country, go among the agricultural population, and in a conversational and friendly way mix with the people. In this way a vast amount of information could be disseminated respecting the Colony. I did it myself when I was going about, and think more good can be done in this way than by set lectures. As regards pamphlets, however valuable the information contained in them, the difficulty is to circulate them; but this difficulty is overcome by giving it through the newspapers. Perhaps by no means has information respecting the Colony been so widely circulated as by that adopted at the time of the French Exhibition, when copies of a special supplement of the *Sydney Mail*, containing a great variety of information respecting the capability, productions, and resources of New South Wales, were published in French and English. These papers were given away in the New South Wales Court, and they went all over the continent no doubt, though very few I fear came to England. There is another matter which requires to be watched in England. I mean the misrepresentations often made in the English papers with reference to Colonial matters. Two notable instances of this kind occurred while I was in England. The first was in *The Globe*, which takes perhaps more interest in Colonial matters than any other paper in London. In this paper was published a very elaborate tabulated statement of the imports and exports of the British colonies, and in looking over it I found that for the year 1878 they had given the exports of New South Wales at nine millions, which I knew was wrong, and the exports from Victoria at fourteen millions. I went through the exports myself, and discovered that they had given credit to Victoria for all the border trade, but had omitted the border trade of New South Wales, which brought our exports up to thirteen millions. I wrote to the *Globe*, asking them to correct the statement; but it was not until I had written a second time that they did so. On another occasion, just before the New South Wales loan was put on the market, a very damaging article appeared in the *Investors' Guardian* on the finances of New South Wales. I brought the matter under the notice of Sir Daniel Cooper, who said he thought it was not worth while taking notice of it. I also spoke to Mr. B. L. Lloyd, a gentleman who takes considerable interest in New South Wales, upon the subject, and he advised me, if no more influential person did so, to reply to it; I did so. My purpose was to show that the loans of New South Wales had been expended in works for which loans are intended—that is to say, railroads, roads, bridges, and public buildings, to the extent of the loans. The article of which I am speaking went to show that we were living in a most extravagant manner, and were virtually insolvent. That appeared about three weeks before the tenders for the loan were opened, and I do not think there was anyone in London at the time who thought it worth while to reply to these misstatements, although no doubt they militated greatly against the Colony.

1411. *Chairman.*] I presume Sir Daniel Cooper thought the paper was too insignificant to be noticed? He might have thought so, but I thought I knew as much of the city as Sir Daniel Cooper, as I was there every day, and I knew that the *Investors' Guardian* was a high class financial paper, and had a large circulation among money-investing people; although it would not be likely to do much injury among capitalists who knew the Colony, it would be likely to injure us with those who did not know it.

1412. *Mr. Day.*] From your experience of the office of the Agent General, do you think any person going there would be able to get requisite information as to the Colony? I do not think they could get the information which might be given by a person thoroughly acquainted with the Colony, unless from the Agent General himself.

1413. Did you find any difficulty in getting any information you required? I did not go for information, excepting with reference to something that might have occurred in the Colonial office of interest to New South Wales.

1414. You would be in a better position to get information than an immigrant would? I think I was in as good a position to give general information to emigrants as the Agent General's office.

1415. I am speaking of getting information? I dare say I could have obtained information better than any emigrant could, but I never applied for information upon emigration matters.

1416. I suppose you had no experience with regard to the conduct of the office? No, I called there on one or two occasions; I saw Captain Jopp twice, I think.

1417. From what you saw do you think the office was as well conducted as it might have been? I think the office itself was conducted well enough, but there was not enough energy in it.

1418. Could you suggest to the Committee any alteration in the conduct of the office that would be productive of good? I think the clerks in it ought to have some personal knowledge of the Colony, and certainly the Secretary to the Agent General ought.

1419. But it would be of no use that they should have a knowledge of the Colony if they did not give it to other people? If they had the knowledge I suppose it would be one of their duties to give information to others. In fact there ought to be an inquiry office, and some one appointed whose special duty it should be to give information.

1420. I understood you to say that there was the most profound ignorance in the office with respect to the Colony? Not in the office—in England.

1421. What causes New Zealand to be better known than our own Colony? It is a pet colony with many persons. The establishment of Lyttleton itself kept the Colony before the eyes of the public, and Sir Julius Vogel is very energetic. F. C. Brewer, Esq.
1422. What makes it a pet Colony—ours is richer? That is what we think; they do not think so. New Zealand is considered very wealthy in resources. 11 May, 1880.
1423. What are the causes that have been set in operation to lead people to think New Zealand a more prosperous colony than others? I think it is the fact of New Zealand being kept so continually before the public.
1424. How is it kept so continually before the public? Sir Julius Vogel himself reads papers, and writes in the press on various subjects connected with New Zealand. You will find that in London New Zealand is better known than any other colony.
1425. Why could not other colonies be brought before the public as prominently as New Zealand if the same means were adopted? No doubt they could, but the New South Wales colonists in England are very apathetic. In many places in England, if you speak of Victoria, very little is known of it by name, but almost every one has heard of Melbourne—indeed Melbourne seems to be considered Australia.
1426. From your experience of the Colonies, do you think New Zealand more prosperous than New South Wales? It is simply my opinion—but I do not think so. New South Wales has great resources, and I think is altogether more prosperous than New Zealand.
1427. That is your opinion as a colonist, after having had experience? Yes; at the same time New Zealand is a very great Colony.
1428. Do you think the people of England would desire to emigrate to this Colony if they had a fair opportunity? I think, from the frightfully depressed condition of agriculturists when I was in England, that class would desire to do so.
1429. You have said that a number of people called upon you in England to gain information with regard to New South Wales? Yes.
1430. Did they know anything about the Colony? Very little, excepting what they had gained through letters from their friends, but it was very little.
1431. Did they ask you where they were likely to gain information? I always directed them to the Agent General's office.
1432. Do you know if any went there? I cannot say; I did not see them afterwards generally. There is one gentleman who came to me for information, and who is now here—Mr. d'Avigdor; he was with me about an hour, asking questions respecting the Colony.
1433. From your experience in the Colonies and in England, are you under the impression that we should have no difficulty in getting a sufficient number of agricultural labourers to come here, if we offered inducements, under the assisted immigration system? I think the assisted immigration system is confined principally to those for whom a portion of their passages is paid by their friends.
1434. Do you think there would be any difficulty in getting out this class if the immigration system were carried out properly? I think not; I think a very desirable class might be obtained if proper persons were appointed to go into the agricultural districts and to make the Colony well known. I presume it is from these districts that the class of labourers most required here are to be obtained.
1435. What is your opinion with regard to the assisted immigration regulations? I have not read them carefully through; I had copies of them and gave some away.
1436. From your experience as a colonist do you think it desirable to continue immigration to this Colony? That is a question I should not like to give a decided opinion upon. Immigration is no doubt desirable to a certain extent; but my opinion is, that if this Colony were properly put before the British public we should get a large stream of desirable people—people who would bring small capital with them—men of energy and thrift. Besides these, there would be an addition to the labour market by the natural increase of the population in the Colony.
1437. That is not the question I am asking you; the question I am asking is widely different—it is whether, as a colonist, you think it desirable to continue the system of assisted immigration? I think if a large number of persons could be induced to come here and to pay their own passages there would be no necessity for assisted immigration; the means of communication now are so different from what they were a few years ago—passages are so much cheaper, and the distance is, so to speak, lessened. In the vessel by which I came out there were nearly 500 passengers, 400 of them in the third class and steerage.
1438. Were they persons who would locate themselves in the Colony? I should imagine they were; they seemed to be a class of people who had come out to benefit their position, and who were likely to remain.
1439. You have scarcely answered my question now; I would like to get your opinion as to whether you think it desirable to continue immigration to this Colony? I have no doubt it will benefit the people of England—those who take advantage of the assisted immigration, but I have grave doubts as to whether there is not a sufficient stream of immigration coming here in the ordinary way. I confess it is a question to which I can scarcely answer either yes or no.
1440. Do you know anything about the labour market in this Colony? I know only from the reports.
1441. Simply from your position in connection with the *Sydney Morning Herald*? I know only from their reports—I do not go much among the labouring classes here, it is not among my duties.
1442. Then you do not know of your own knowledge whether the labour market is overdone? I do not think what I would call the rural labour market is, and I would go so far as this, that if we could secure by assisted immigration a large agricultural population, it would be a very good thing.
1443. What about mechanics, such as bricklayers, carpenters, stonemasons, and artisans of that kind, could they find employment here? I cannot say, I am sure. No doubt a few could find employment, but I question whether they could if they came out in large numbers, I know that mechanics get so much a day, and that it is said by some there are a large number out of employment, while on the other hand employers say they cannot get men when they want them.
1444. You mix pretty freely among the people of New South Wales? I see a good deal of them.
1445. Can you state the opinion of the people generally on the subject of assisted immigration? I think as far as mechanics are concerned their opinion is against it.
1446. *Mr. Jacob.*] As to other classes is their opinion in favour of it? A good many are in favour of it because it supplied them with perhaps cheaper labour.

- F. C. Brewer, Esq.
11 May, 1880.
1447. *Mr. Day.*] You find from your experience that the principal opposition comes from mechanics or artisans? Yes; I think so, from miners and what I should call skilled labour.
1448. Have you ever heard employers of labour say they were sufficiently supplied? No; I never did—I have heard great complaints of the want of skilled labour by those who require it, and on the other hand I have heard it said that there was plenty of skilled labour in the country.
1449. Have you heard that from any others than mechanics? No.
1450. It is natural that they would say there is plenty of skilled labour in the Colony? You are as well able to form an opinion upon that point as I am.
1451. But we want your opinion? I say that I have not mixed sufficiently with all classes to give a very decided opinion upon the question of immigration. I have my own opinion upon one point which is that assisted immigration is probably a very desirable thing if you can get the proper class of labour to come here, but an agent would be required who could make a proper selection.
1452. *Chairman.*] I presume that one of the reasons why New Zealand has attracted and sustained so much attention in England, has been the fact that it was colonised at first by an association formed in England and Scotland? No doubt that is one reason.
1453. I suppose you are aware that the Canterbury settlement was formed by an association of shareholders of the leading members of the Church of England, and that Otago was originally settled by an association which had its head quarters in Scotland? Yes.

Mr. Herbert Valliant Wigg examined:—

- Mr. H. V. Wigg.
11 May, 1880.
1454. *Chairman.*] You arrived in this Colony as an assisted immigrant, by the "Northbrook," in the month of August last? I did on the 15th of August.
1455. I believe you now reside at West Maitland? I do.
1456. What pursuit are you following? I am working at the trade to which I was originally apprenticed—that of a wood-carver.
1457. Do you find sufficient employment in West Maitland? No, not sufficient.
1458. You are an Englishman? Yes.
1459. Letters have been placed in my hands in which you state that you can prove that more than half of the immigrants who came out in the vessel with you were really of different trades to those that appeared against their names upon the books? Yes, I think I could prove that to be the fact.
1460. Have you any evidence in support of that statement? Yes; a list of the names of the immigrants, with the occupations filled in, and being schoolmaster on board I learned from the children what were the real trades of their parents; I had also conversations with the parents.
1461. You say you can prove that statement? Yes. If I had the list here I could point out the names of those who were wrongly described. Of course, I am speaking approximately; I am not confining myself to one or ten either way. I think half the married men came out here as belonging to trades different from those they really followed.
1462. How many married men were there on board the ship? I think ninety-two or four. I believe nearly half of these were miners, and only three came out under the calling of miners. One of these had paid his own passage; at least I heard him tell Mr. Wise he had done so. His brother-in-law, who was a miner, came out as a plasterer, and this man wanted to come out with his brother-in-law.
1463. Why did he come out as a plasterer? Because they refused to allow him to come out as a miner, so he told me.
1464. If you had a list of the immigrants could you point out who were miners? Yes. For instance, I could give you the case of a cousin of Mr. Croudace; he applied for a passage as a miner and was refused. A letter was sent to him to the effect that if he has followed any other occupation, and could get a certificate to that effect, he could make a fresh application; he did so, and was accepted; he filled in a fresh paper, and accompanied it with a letter stating that he was a plate-layer, and he came out as a plate-layer or miners' laborer.
1465. Did he shew you the letter stating that he could make a fresh application? He did not show me the letter, but he told me and others, in general conversation on the ship, he had received it. I expressed my surprise that there were so many miners on board, when I was told that they had come out under other designations.
1466. Had not some of these men been sent for by their friends? A few of them had.
1467. From the coal-mining districts? From the coal-mining districts. I know five or six. One who came out as a horsekeeper had been sent for by some one at Wallsend, and he is now employed there as a miner. He was from the county of Durham.
1468. You state that when you left the ship you went to Raspberry Gully with a party of men, each and all of whom were deceived by the agent of the Waratah Coal Company, and also by Messrs. Wise and Treatt? Yes.
1469. Are you a married man? Yes.
1470. Did you bring your wife and family with you? Yes.
1471. You paid the deposit yourself to enable you to come out? Yes.
1472. You were not sent for by any one in the Colony? No.
1473. Under what representations did you leave England for New South Wales? I had a desire to go to New Zealand, but they would not take me there because I was not an agricultural labourer. I had gone to their office in London, and was returning from it when I called in at the office of the New South Wales agent, and asked for forms of application for assisted passages. These were filled up in due course, and were accepted.
1474. As what did you describe yourself? As a wood-carver.
1475. Did you obtain employment immediately upon your arrival in Sydney? I obtained employment in this way: We came in on a Thursday night, and I got on shore for the first time on Saturday. I took a turn round Sydney, and found my trade was actually useless here for the men working at it, and that I had far better been a coal-heaver.
1476. Was any representation made to you that persons in your trade were in demand here? I was told that it was a splendid trade here, and that I had better work at that and nothing else when I arrived.
1477. Who told you so? One of the clerks in the office.
1478. In the office of the Agent General? Yes, a little dark man—I do not know his name. 1479.

1479. Are you quite sure he was an officer of the department? He filled up the papers that I signed, or some of them.

Mr.
H. V. Wigg.

1480. You could not get employment at your own trade in Sydney, and you accepted employment at Raspberry Gully? Yes, a man came on board the ship on Saturday evening—the agent of the Waratah Coal Company—and made inquiries for men as coal-miners. He spoke to a Mr. Ingies, who had come out as a farm labourer, though he was a miner, as I knew, having been acquainted with him in England, through his brother-in-law Mr. Thomas Burt, a member of Parliament. He also afterwards spoke to me, and told me that he wanted men for the pit at Raspberry Gully. As I had no funds beyond what I had received as schoolmaster, £5 I think it was, and £2 17s. besides—I may say that I afterwards had a draft from Home for £20, which I have spent in furnishing a home and other matters, and as I had been so deceived in respect to my own trade I thought I would try. This agent represented to us that men were wanted at this pit, and we had no suspicion then of a strike, nor indeed until the Monday morning, when the newspapers were brought on board by one of the men. On Monday, when we saw the agent at the depôt, he said it was not a strike on the part of the men but simply a dispute on the question of vend as between the masters and men, a term which I did not then understand as applied to the coal trade. Before I was engaged I spoke to Mr. Treatt, and asked him whether I should be doing right with a sick child and young family to go to such a place. He said I had a splendid opportunity. It was men with fair education, as I had, who were wanted, and that I should speedily rise. The end of it was that we were all engaged.

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1481. In what capacity did you hire? I hired to act as a kind of overman or clerk for a coal-mine. I was led to believe that I should receive 8s. a day, and have twelve days a fortnight. Mr. Ramsey told me afterwards such would have been my pay had I started.

1482. Had you any experience in regard to coal-mines? No more than that I had gone down a coal-mine—never to work in one.

1483. Did you make any representation to him to that effect? Not the slightest. I put the question to him, "Shall I be of any good to you, as I have never worked in a coal-mine; indeed I have not worked at any manual labour at all for ten years past—shall I be any good to you or to myself?" For fear I should be deceived I put the question to Mr. Wise and to Mr. Treatt; subsequently to the one on board ship and the other at the Depôt.

1484. How could Mr. Wise or Mr. Treatt tell you whether the employment would be suitable for you or not? That I did not know, and have wondered at many times. I have since found out that they had no knowledge of the matter. They told me that coal-mining here was very different from what it was at home.

1485. Who told you that? Mr. Treatt.

1486. In what respects did he say they differed? The pits were not so deep; there was no danger from gases, and they were more easily worked. The same answer was given to me by the agent for the pit, whose name I do not know.

1487. Are they so deep here? I have been in two or three here which are not so deep and not so dangerous, but the coal in Raspberry Gully is far harder to get.

1488. You think you were deceived by Mr. Wise and Mr. Treatt? I do not say I was deceived by Mr. Wise, I was by Mr. Treatt; but others were by Mr. Wise. I think he should have given a fair answer to the questions that were put.

1489. What question was put? They asked first about the position of affairs between the company and their men. I did not hear the answer given; but the answer they told me they received was a far different answer from the one they should have received, which put another complexion upon the state of affairs.

1490. You did not hear Mr. Wise give the answer? No, I did not.

1491. You say here, "Each and all of us deceived by the agent of the Waratah Coal Company, and Messrs. Wise and Treatt"? I heard the questions put to Mr. Wise, but I was not near enough to hear the answer. I should not commit such a breach of good manners as to listen to a conversation I was not wanted to hear, but they informed me of the answer they had received from Mr. Wise. I was not more than a dozen yards away at the time.

1492. Upon that hearsay evidence you charge Mr. Wise with deceiving you and the men? I do not charge him upon hearsay evidence.

1493. Did you write that? Yes, certainly, and as it stands it is correct, I am excepting Mr. Wise from myself, that is all; but I can safely say, with reference to Mr. Treatt, that I was deceived by him, and as regards the other men they were deceived by Mr. Wise, and the two circumstances are incorporated in the same sentence.

1494. You say that Mr. Treatt deceived you? Yes. I went to him, and put the question to him, should I be doing right to go.

1495. What answer did he make to you? Just the answer I gave formerly.

1496. You think he deceived you instead of advising you? Yes. I should be sorry to say he did it purposely, because I can conceive of no motive beyond this, that he desired to get rid of us from off the ship. I think, however, that they were biassed—that their sympathies were with the employers, and against the men.

1497. How do you know that they had any sympathies at all in the matter? Because I afterwards heard Mr. Treatt order one of the men, who was one of the delegates of the Miners' Union, as I afterwards discovered, out of the depôt, while the Waratah Coal Company's agent was allowed to remain.

1498. What was the result of your engagement to go to Raspberry Gully? Before I finally decided to go I again, when receiving my fee as schoolmaster, put the question to Mr. Treatt, "Shall we be perfectly safe—is there likely to be any violence there?" His answer to me was—He and the agent were together—the agent was then waiting for our passes—I am not quite certain whether it was Mr. Treatt or the agent who gave me the answer, but it was to this effect: That Sir Henry Parkes was the head of the Government, and that he was determined to prevent anything like violence, and that we were as safe as we should be in the streets of London. Mr. Treatt was present when that was said, standing on the side of the agent. Whether he said it or the agent I could not tax my memory now after nine months. If he (Mr. Treatt) did not say it he endorsed it by his silence.

1499. Do you think Mr. Treatt was likely to know more than you from report? He would be likely to know better than I. He should not be in that place unless he had some special knowledge of the labour market.

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market. Moreover, Mr. Treatt and Mr. Wise both said openly: "Trust no one but us; we will give you the truth; come and ask our advice if you want it," and we took it in good faith.

1500. Who do you think told you you would be safe? I am under the impression that it was Mr. Treatt, but I am not certain.

1501. When you went to Raspberry Gully what was the result of your engagement? We went from the ship on board the Waratah Coal Company's steamer "Waratah," under the promise that they would anchor somewhere near the Circular Quay to allow us to get some necessary refreshments and clothing. There was a woman taken on board who had been confined only* two days before, and my child was not expected to recover. This woman was very ill. However, when we were on board they would not allow us to leave the vessel until we persistently refused to go further unless they did allow one of us to go and get some brandy and milk for this woman and my baby. Mr. Walton, and Mr. Lord, and Mr. Dowson then went ashore. The latter fetched his daughters from the single women's depôt. There were fifty of us altogether.

1502. How many were engaged to go to Raspberry Gully altogether? Twelve men—their wives and families altogether made up fifty souls. Mr. Mood, gas-fitter, wife and no family; Mr. Ingles, who came out as an agriculturist, but who was really a miner, wife and two children; Mr. Dowson, miner, wife and five children; myself, wife, and four children; Mr. Robinson, wife, and one child; Mr. Meredith, wife, and one child; Mr. Brown, wife, and two children; Mr. Garfoot, wife, and four children, or five—I would not be certain which; Mr. Welsh, wife, and two children; Mr. Lord, wife, and three children; Mr. Garfoot, junior, a young man; and Mr. Walton, wife, and five children. The latter was a miner originally, but he had been a butcher for a year previously to his coming out, and he came out as a butcher. We, I think, were all put on board this steamer and landed at daybreak at the Waratah Coal Company's shoots at Waratah, and put into coal waggons. My first suspicion of there being anything wrong was from our being advised to lie down in the coal trucks, so that no one should see us. There were about forty men, chiefly on horseback, waiting at one point of the road for the train, and the moment they saw it they galloped away. We were taken from the train about a quarter of a mile from the pits, with the exception of this woman, Mrs. Meredith, who was seriously ill, and who was left in one of the overseer's houses. We then went on to the village, or rather to where some new houses were; and I should mention that among other things they told us that there were houses already built for us, which we should have rent free—at least for a time. We went to these houses, and found there were six available. Eight had been started, two of which were occupied. Of the rest only one was finished. The others were unfinished—some had not roofs on. The fifty of us were marched to that place, and when we got there we found some hundreds of miners and their wives ready to receive us. Some (young men chiefly) had guns, others pistols, some were blowing cow-horns. Those who had not other arms had sticks. They at once surrounded us, and said that some thousands more were coming from Lambton, but if we liked to come with them to the village everything should be safe; but if we dared to sleep in the cottages they would burn them over our heads, or blow them up. After expostulating with them, some of the miners came to us and advised us, for safety sake, to come to the manager's house or to the township. Some thought it would be safer to go with the miners. My wife heard of this woman's illness, elected to go with her to the manager's house. The manager of the mine and the Secretary of the Waratah Coal Company, who was present, advised us not to go to the cottages at all. A deputation of miners then came and waited upon the manager, and it was subsequently arranged that an interview should take place between the immigrants and some of the deputation at a miner's house, a public-house kept by a Mr. Luke Smith in township Charleston, the next night. However, when the night of the meeting came the miners refused to let any but one man, who had a card of membership from the Associated Miners' Union, Durham, meet them. The result of that interview was that they ordered us all to leave the village or township. The question then was, how we should get away. A number of the people came to me and asked if I would act as spokesman, see the manager, and ask him if he would send us back as far as Newcastle by the train. He refused to do so, and said he would not do anything of the sort. He said, "There is work for you if you like to start; I suppose you would like to be taken to the Barrington, and then you would be satisfied?"

1503. Did you get no employment at Raspberry Gully? Not at all. All the men but two refused to work; one of the two was myself. I suppose it was from obstinacy, because I did not believe in being frightened or coerced. I said, "If you will come with me I will begin to work."

1504. Was it in consequence of intimidation they refused to work? Yes. After a deal of persuasion Mr. Ramsay consented to put the boxes of these people into the trucks. During the discussion—and it was not till 6 in the evening that the boxes, bedding, &c., were carried by some of the miners to the trucks—the boxes with clothing and other effects were in the air being spoiled by the rain that was falling heavily. Some of the people were actually penniless; one had only half-a-crown, and another—Walton—had absolutely no money at all.

1505. As a matter of fact although you were engaged to go to Raspberry Creek, in consequence of the intimidation of the miners, you were never employed there? That is so.

1506. *Mr. Day.*] That was not the fault of the employers but of the miners? Yes; but our complaint is that the real state of things was not represented to us.

1507. *Chairman.*] What is the name of the agent who employed you here? I do not know. I have never seen him from the time he engaged us.

1508. What became of these people afterwards? I will tell you: They were left there on the road; it was getting dark, and it was a Saturday, and the minister saw them in that condition, and on enquiry among the whole lot found they had not enough to pay for their passages and the carriage of their effects to Newcastle. The minister interested himself in the matter, got them taken to Newcastle, and found employment for one man on the line—a Mr. Lord; Brown came up to Sydney, pledged some of his clothing, with the proceeds of which he bought a few tools and obtained employment at the Exhibition Building for a few days; he then went back again to mining, and is at Raspberry Gully now, I think. Ingles and Walton knocked about Newcastle for some time, then went to Woodford and worked there till Woodford pit was closed; I think they are living at the Glebe now. All this was told me by one and

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NOTE (on revision) :—My wife says now, a week, but that can easily be proved by reference to Doctor's books. I kept them and entered the births at the time.—H.V.W.

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other of the party subsequently. One man, Mood, a gasfitter, was taken in from charity by the miners, and is still living with them. He has never been able to get work, except for two days or so at Newcastle.

1509. Is he a man of any force of character? Yes, at home he was foreman in the shop where he had been apprenticed.

1510. Is he a young man? Yes, a young man, and a splendid workman I have heard.

1511. Of what trade did he describe himself when he came out? As a gasfitter and plumber I believe. He came up to Sydney later on, and I was with him some days. We went about seeking employment. Were unable to obtain it, and went back together. The other people—that is, myself, wife, and family, and Meredith, his wife and child—who were left at the manager's house, among them this woman and Meredith's wife, who was terribly ill, were peremptorily ordered to leave it. The words were, as brought to me by one of the hands about the pit, "Tell Wigg and the other people to get out at once." I represented to Mr. Ramsay that if this woman were turned out of doors she would be likely to die, and ultimately consented to let us have the cottage that was furnished. We stayed there three weeks, my wife took a fever, my child was taken ill, and in fact we were all ill. We were eventually ordered to leave, which we did, coming up to the Lambton pit in the coal trucks. Robinson, who had stayed in the village, came with us. He had money, and had paid 20s. a week for board.

1512. How came you to locate yourself at West Maitland? *The manager of the mine at Greta wrote down to say he could make room for four men, and offered us employment.

1513. Employment as coal-miners? Yes; there were two who were practical miners, and they agreed to take the two who were not with them; but we had no money to go up, and wrote to Mr. Wise asking for passes to enable us to go. He replied that we had had passes already, and could not have others. Also that work had been found us once at Raspberry Gully, and we had refused it.

1514. What is the distance between Newcastle and Greta? Something like 30 miles. We heard of the work through a Mr. John Williams, at Hamilton.

1515. What would have been the fare to Greta? 4s. and something, and we had not the money; indeed we had not the money for food, except Robinson, and perhaps myself. We got credit for a little, that is, I did, until money came.

1516. Did you get any employment about Lambton or Hamilton? About Hamilton—yes. I wrote back to Mr. Wise, that neither I nor those who were with me had had any pass, that we had been taken in the Coal Company's own steamer, and I asked him if he could give me a pass to Sydney, as I was more likely to get employment there at my own trade. This was before I bought my tools, I got no reply from Mr. Wise. I was knocking about Hamilton for seven or eight weeks, and did about a fortnight's work in that time. I then, as I before stated, came to Maitland. Before that I went back to Raspberry Gully, but the only work I could get was at the Screens. I worked there one day for 6s.; then a letter coming informing me of work I went to Maitland.

1517. Would you not be likely to find more employment at your trade in Sydney than in Maitland? No; when I was in Sydney I went to every shop and found that although at one time there were a good number of wood-carvers here, they had been ousted out by Chinamen, who would do for 1s., and find the wood, work for which an Englishman would charge 3s. It is inferior work, but it answers the purpose of the cabinet-makers, and the public are generally satisfied with it.

1518. I suppose these Chinamen's work does not extend so far as West Maitland? Their work does not stand packing, so Mr. Hyndes told me. The work sent into the country requires to be strong, and able to bear carriage.

1519. You say you are "in a position to prove that Mr. Wise has been repeatedly written to by starving immigrants after they have been sent up country?" Yes. Mr. Mood informed me that he wrote to Mr. Wise, and I wrote to Mr. Wise myself.

1520. Where was Mood living at the time he wrote to Mr. Wise? I think at Raspberry Gully—if not, at Hamilton. He was one of the party hired for Raspberry Gully. I wrote also on behalf of Robinson and Meredith to Mr. Wise.

1521. Were they also of your party? Yes. There was also a man named Peacock. I do not know what has become of him; but I was informed that he had written up to the Immigration Office, whether to Mr. Wise or not I am unable to say, but I assume it was to Mr. Wise.

1522. What did he write for? He was in the same position; he could not get employment.

1523. Where did you meet with him? He was one of the immigrants by the "Northbrook."

1524. Where was he living when he wrote to Mr. Wise? That I could not say. I do not know where he was living, but he was knocking about Wallsend. He was a coal-miner, and could not obtain employment. He went with a cousin of Mr. Croudace, and was told by that gentleman, so I was informed, that if he could knock up another twenty-eight men and start a mine he would give him employment.

1525. You say none of these men could obtain employment? I cannot say with the exception of two.

1526. Are you aware that coal-miners of the district of Northumberland have in many cases been the nominators of their own friends, who have come out as assisted immigrants? I am not aware. I have had no proof given me of any such cases but hearsay.

1527. Were none of the parties on board the "Northbrook" nominated by friends who were living in Northumberland? No, I do not know any except one—a Mr. Lovatt; in fact I am sure that none of the party who came to Raspberry Gully were nominated by their friends; at least they told me so.

1528. Did you hear of any others who went to Newcastle? Yes; there are some who are living there now, or rather who are starving there. But whether brought out by their friends I cannot say. Those who are have a better chance than the others, because having friends they have homes and shelter which the others have not.

1529. Mr. Charles.] You have stated that a gentleman was willing to give work to some of these men if they could get twenty others to join them;—were not twenty men unemployed in the district? That was at a pit where the men had struck at the Lambton Pit. I believe I saw Mr. Croudace with Meredith, but could not get a day's work.

1530.

* ADDED (on revision):—Meredith, Robinson, and I took a house in Hamilton between us. I sold my wife's watch. went up to Sydney, and bought some tools. I got a pair of brackets to carve, then a little polishing, and a little more carving. I eventually did a little work and took it up to Maitland and sold it. Mr. Hyndes and another gentleman then engaged me for a few weeks work on stock, so I came up with my wife and children, and have stayed ever since. While at Hamilton"

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1530. Then the want of employment was simply in consequence of the men striking? Yes; the question was put to the manager at Raspberry Gully, when the exact state of affairs was discovered: "Supposing we start the pit and you afterwards make terms with your men, will there be sufficient employment for us as well as for the others?" The answer was—yes there would; the pit had splendid prospects. But the immigrants upon inquiry found that the original staff had had only two days and a-half work a week at the pit for weeks together.

1531. They refused temporary work because they could not get permanent? No; they were afraid to accept it because of the threats held out.

1532. Then it was simply the action of the labouring class that prevented these men getting work? Yes, decidedly, although there was the difficulty that they feared would crop up afterwards, and which has cropped up. For when some of the men who went, and were brought to Raspberry Gully, commenced to work, the old men gave way bit by bit, returned to their work, and the new men had to go. I omitted to state with respect to myself that I got one week's work at the Copper Smelting Works. Three of us were engaged there, but when we had worked two days, we found we were engaged as only temporary men, for when the other men came in we had to wait our turn of work, so that we managed to get only six days real work out of sixteen. I left, the other two stayed; but their earnings up to Christmas, was only about 20s. weekly; then they were off for six weeks right away; they have since left altogether.

1533. *Mr. Jacob.*] You were stating that numbers of persons who applied for passages as miners and who were refused, came out here in other capacities? Yes; so they informed me.

1534. You stated that you knew that at least in one instance a person who had applied as a miner was refused a passage, but told that if he had followed any other occupation not excluded by the regulations, and would apply under that designation, a passage would be granted? Yes, there were two, Peacock and another whose name I forgot.

1535. Were there other instances of that sort which you heard of? I heard of several; it was a matter of common talk.

1536. Were they all told to that effect that if they had worked at other trades they could get passages? Yes; I heard several people state that they had a double set of papers, so that if they failed upon one they might succeed upon another.

1537. If they were miners and had followed other occupations, if they applied as belonging to those other occupations they could get passages? Yes.

1538. The Chairman asked you some questions with reference to your letter in which you charge Messrs. Wise and Treatt with deceiving the immigrants—do I understand you to say that both were there, and one or other was advising the immigrants? The advice was given both by Mr. Wise and by Mr. Treatt. In some instances Mr. Wise gave it, in others Mr. Treatt gave it. Mr. Treatt gave it to me specifically. Mr. Wise gave it to others. I saw them myself go up to Mr. Wise.

1539. And immediately afterwards they told you what he had said? Yes, this Mr. Ingles did.

1540. They would not have had time to make up a long story themselves before they came to you? Not the least. The whole thing was done in a great hurry. We wanted to wait until the next day, and were told by the agent that if we did not go that night very likely they would not be able to take us the next day, and we might lose the opportunity. I asked the doctor did he know anything about it. He shrugged his shoulders and said he did not know, "It looks a fishy thing, but Treatt is a good fellow, and knows better than I."

1541. In reply to a question of Mr. Charles you stated that through the action of the men at the mine you could not get employment? Decidedly.

1542. If the pit had been in its normal condition you would not have been taken up there? No.

1543. You were deceived by not being told the state of things at the pit? Yes, we were actually told by the agent that there were fifty men at work at the pit.

1544. When you arrived at Newcastle you found that the fifty men whom the agent told you were at work at the pit were not there? Not one was there.

1545. When you were told by the doctor that the matter looked "fishy," what do you suppose led him to make use of that expression? I think he was a shrewder man than I, and knew more of this part of the world than I did.

1546. You complain that you were not told of this disagreement about the vend business? It was not fully explained to us. I think gentlemen in the position of Messrs. Wise and Treatt should take unbiassed views of such matters.

1547. *Chairman.*] If a list of the immigrants who came out in the "Northbrook" was placed in your hands could you point out the names of miners who came out as following other trades or occupations? I think so. I will supply a list if you wish it, giving the real callings which these men by repute and their own statements had followed at home. (*See Appendix B.*)

THURSDAY, 13 MAY, 1880.

Present:—

MR. BARBOUR,

MR. CHARLES,

MR. DAY.

J. F. BURNS, ESQ., IN THE CHAIR.

The Honorable George Henry Cox, M.L.C., called in and examined:—

The Hon.
G. H. Cox,
M.L.C.

1548. *Chairman.*] I believe, Mr. Cox, you are a native of the Colony? Yes.

1549. And you reside in the district of Mudgee? Yes, I have resided there for the last 35 years.

1550. I believe you are the owner of extensive property in that district? Yes.

1551. Pastoral and agricultural? Pastoral and agricultural.

1552. And you employ many persons? At the present time I employ very few compared with what I did some few years since. The reason of my employing so few now is that I have all my sheep in paddocks which are fenced, and they require much less care: and nearly all my land is let to tenants. All the agricultural land on the river is let to tenants.

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M.L.C.
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1553. Then in what capacity do you now employ men? I have some in the farming way, and I employ a certain number of men as boundary-riders?
1554. You employ some as agricultural labourers and some as boundary-riders? Yes.
1555. Will you tell us, Mr. Cox, the rate of wages you pay? £45 a-year for my farming men, with house accommodation and full rations.
1556. And the boundary-riders? They are all married men. They find their own horses and rations, and I give them from £60 to £65, in accordance with the size of the paddocks.
1557. I presume you find no difficulty in getting boundary-riders? None whatever; if a vacancy occurs I have half-a-dozen applicants.
1558. They belong to a class that I think is to a large extent disappearing? Yes.
1559. Any difficulty as to agricultural labourers? I find it exceedingly difficult to get good farming men. I have advertised sometimes for weeks, but have been unable to get men competent to drive horses or hold a plough.
1560. And you had very few applicants? Very few indeed. Sometimes I have been unable to get one good farming man.
1561. Have you at any time hired newly-arrived immigrants? Yes, at various times I have taken them from the ship.
1562. Persons who came out on their own account or sent for by their friends? Sometimes sent for by their friends, and occasionally—very seldom—on their own account.
1563. Do you think it probable that your part of the Colony is likely to require the services of an increased number of farming labourers? I think when the railway gets near to Mudjee there will be a very large demand for farm labourers.
1564. The soil in and near Mudjee is suitable for farming, I believe? Very suitable.
1565. What are the principal crops? On the rich river flats, grain and lucerne; on the higher lands, wheat.
1566. You had some exhibits of wheat from your district at the Exhibition, had you not? Yes; they took first and second prizes against all the Colony.
1567. Is there a large extent of country that might be made available for agriculture? A very large extent—from Talbragar to Gulgong; it is all very suitable for the growth of wheat. A deep red rich soil.
1568. Have you turned your attention at all to the question of assisted immigration? I have had very strong opinions upon the subject all my life, and I think it would be a very sorry day for this Colony if immigration ceased.
1569. Do you think that in the sense of colonization? Yes, because after immigrants arrive here, if they are steady thrifty men, they become employers of labour in a few years themselves.
1570. Has that been your experience in regard to those in your own employ? Yes.
1571. Do you know many who are now on their own account as farmers? Many men who have been in my service are now on their own account—some as tenants, and some as selectors.
1572. Are they well off? Many of them are very well off.
1573. Do you think there is any prospect of a continuous supply of immigration unless assisted by the State? None whatever; we are too far from the old country.
1574. I believe you paid a visit to England a short time ago? Yes.
1575. In what year? In 1877—the whole of 1877.
1576. Did you travel much when in England? All over Great Britain—England, Ireland, and Scotland.
1577. Did you meet with many persons having any knowledge of the Colony or of its interests? I did in the higher classes of life, but not among the lower classes; they knew very little of the country—they merely got letters occasionally from their friends here, and they seemed to have very indefinite and cloudy views of the Colony.
1578. Do you think if proper arrangements were made we might get a desirable class of immigrants to come out? Those I have seen come here assisted by their friends have been a very desirable class.
1579. I presume those you were acquainted with were sent for by persons who were farming themselves? Yes, and people in my own employment.
1580. They would find employment, upon their arrival here, through the agency of their friends? Yes, through their friends.
1581. Has it occurred to you that a special effort might be made to obtain the immigration of those who have been accustomed to farming in particular? I think there are two classes that we will always have a demand for—a farming class, and domestic servants, and I have never yet seen a plethora of those two classes in all my life.
1582. Do you think by any agency you could get a larger proportion of the classes you speak of? I think if our Agent General was instructed to confine his attention to those two classes efforts might be made to have them out. We all know that latterly the agricultural masses of England have suffered extreme depression and misery; and I have little doubt that if steps were taken we should get a desirable class of immigrants out—men compelled by force of circumstances to leave England. They are going in large numbers to America. By reason of the representations of agents they go to New Zealand, and I think this Colony offers quite as good a field.
1583. *Mr. Charles.*] Have you ever been in New Zealand? I only just called there.
1584. But from what you have heard you give it as your opinion that there is an equally good field for employment here? I think so.
1585. Now I suppose in your district you have the usual number of that class of men commonly called tramps? Yes.
1586. Could those men find steady employment if they were to apply themselves to industrial pursuits as farm labourers? Many of them might do so if they were sufficiently skilful, but I think they are insufficiently skilled as a rule. Many of them have been among the old hands, shepherds, and “rouseabout” men, who do not know how to turn their hands to any useful employment. Some of them are very useful men, and can turn their hands to many kinds of bush work, which is very often much in request, though latterly it has not been so much in request owing to the depressed state of the Colony. Clearing, ring-barking, making tanks and dams—these have been somewhat in abeyance owing to the rather hard times.
1587. Do you not think that those men who generally shear in the season, and do other jobs in station work—do you not think that a great deal of their idle habits is caused by the amount of money that they earn in a short time?

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time? In my part of the country we have no men of that class. To a great extent the men who go as shearers are men who have farms in the neighbourhood; they go to the same sheds year after year. I am aware that in other parts of the Colony men do earn so much in three or four months that they can keep themselves alive for the rest of the year.

1588. These men would have no difficulty in taking up a farm to live comfortably upon if they would expend their money in that way? None whatever.

1589. So that men would have facilities for making a home in this country beyond anything they could possibly find in the old country? I think so most decidedly, and particularly in my neighbourhood, because the climate and soil and general run of things is so good that men would have no difficulty whatever in making a home for themselves, and they could find employment in attending the sheds in the season.

1590. *Mr. Barbour.*] You said the land around Mudgee, or in the neighbourhood of it, is very well suited for agriculture? Yes.

1591. Is much of it open for sale or not alienated? A very large portion is still open for sale. In the earlier days people were under the impression that if they bought the river frontage the rest was useless, but now we find that much of this country has been taken up, and it is better for growing wheat than the river frontages.

1592. Is it heavily timbered? Moderately timbered: box-forest.

1593. There is plenty to be got? A good deal of it is shut up from selection, being a gold-field.

1594. Do you think that those reserves for gold-fields are larger than they ought to be, or should they be kept as large as they are? I think they are a mistake altogether.

1595. And that there is plenty of land within that gold-field that would be fit for agriculture, better than for a gold-field? Much better.

1596. And therefore if the reserve was withdrawn it would be available for settlement? Yes; I do not wish to be misunderstood: When a rich lead is found I think it is desirable that a reserve should be proclaimed, so that no person could take it up and monopolise it for mineral purposes. But the Government hitherto have embraced a very large area of country, more than what was wanted; the consequence has been that men have been on those gold-fields and made money—£4,000 or £5,000 a-piece,—and would have settled down in the neighbourhood if they could have obtained the land.

1597. They could not get it? No, because it was reserved as a gold-field.

1598. You gave your consent partly to the question put to you by Mr. Burns, that if proper arrangements were made in the old Country you think we could obtain the class of immigrants that we require in this Colony? Yes.

1599. Have you any idea of your own as to what those proper arrangements should be? It is a question that requires a good deal of consideration. It strikes me that an agent living only in London would not be able to select the best kind of labour that we should require. I think it very desirable that agencies should be established in the agricultural districts, and particularly where distress is most prevalent, to obtain the kind of labour that would add to our wealth, and get the class of immigrants that we ought to obtain. I think now that the distress is so very great, that many men who would never have dreamed of leaving their country are compelled to leave, and they are the very men we are anxious to get.

1600. And you also said they are going to America and other places;—why do they not come here? The distance is too great.

1601. Why is the distance too great? A three months' voyage to men who have perhaps never seen the sea in their lives seems a terrible undertaking, and unless they were anxious to come —

1602. Exactly? We find that the representations of their friends is sufficient to induce many of them to come over. I think also that the representations of agents who were properly seized with the subject, might be made in those places where the distress is so great, so as to induce them to give up their prejudices against coming to the other side of the world—by showing the feasibility of the step, and the almost certainty of their very much bettering their situation. The very fact of the Agent General being in London, and only attending to the applications made to him, shows that he gets only those who have been informed of the advantages of the Colony, either by their friends who return home, or by letter, and many others if the matter was properly brought before them, would be induced also to come here.

1603. And one mode would be by the establishment of proper agencies through the agricultural districts? Yes.

1604. Perhaps you are aware of the feeling in the minds of people—a sort of vague feeling of people who go to a strange place, and not knowing how they are going to get on? I can quite appreciate that feeling.

1605. Do you think it would fill this void—this craving to know what they would like to be at when they got here; would it be an inducement to these people if we were offering them farms of moderate size—say give them 50 acres for 50s., or 100 acres for £5, and let them go right on to it at once? I am satisfied it would, because we know all humanity has a craving for land.

1606. And these are farming people we are speaking of. You say we require two classes of people—farmers and domestic servants. Well, farming girls often make good domestic servants, and if we get the men the girls will come as domestic servants. You think they would come if we offered them inducements in the way of offering them farms at small rentals? It would be an inducement, but I am afraid it would be tempting them to their hurt. Farming in Australia and farming in England are two very different things, and farmers coming here would be to a very great extent at a loss. A farmer here would have to turn his hand to all kinds of things, and if he had one or two years' apprenticeship he would be all the better for it. I am afraid it would be tempting them to their injury to some extent. Well-to-do men with a small capital might do, but I am not quite sure if a moderate apprenticeship here would not be more desirable.

1607. Then do you think that to offer them nothing at all would be better than to offer them something? I would offer them something in the future, which with a certainty of employment in the meantime would be quite sufficient to bring them.

1608. But it does not bring them out now? We do get them out, but only to a small extent. I think we should get them out to a much larger extent if steps were taken to go into the agricultural districts and induce them to immigrate. There are people who from their isolation have little means of making their wants known; they are not the men to go up to London and see the Agent General. These men want to be looked after in their own locality.

1609. *Mr. Charles.*] You would recommend local agents to be appointed in England, or men who have a knowledge of the Colony? Men who have a knowledge of the Colony. It would be very undesirable to induce

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induce people to come out here by false representations—I do not mean false in the full sense of the word, but coloured representations. People who had not this knowledge might go into those districts, and, without telling an untruth, not give the full truth. A person who was well up in the requirements of the country would be far better.

1610. *Mr. Barbour.*] This is the only alteration in the present system that you would suggest—the appointment of agents in the agricultural districts? I can think of nothing better at present.

1611. Do you not think if they had something to fill the void—to give them some home which they could say was theirs whether they became servants or not: do you not think that the fact of their getting a home at a small rental would be better than nothing at all? I am afraid it would be an inducement very undesirable to offer; it would be an inducement to them to waste a portion of their time which would be better spent in working for others. I am afraid it would be an inducement that would not act properly to the people themselves.

1612. You are speaking now only of labourers? Yes.

1613. But suppose you were to try and get a number of small tenant farmers, do you not think that the offer of farms of small area would be a great inducement to that class? No doubt, and I should very much like this Colony to offer an inducement of that kind.

1614. I think you meant that it was a desirable thing, but you expressed yourself as if you disapproved of it? I was only speaking of immigrants for the purposes of labour, and not to colonize the country. The people you now describe would be exceedingly desirable, and any inducement we could offer would be a very great benefit.

1615. Even if we went the length of paying their passages, and letting them keep their capital? Even that length.

1616. You said you had often advertised for farm servants and could not get them? Yes. They are picked up so quickly that you have little chance of getting them, there is such an enormous demand.

1617. You want any quantity of that class? Yes; the demand is much greater than the supply.

1618. Of course you have not had any experience of the class of immigrants who come out as tradesmen? None whatever.

1619. Can you say of your own knowledge that you have found many of that class of immigrants in the country? No; I think as a rule tradesmen remain in Sydney. Labour no doubt is very high, and tradesmen's wages are very high, but I have never known a case where a person who wanted any work done could not get it done by paying for it. Of course it would not be desirable to discourage these men, because as the Colony increases in size they must all come. We want all classes of society to be drawn into the Colony to meet its requirements. Many of those men, if they are only thrifty and sober, soon become employers of labour—small capitalists, and they employ labour instead of giving it.

1620. *Mr. Day.*] You are one of the oldest residents of the Mudgee district, I believe? One of the oldest.

1621. And you have had an extensive experience in the labour market in the country districts? Yes; very large.

1622. From your experience do you think the labour market in the country districts is overdone? Sometimes; lately on account of the depression of the pastoral interests I think there has been a superabundance of labour. I have known many men going about looking for employment, and could not get it.

1623. That is ordinary labourers? Yes, and sometimes unfortunate diggers. I have had a great many of that class in my district. We are very near the diggings, and we have always had to a small extent a mining population, and many of them who are unfortunate wander about seeking for employment.

1624. Is that the case with a good class of men? No; as a rule I find that good labouring men can always keep their places.

1625. Have you heard many complaints in your district, or anywhere, of the want of remunerative employment in the country districts? I have just mentioned that in my district for a year or two a good many men have been walking about looking for employment, which I attribute to the depression in pastoral pursuits. There is less work going on on stations, such as dam-making, tank-sinking and so on, than there has been for a long time past, and to that I attribute a corresponding superabundance of labour.

1626. Do you think that the present mode of immigration should be continued? Yes.

1627. The present system? Yes; I think it is very desirable. I have never found other than good results from it. Of course occasionally persons do send for their friends, merely because they are their friends and relatives, and sometimes they are not a desirable class. I have known men sent for by their friends who could not turn their hands to anything, but that has been to a very limited extent. As a rule I do not think a person would send for a friend or relation unless he thought they would not be a burden to him when they came out.

1628. Is it your opinion then that the present system could be continued with benefit to the persons themselves, and to the Colony too? Yes.

1629. Why? Because the class of labour we have to employ up the country is exceedingly difficult to obtain. Domestic servants always have been in great demand. In all my experience I never yet knew a sufficiency of that class of servants.

1630. *Mr. Charles.*] Have you ever heard that there was a great dislike by immigrants to go up into the interior—the female servants especially? Yes, and there is another very curious phase, and very likely you may have seen it. Shepherds, who live from hand to mouth, I have known them take a pride in thinking that they would bring up their children in idleness. They say,—“I have had to work myself but my children shall not go out to service.” So it is difficult to get the class of domestic labour; we can only get it by immigration. My wife has generally taken some young girl, and taught her—and then after a while she gets a husband and goes away.

1631. *Mr. Barbour.*] If those tenant farmers were induced to come here, and were induced to go up the country, would not some of their family be the best domestic servants? We could not get better—before they had time to get demoralised, as it were. My tenants—I have a considerable number, good and steady men, well-to-do—many of them are so utterly stupid, and lost to all sense of what is right, that they are bringing up their daughters to ride on horseback, and play the piano, while the men are working on the farms, and the mothers milking the cows.

1632. What is the usual rental? In the immediate neighbourhood of Mudgee from 15s. to 20s. an acre for agricultural land, and from 2s. 6d. to 5s. an acre for grass land attached to the agricultural land. Our lands are on two flats, the river flat, and another flat running towards the mountains; good grass lands.

1633. Has that land been fenced in by you, or is it let on improving leases? All my farms are let on improving leases.

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1634. Then you do not fence them? No.
1635. That land you describe—that red soil—well adapted for wheat when it is in the hands of private parties, and rented in the same way;—what is the usual rent? This red soil was never purchased, and is not now. All the river flats are taken up, but 2 or 3 miles away from the river is never taken up. It is fine grass land, but very dry.
1636. And in your opinion it would make good wheat land? It does now, and grows splendid crops.
1637. *Mr. Day.*] Have you any evidence of an improvement in the pastoral interests of the Colony—the squatting interests? Oh yes; I should think a very great improvement. As a rule squatting now-a-days is carried on in a very different way to what it was in the old times. I can remember when men who were placed in a position of a certain amount of confidence in managing large cattle and sheep stations were living in huts.
1638. I mean in the financial condition of the squatters, which would enable them to employ more hands? I think in a short time we shall have everything prosperous. The financial condition of the squatters is no doubt very much improved.
1639. Has not this been a remarkably fine season? Yes, and there has been a wonderful rise in the price of wool, which makes everything *couleur de rose*.
1640. What difference do you suppose the increased value of wool will make to this Colony? I have made a calculation—a million and a quarter.
1641. Do you not think then there is every probability of the squatters improving their properties to a much larger extent than formerly? I have no doubt of it. This million and a quarter is all surplus money. For instance, we have our sheep run upon ridges rather heavily timbered. We have had to get men to ring-bark it. I am now ring-barking rented land—Government land; and I believe I shall be able to carry twice the number of sheep now.

TUESDAY, 18 MAY, 1880.

Present:—

MR. BARBOUR,
MR. CHARLES,

MR. DAY,
MR. JACOB.

J. F. BURNS, ESQ., IN THE CHAIR.

The Honorable E. D. S. Ogilvie, M.L.C., examined:—

- The Hon. E. D. S. Ogilvie, M.L.C.
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1642. *Chairman.*] I believe you are an old colonist? I am; I have been in the Colony nearly all my life; I came to the Colony when a boy; with the exception of an absence of five years, I have dwelt in it ever since.
1643. In what part have you resided? For many years upon the Upper Hunter. I resided there until 1840, and since 1840 on the Clarence River, with the exception of five years, from 1854 to 1859, when I was absent in Europe.
1644. I believe you have some stations in the Clarence District? I have.
1645. And employ a good many hands? Yes; the number of mouths to be fed upon my station, including men, women, and children, and my own family, is from 70 to 90.
1646. In what capacity are you an employer? As a cattle-breeder.
1647. You employ men then as boundary-riders, and in attending cattle? Yes; I employ a good many stockmen, who are all married men—for I always employ family men. My run is divided by fences into several compartments, and I always employ one for each compartment. Then I improve a good deal, and employ gardeners and others. I have also always one or two carpenters, and very often a blacksmith. There is always a great deal of work going on in making improvements and in building in various directions, so that I have had considerable experience in the employment of mechanics as well as of stockmen and shepherds. I have built a house at the cost of some £10,000 or £12,000, which I began about 20 years ago, and employed mechanics of many descriptions in that work; and I have almost always some buildings going on for outstations and improvements of various kinds; so that I employ many men besides those directly engaged in tending cattle.
1648. Did you employ as many last year as you had done in previous years? Not last year, for I have been absent with my family from my own property; consequently there was little or no improvements going on, and the number last year was below the ordinary number.
1649. Is it the fact that owing in some degree to depression caused by drought, fewer men were employed during the last than in previous years? I should imagine it to be so, that the failure of means on the part of owners of stations was the reason for their employing fewer hands in improvements than usual.
1650. Do you think there is a better prospect now opening for persons engaged in pastoral pursuits? Yes, I do; I think there is a considerable revival, and a desire to continue improvements in country properties.
1651. Do you think that will be attended by an increased demand on the part of squatters for men on their stations? Yes; I feel no doubt it will do so. I may mention in my own case that I have lately sent up a carpenter to my property; and four or five other married couples either have been despatched or are going.
1652. You sent them from Sydney? From Sydney.
1653. Have you found any difficulty in getting the people you wanted for your stations? I have always found more or less difficulty in getting people at a rate of wages I considered reasonable. For instance, when I looked round for a tradesman who would be a tolerably good carpenter—and I may mention that the proof of skill I required was whether he could make a wheelbarrow—a rough carpenter—who would also be able to use a paint brush or put in a pane of glass, I was told that I should not get a man to go under 10s. a day for twelve months hiring. When I represented that the man would be found in lodging and in all the meat, bread, tea, and sugar he would require, the response from the man I spoke to was that in that case he might go for 9s. a day. By delaying some time and employing labour agents I ultimately succeeded in getting a man and his wife for £95 a year with two rations, the husband to be wholly employed by me and the wife to assist two days in the week in the laundry. Upon these terms the couple agreed to go for twelve months, and I had to bear the expense of their transit from Sydney to the station.

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1654. What has been your rate of wages for ordinary hands employed upon the station to tend the cattle? I give my stockmen, who are all married men, £5½ a year and two rations.

1655. And a place to live in? And a place to live in of course; also milch cows for their own use, to supply their families with milk and butter. When I said double rations I alluded to the articles flour, tea, and sugar; of meat my stockmen are allowed to use as much as they require for the feeding their families.

1656. Have you found any unwillingness on the part of the men whom you have met in Sydney to go into the country? Yes; I find generally a disinclination to go into the country on the part of tradesmen particularly. I have also found during all the years I have employed men that servants, particularly tradesmen, whom I have engaged in Sydney for a period, always, or almost always, return to Sydney after they have served their time and taken their money. Sometimes they will re-engage in the country for another period, but they always gravitate back to Sydney. They come down when the hiring is over. They seem to go out of Sydney for a specified time, and take it as a matter of course that they must come back to Sydney at the end of the time; not only tradesmen, but frequently also gardeners, ploughmen, stockmen, and others.

1657. All have a tendency to gravitate towards the capital? Yes; and I have often found that after returning to Sydney they spend their money, exhaust their means, and then engage to go up the country again. All the money earned in the country is exhausted in Sydney.

1658. Have you met with no provident persons among those you have employed? Yes, I have; I have met with some who have saved up considerable sums of money.

1659. Did they remain in employment or go into farming or other pursuits? They have gone into farming. When they have left service they have taken land for themselves, or have gone into business on their own account as small shopkeepers or as butchers, as carriers, and sometimes as publicans.

1660. Do you think they have done well? Some have and some indifferently; the failure to do well has generally been the result of intemperate habits.

1661. Have you found any difficulty in getting the men you wanted for your stations, other than tradesmen? I can always get men by sending to Sydney, and employing an agent, and by paying the expenses of the transit of the men from Sydney to the country; but then in many cases the men turn out to be not at all worth the wages they are engaged for. I have never been able to get men in Sydney for many years past for less than £40 to £45, with rations, lodging, and their expenses paid from Sydney to the place of employment. If a man is industrious and at all able he is worth the money, but it often turns out that he is neither able nor industrious and not worth the money, and I suffer loss. It sometimes turns out that a man is so worthless that after he has been with me a week or so I am glad to pay him his wages and get rid of him.

1662. You would not object to the wages for a good man who was willing to remain? No.

1663. Have you at all turned your attention to the question of assisted immigration? Yes, I have watched the progress of it.

1664. Have you yourself at any time had any of these newly-arrived immigrants? Not for some years past. I do not think I have had an immigrant from the ship.*

1665. What is your opinion as to the capability of the Colony to absorb immigrants aided by the Government to come out? Seeing the large extent of territory that is occupied, and the great amount of work that almost all people either have in hand, or contemplate having in hand, whenever they can procure labour—considering the very limited amount of population existing in the country, I cannot feel a doubt that there must be room for the absorption of a large additional amount of labour. The influx of immigrants causes the demand for work of itself. Immigrants when they come do not bring their houses on their backs; every man who comes requires house-room to be provided for him, and that house-room has to be provided either in anticipation of his coming or as soon as possible after he has come.

1666. Have you known any of these assisted immigrants to become employers of labour? Yes, to a certain extent.

1667. After they have been some time in the Colony? Yes, I have known some very remarkable instances of that kind, where men have come to the Colony without means who are now wealthy and employing numbers of men. My observation has led me to this conclusion: That any able-bodied man who comes to this Colony, if able and willing to work, if thrifty, and especially if sober, can in a comparatively short space of time—in a comparatively small portion of his life-time—accumulate sufficient means to make him independent and enable him to employ labour. I will take the instance of a single man going into the country upon wages of from £40 to £45 a year, with rations. There is nothing at all to prevent that man from saving £25 to £30 a year, because £10 to £15 a year would fully cover all necessary expenses if he were desirous of saving. He has nothing to buy but clothing, and such clothing as is necessary and is worn in the country here is very inexpensive.

1668. Have you known many instances of men under these circumstances becoming their own masters—possessors of farms and employers of labour? Yes, I have had men who while in my employ have saved enough to become independent.

1669. Then you think the country is capable of absorbing a large number of useful immigrants? I feel no doubt of it whatever.

1670. Both male and female? Both male and female—female immigrants particularly. There never was a time within my recollection when female domestic servants were more difficult to procure or to retain than at present, or when their wages were so high; and I have been in the Colony since immigrants began to be drawn to it.

1671. In what year did you visit England? I left the Colony in 1854 and returned in 1859.

1672. Did you travel much while you were there? Yes. I travelled through all Europe; I visited all the principal countries and cities of Europe.

1673. Did you travel much through Great Britain? Yes, through Great Britain and Ireland.

1674. Did you meet with any disposition on the part of persons who would be desirable here as colonists to emigrate to New South Wales? I had not much means of ascertaining. It was a question I did not go into to any extent. When in Europe I was more engaged in sight-seeing. I went home for purposes of

* ADDED (on revision):—The last time I engaged an immigrant from the ship must be about six years past. The person I then engaged is still in my service as a superior overseer, at a salary of £300 a year, with house and food and a servant found him.

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of pleasure more than for business. I may mention that I sent out one Irish family from Ireland. They were related to a man who had been in my service and who came here as an exile. I sent out two lads and their mother to join this man on my property, and they have done very well.*

1675. *Mr. Charles.*] There is now a large population on the Clarence? Yes.

1676. Is there still room for a great many more? I think an increased population makes a demand for a still greater increase. There are more employés and more work to be done.

1677. Is there an open field for new colonists—By extending backwards from the river, would they not then be able to take up land and make homes? Not, I think, until railways are stretched into the country. The land most suitable for agricultural purposes in the valley of the Clarence is already taken up; the whole of the banks of the navigable portion of the river from end to end is occupied by farms, and beneficially cultivated by farmers who were never before in so prosperous a condition. They are mostly engaged in sugar-growing.

1678. I am informed that a considerable quantity of the back country—the higher land—is good agricultural land? That is the case more in the valley of the Richmond than of the Clarence. In the valley of the Richmond a good deal of forest country is good soil of volcanic origin, rich, and capable of settlement, and it is being settled very fast. There is a considerable flow of conditional purchasers into that district. I may, perhaps, be allowed to mention what is my view of the causes of the want of employment of some persons or classes of people: From my experience and all I have been able to see and hear—and when I speak of want of employment I refer to the city, one does not hear of it in the country—want of employment simply means in the vast majority of cases (I do not doubt that there are some cases of real destitution, but I think they are very few), means that employment is not to be had at the arbitrary value which the person who complains has thought fit to fix as the value of his labour; and if he cannot find any person willing to buy his labour at that fixed value he says he cannot get employment, whereas if he were willing to be employed at such a rate of wages as his work is worth to the employer he could be employed. It does not appear to me reasonable to suppose that a fixed value can be placed upon a man's labour to be invariable, any more than a fixed price can be placed upon any commodity which is bought and sold. It would be no more unreasonable for me as a breeder of cattle to say that my fat bullocks are worth a certain price and I will not sell them for less, without reference to the state of the market, than it would be for a man to say his labour is worth a fixed price without reference to the state of the labour market. For instance, a year ago I could sell fat bullocks at £8 a head; therefore at that time I asked and could get £8 for them, but if I had established that as the fixed value of my bullocks, never to vary, of course now I should not be able to sell a single beast. But it would not be just for me to say that there was no market for fat cattle, any more than it would be for a man to say "I cannot get employment," because he could not get the arbitrary value which he himself, or others for him, had fixed as the price of his labour; or, to put it in another way: If a man who is physically or constitutionally incapable, or who is unwilling to work up to his powers, for labour, refuses employment because he cannot obtain wages equal to those obtained by men who are physically capable and are willing to give a good day's work for a good day's pay, it is as unreasonable on his part to say that he cannot find employment as it would be for the breeder of bullocks to say that he could find no market for his inferior cattle, because he was unable to obtain for them a price equal to that which he could command for the superior animals. The price of labour must rise and fall according to the state of the market, according to the demand, and the state of prosperity of the community generally. It must rise and fall like the price of any other commodity. When all classes are prosperous and profits are large wages naturally rise, because employers can afford to pay high wages and make a profit out of them. In times of depression, when profits are small, wages must naturally fall, and the only way then for people who have labour to dispose of, to ensure constant employment, is to accept the wages which represent the value of the men's labour at that particular time. Then, again, there has been a most arbitrary rule established among mechanics, which is this: that the most able and skilled mechanic shall earn no more than the least skilled. According to the rules established among these people (I allude to the rules of the Trades Unions), the men whose services are worth really very little to an employer are not allowed to take lower wages than a man whose services are worth a great deal. The natural consequence of that must be that he goes without employment, and the man who is able and skilful earns less than he could and would do if he were not restricted in this way, while the other being restricted from working for what his labour is worth earns nothing at all.

1679. I presume that these remarks would simply apply to labour required and furnished by the working class in the Colony. Would not the rate of wages here be influenced by the cost of production of goods imported from other countries? That is another circumstance. If an artificial value is placed upon labour, and the artificial value is more than the real value, the result is that the results of labour where it is employed are so expensive that competition with the results of less expensive labour is rendered impossible. Take a piece of furniture or any other article.

1680. An iron ship? Any article produced by means of labour which is remunerated at a rate more than its market value—as value is determined in all other commodities. If a ship or piece of furniture is made by means of labour paid at this artificial rate, which is more than the true value of labour, then that piece of furniture or ship must cost so much as to put it out of the market as compared with other articles or ships made under different conditions where the remuneration of labour is not fixed by artificial means.

1681. Then you think our tradesmen contribute to the causes of want of employment by the artificial price they put upon their labour? Yes; I think the main cause of the absence of employment is the artificial value put upon the commodity to be sold. In nine cases out of ten where men complain that they cannot find work the reason is that they demand for their work more than the employer can find it to his interest to give.

1682. *Mr. Barbour.*] Have you had any experience yourself in regard to town labour, for instance tradesmen—I mean in a large way as a contractor? Not directly, but indirectly I have as a shareholder in a Steam Navigation Company.

1683. You have never come directly in contact with working men I suppose in a large way? No; I cannot say I have directly, but indirectly I have.

1684. But you have had a large experience in the country? Yes, but indirectly, as I have said, I have also

ADDED (on revision):—I also sent out to my property on the Clarence one family from London, and from Hamburg, when I was travelling in Germany, I sent out twenty Germans, chiefly mechanics, but including some women and children. These people were selected from a large number of applicants who desired to emigrate to Australia, but who could not command the means to do so. Most of these people have done well for themselves, though some of them were very unprofitable servants.

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also here as a shareholder in Steam Navigation Company, where large repairs have to be effected in steamships. I find in such cases that the repairs are always excessively costly, and when I look into the causes I find that one cause at any rate is that the men employed to effect these repairs, and who are receiving very high wages, not only work but eight hours but work very badly during those eight hours in which they are supposed to work. They frequently do not perform more honest work in eight hours than ought to be done in five. And I have understood that one cause of that great reluctance to work honestly is the feeling or idea that for a workman to work hard would be to fail in his duty to others of his own class. For if he works hard he performs a certain amount of work, and if he works in a dilatory way, wastes as much time as he can, performs as small a quantity as he can, he leaves the surplus for the employment of some others. The result of all this is to annihilate profit in steamship companies, and to discourage the investment of capital in all enterprises which necessitate the employment of large numbers of men.

1685. Is it usual for capitalists to go into transactions that cause them to lose their money? I think for some time past there has been a general feeling among those engaged in concerns that necessitate the employment of a large number of men if they could get clear of their business without loss they would do so.

1686. Are there not companies of that sort being formed every day; is not capital being put into such companies every day? I cannot say that there are.

1687. Shareholders could sell out if they would take the price offered? They could only sell at a loss.

1688. It is only a question of price, as in the case of labour. You have had a pretty large experience in the country? Yes.

1689. Is there plenty of employment in the country;—it is limited, is it not? I may mention what has occurred in my own experience. Men come on to the station expressing a desire for work; they say they are quite without means, have been looking for work, and cannot find any. Under these circumstances I never turn a man away, but always give him something to do to pass him on his way, and can find him something to do, however little skilled in any occupation. Perhaps I may send him into the garden to hoe weeds, or employ him in some other simple occupation. I often put the question, "Can you use the hoe or spade?" "Yes." "Well, you can go into the garden, and you will find something to do." The man will go to work and after having worked a day or two, he will come to me and ask, "What wages are you going to give me?" "The ordinary wages of 15s. a week and rations." In such cases I almost invariably find that these people, after a week or two, when they have a little money to take, will say, "I cannot go on working any longer at the wages you are giving me; I never work for less than £1 a week; and unless you give me £1 a week I cannot stay." I reply, "I gave you employment to suit your purpose because you said you could not get work. If you are not content with your wages I will pay what is due to you, and you can go." The result generally is that the man takes his money, goes away, and spends it; and when it is all gone goes to some one else with the same tale—that he is without work—and obtains assistance in the same way. Now I do not think any man has a right to say that he is without employment as long as he can earn 15s. a week, with food and lodging added. With respect to the want of employment here, I may mention a circumstance that was recently related to me by a gentleman, upon whose veracity I can rely. My friend lives in the suburbs, and he told me that a man came to his house a few days previously to beg alms. He said he was quite destitute and could not obtain work. My friend, who had some improvements going on upon his grounds, said, "Do you want work; I think I can give you some. I want a man to work upon the grounds here; I can employ you for a fortnight at any rate, and will give you 6s. a day." The man said "No; I will never work for less than 7s. a day." My friend said (I think very properly), "You rascal, you come to me to beg, and you say you cannot get work, yet you refuse 6s. a day. Get off my premises, I will have nothing to say to you." That is a fair sample I think of what is called inability to procure work, or want of work in many cases. As I have said before it is not that work is not to be had, but that employers are not to be found who will give the arbitrary and often excessive amount workmen demand for their labour.

1690. These are the exceptions, are they not—what is called "tramps" or "sun-downers"? To give my candid opinion I think with rare exceptions no good man who is able and willing to work need look far for employment. I believe there is always work for men who will take it at a reasonable rate and do a fair day's work.

1691. Do you think we ought to continue assisted immigration to the Colony? I think it is absolutely necessary to the prosperity and due advancement of the Colony that there should be immigration.

1692. Assisted immigration? Assisted immigration is a very good form of immigration I think, because under the regulations the immigrants are sent for by their friends who are here and who are ready to receive and to assist them.

1693. I am speaking with reference to the selection of immigrants in the old country whose passages are paid by the Government? That opens another question. I start with the assumption that immigration to a new and thinly-peopled country like this is absolutely necessary to its advancement, and that from our peculiar position, being so far distant from all centres of population, we cannot acquire immigration unless we pay for it. The position of this Colony is peculiar in that respect. The increase of population which spontaneously flows into American and to some British Colonies can only be induced to flow into this Colony by being paid for owing to the greater distance and consequentially increased expense. It being determined to be had at all immigration must be paid for; the only question is whether it is better to pay for immigration than to want it. I think it is better to pay for it than to want it. From my own experience from what I have observed I can say that when immigration has been stagnant wages have been lowest and the Colony has been least prosperous, and that with the return of immigration the general prosperity has revived and wages have risen.

1694. What scheme of immigration do you think would attract the best class of men to the Colony;—you have described a class of men who are not useful—these tramps; these, I suppose, were brought out at one time; can we avoid bringing these and secure a more useful class? I do not know that it is possible so to manage in any community as to avoid the existence of tramps; I believe to a certain extent persons of that description will exist in every community; it is a necessary evil that cannot be avoided. I have known instances—very prominent instances—in my own experience of men who have been brought to this country as immigrants who have been most useful immigrants, capital tradesmen, excellent men, who have become tramps in the end; they have become drunkards, lost their self-respect, become worthless vagabonds, and ultimately tramps. So that I do not think it is possible to avoid having to a certain extent an element of that kind in the community. It is one of the evils incident to the foibles of human nature.

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1695. I suppose the selection might be improved;—you would not say because these people will be found in all communities that we should take them as they come? Certainly not; I think it very desirable that immigrants should be selected with care; as they have to be paid for, we ought to be careful that they are worth paying for. Of course where immigration is spontaneous we cannot regulate it—we must take the bad with the good; but every care should be exercised that every individual selected should be worth the money he is to cost the Colony, so far as that is practicable.

1696. By what class of immigrants do you think the Colony would be most benefited? At the present time I think all kinds of agricultural labourers. I am inclined to think that the number of skilled mechanics in the Colony is sufficient for the requirements of the present population; but I am of opinion that there is a very great dearth of ordinary labour, such labour as is necessary for constructing roads, for forming railway earthworks, for clearing land, agricultural labour, and such labour as any man with a pair of strong arms can perform.

1697. Have you had any experience of tenant farmers in the old country? No, I have not.

1698. Do you not think they would be a desirable class of immigrants to bring out? I think, in the present depressed state of the agricultural interest in England, many would very much better their fortunes by coming out here.

1699. Do you think any attractions should be offered them to come here? I am quite of opinion they will not come unless some attractions are offered; they will rather go to some nearer British colony or to America.

1700. Is there any scheme you could suggest to induce them to come here, instead of going, for instance, to America? I cannot say that I have been able to arrive at any very positive conclusion. In America the chief attraction seems to be cheap land. The facility with which land can be acquired, and the low rate at which it can be bought. That being so, one would be inclined to suppose that the system in operation in Queensland would have had the desired effect; land there was given directly in exchange for immigrants by giving immigrants the right and authority to take up land to the value of their passage money. But it does not appear to have worked satisfactorily there, the land orders received by the immigrants having been used very much in the same way as the land orders given to our Volunteers here were used. They were sold to those already in possession of the land; therefore having seen the difficulty of devising any scheme by which the land of this Colony, and the farming population of England could be brought together, it appears to me that the difficulty is greater in practice than it appears to be in theory.

1701. Suppose instead of giving land or land orders we were to offer to allow these people to have land at a small rental, do you think that would be an inducement to the tenant-farmers of the old country to come out here, as they would not have to spend their capital? Yes, I think if they could obtain land at a small rental, and for a goodlong period, that would be an inducement.

1702. I suppose there can be no doubt that that would be the best class to bring out as they would bring out their families, which are generally large and who would be useful? Yes, they would be a valuable class, but then comes the question whether they would be able to carry on agriculture at a profit.

1703. Have you any tenants on the Clarence? No; I have not more than two agricultural tenants, and some eight or ten tenants in the township. The question is whether they could carry on agriculture at a profit on account of the scarcity of labour I have alluded to, so long as ordinary labour is paid at so high a rate as it can command. I do not think agriculture can be carried on at any profit by persons who would have to employ hired labour. Agriculture now only pays when carried on without the assistance of hired labour. Small farmers cultivate their lands mainly with their own hands, and the hands of their families. If they use hired labour it is only to a limited extent and for a short period, but when we come to the case of the English tenant farmers, who would have to cultivate land mainly by the hands of hired servants, I do not think they could make it pay.

1704. If small tenant farmers who in the old Country cultivate their farms with the labour of their own hands and the hands of their families were to come here would they not make it pay? Yes, farmers of that class do make agriculture pay here. Farmers who do not employ hired labour to any extent; it has been expected that the extension of railways into the country would have the effect of rendering profitable the cultivation of lands in the interior where cultivation has not been profitable hitherto, but I have always felt some doubt of this, and lately have seen some proof that the expectation will not be realized so long as the wages of common agricultural labourers continue as high as it is now. For this reason, that by the construction of a railway the cost of transit is so very much lessened, that such agricultural produce as wheat and flour imported from California or the Western States of America, can, by means of railway transit, reach the interior and be sold at a lower price than would pay the local agriculturist, who complains already of being injured by the American farmer, that imported flour is brought up by railway and is sold at a rate at which he cannot afford to sell his. Hitherto, or before the railway reaches these inland agricultural districts, there has been, or is a certain demand for agricultural produce at a high rate. The principle upon which the agriculturists in the interior have generally acted, has been to add to the Sydney price of their produce the cost, or something near the cost, of bringing similar produce from Sydney. The farmers, for instance, at Inverell, or other of those inland settlements, has been in the habit of charging for his flour the Sydney price with the cost of transport from Sydney, or something approaching it, added, and in that way has been able to obtain for his produce a high price, although the market for its sale was limited. These people have looked forward to the construction of railways as enabling them to find a market for their produce in Sydney at a remunerative rate. But it seems in some cases they are now finding out that the price they would be able to obtain for their produce, after sending it to Sydney, would not be sufficient to make the transaction profitable to them—that they would not be able to obtain in Sydney the price they could obtain in their own neighbourhood formerly, while flour is sent from Sydney and they are undersold in their own district. So that, looking to all these things, it seems to me that the question of success or failure of agriculture in this country is dependent entirely upon the rate of wages of farm-labourers. As long as farm labourers' wages continue at the present prices farming cannot be profitably carried on, as the imported article will always be cheaper than the home produce.

1705. Why should not farmers in this country produce as cheaply as the farmer in California or in other places? I have heard it explained by Americans who have been in this country in this way:—They have said in the first place, "Although we pay our men as high wages as you, our men do twice as much work as yours."

1706. By means of machinery? No, because they work harder. I have known Americans to say they would

would not employ such men if they would work for nothing in their country—that they were not worth their salt. An American farmer would not look at such men, but would discharge them immediately.

1707. Why should an American in America work any better than an Englishman in Australia? I cannot say why. I simply mention what I have heard from Americans.

1708. Is it reasonable to suppose it? Very likely the climate has something to do with it.

1709. Supposing Australia is equally as salubrious, equally as healthy, equally as inviting, why should not our men settle here on the land and produce grain every whit as cheaply as they can in America? It is a question every one can ask, but it is a fact that they do not produce it so cheaply. I think something may be attributed to climate. This is an exceedingly luxurious climate, mere existence is a pleasure, the sun is warm, the air is clear and bright, and possesses an exhilarating quality that makes mere existence a happiness to a certain extent, while in America the climate is much more vigorous, excepting for a few months they have a great deal of cold weather. Altogether it is a less enjoyable climate, but more invigorating, and men are more inclined to exertion than here.

1710. *Chairman.*] In speaking of farming not being remunerative, have you kept in view chiefly the Clarence—you are not speaking generally of New South Wales? In the district of the Clarence—on the navigable parts of the Clarence—agriculture is carried on, and is very remunerative. Its profitableness is mainly attributable to the kind of agriculture carried on there, which is sugar cultivation, conducted by small farmers who employ little hired labour.

1711. You seem to speak as if wheat were the only product of the Colony;—do you not know that in many districts wheat is not cultivated, and yet agriculture is profitable? Yes, sugar pays better than wheat; maize pays better than wheat; but the demand for maize is not unlimited. I may mention now that my attention is called to it, that before the introduction of sugar culture on the Clarence, the farmers there were exceedingly poor as a class, so poor indeed that many scarcely tasted butcher's meat from year's end to year's end, but shot wallabies, wild ducks, and cockatoos for food. The price of maize had fallen so low in consequence of the quantity produced, and that was the result. Since they have turned their attention to sugar growing they have produced less maize, and the price of maize as a rule has been higher. The land devoted to sugar-culture has paid a great deal better than when previously devoted to maize-culture, and those farmers who were so very poor a few years ago are now exceedingly well off.

1712. *Mr. Day.*] Do you employ many men? Yes, for many years—for twenty years after I settled on the Clarence my land was stocked with sheep, and I had often considerably over a hundred persons to whom I issued rations. Of late years, as I have already stated, the number of mouths I have to provide food for is from seventy to ninety.

1713. Have you found that many of those in your service have saved money? Yes.

1714. From your experience do you think there is a fair field in the Colony for a large number of immigrants? Yes, I think so as I have already stated.

1715. Have you had any experience of the labour market in America? No, only from reading, and talking with Americans.

1716. Do you think America a better field for emigrants from the mother country than this Colony? It would be perhaps rash in me to express an opinion, as I have never visited America.

1717. Is there not generally a disposition to go there rather than to come here? No doubt, on account of the greatly diminished expense. There are thousands of persons who can reach America by their own means to whom Australia would be quite out of reach without assistance. I think, speaking from recollection, persons can reach America from the United Kingdom by paying £3.

1718. Do you think it would be advantageous to the Colony and to immigrants themselves to continue the system of assisted immigration? Yes, I think it would be very disastrous to the Colony if immigration should cease. I think immigration can only be obtained by paying for it, and that therefore the moment we cease paying it will cease.

1719. Do you think it is as beneficial to the immigrants themselves as to the Colony—do you think they have a fair chance of succeeding here? I think every strong and healthy man who comes to the Colony has it in his power to gain a competence, if he is only industrious and sober.

1720. You think most of the men who are out of employment are what is called "loafers?" Yes.

1721. From your experience you think any man can find remunerative employment? Yes. I have no doubt that any man capable and willing to work at such rate that his employer can make any profit out of his labour can find employment. If he cannot find it in one place he can in another.

1722. What do you think of Chinese immigration—do you think that ought to be put a stop to? I do not think it ought to be encouraged. I do not think it ought to be put a stop to, unless we find it to be excessive in degree. To put a stop to it unnecessarily would be a grievous violation of our Treaty relations with China. I think it would be undesirable that Chinese should form a large element in the population, and if we saw a danger of that becoming the case it would be a ground for appealing to the mother country to alter the Treaty obligations in such a way as to allow us to prevent any further influx. I have employed Chinese, and have found them excellent servants.

1723. *Mr. Jacob.*] Are there many Chinese on the Clarence? There are a good many in the Clarence district, but I do not know any in service now. There are a good many scattered over the gold mines, generally on mines which have been abandoned by Europeans.

1724. Do large landholders on the Clarence River let farm lands on lease? Those who possess lauds which they do not cultivate themselves and which are fit for the purpose do so.

1725. Are there many farms let on the Clarence? Yes, on the Lower Clarence.

1726. What is the yearly rent paid? I heard from a person upon whose statement I can rely that conditionally purchased land, taken up under the 13th clause—for which the deposit of 5s. an acre had been paid—was now let at £3 an acre per annum.

1727. Is that fully improved? Probably it was taken up at first on a clearing lease; it is now cleared, and the owner is obtaining £3 an acre rent; but this is an exceptional case. The usual rents for farm lands on the lower Clarence is £1 per acre, and the selling price about £20.

1728. That is for agricultural purposes? Yes, for sugar growing.

1729. Would there be any chance at all for immigrants coming to this Colony with small capitals to get one of these farms at small rentals, and so obtain homes at once and settle down? These farms are already rented.

1730. It would be hard to get one of these farms? Yes. When offered for sale they bring very high prices, as much, in some cases, as £30 or £40 an acre.

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1731. Do you know any other parts of the Colony where there are large landed properties let as farms? Yes. I might mention Bodalla, the property of the late Mr. Mort.
1732. It is, generally speaking, pretty difficult to get these farms, is it not? I am hardly sufficiently acquainted with the subject to give an opinion. As a rule men are not inclined to look for farms to rent while the country lies open to them to select.
1733. With reference to the Chinese, do you think it is desirable to include the immigration of Chinese under the Assisted Immigration Regulations? No, I should think not. China being so near to us with such a redundant population we are likely to receive, without any encouragement from us, as large a flow of immigration as it is desirable we should have.

Charles Field, Esq., J.P., examined:—

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1734. *Chairman.*] How long have you been in the Colony? About forty-two years.
1735. I believe that when you first arrived you went into agricultural and grazing pursuits? Yes. I came out as an agriculturist, and employed my first time as an agriculturist. I cleared the stumps and fenced the farm, and worked it for seven years as a farmer.
1736. You have also been in business as a miller? Yes. I had about fourteen years as a miller.
1737. You are now in business in this city as a produce and general merchant? Yes, and have been the last eighteen years.
1738. Has your opinion as a colonist led you to form a decided opinion upon the expediency of immigration being aided by the Government? Yes. I think it should be aided by the Government.
1739. Have you found any difficulty in getting persons of the agricultural class as labourers for your constituents? My constituents are farmers, all of them; and we have had great difficulty in getting suitable immigrants for the parts of the country I have wanted to send them to. I have been restricted to a certain price, generally from £35 to £40 a year with rations and a house, and it has been difficult to get the class of men I have wanted at those wages; that is to say, men that, knowing something of the requirements of the place, I have thought suitable.
1740. Have you generally been able to get them even at a higher rate? I have had very great difficulty in getting agricultural labour that would have suited my constituents or the Colony. When I have gone on board an immigrant ship, or to the hiring-room at the depôt, I have asked men, "Can you plough or sow?" The reply has been, "Yes." I have hired them, and sent them to my constituents, and when they have been set to work they have not suited at all, and perhaps have never had their hands on a plough in their lives.
1741. Do you think the Colony could absorb a large number of persons of the class you refer to that would be suitable for agricultural purposes here? I believe the Colony could employ any number provided we could get the right class of agricultural labourers. There are many places to which I could send labourers at the present time if I could get men of a suitable class.
1742. From what districts do you chiefly receive consignments of produce from farmers? From the Hunter, the Manning, the Richmond—from the north generally, but I also receive some from the south.
1743. From what places in the south? Wollongong and Kiama. Not so much from the south. A large portion of the farming population removed to the Clarence and Manning are old Hunter River residents, and when free selection was permitted many of the tenant farmers left and established farms for themselves. Many of these are now possessed of comfortable homes, have good farms of their own, and are in a good way of business.
1744. Have you known many who when they first came here were hired by others, who afterwards selected land, became farmers themselves, and have done well? I know large numbers of such cases. I know people who came out in the same vessel as myself without a shilling in their pockets, who are now some of the richest men in the Colony.
1745. Do you think there is an ample field in the Colony for a great number of the same class? Yes; I think there is an ample field for really good labourers, but they are not so handy to get at as they were a few years ago. My idea is that immigrants coming to this Colony must always be willing to submit themselves to a certain amount of humiliation at first till they establish themselves. I came out here myself as a farmer's boy, and had to make my own way. For the first few years I had hardships to contend with and poor food to eat very often; and no doubt some deserving men have a great deal to put up with when they first arrive, but if they are steady, sober, and industrious they soon find their level and get on. Drink is the great curse of the Colony; it makes homes unhappy and prevents men getting on.
1746. I believe you visited England a few years ago? I was in England two years ago; I was there only a few months.
1747. Did you spend much of your time in farming districts? Yes; all that are left of my relations are agriculturists in Kent and elsewhere, and I spent a good deal of my time in several of the counties of England. I really felt it a pleasure and thought it a duty to advocate the claims of the Colony as far as my means and ability would allow me. I went among a good many tenant farmers in Kent, Sussex, Devonshire, and Somersetshire, having friends living there, and they understanding that I had been in the Colony many years flocked around me, and I felt a pleasure in extolling the Colony, as the Colony had done so much for me. I thought it my duty and privilege to do something for the Colony.
1748. Did you find much disposition to emigrate to this Colony? It seemed to be beyond the power of many to do so even if they had wished.
1749. How beyond their power? Beyond their means. To come out with a family would cost them £20, £30, or £40 for their outfit and expenses.
1750. Would their outfit cost them so much when the Government contributes so largely towards the cost of the passage? The Government contribute some of it; but they must have an outfit, pay their expenses to the port they sail from, and be at a good deal of expense in that way. But I think if some inducement, some permanent inducement, were offered in the Colony, a good many agriculturists from the old country would find their way here. I say so because I have heard that a few months after I left England as many as 400 went from the county of Kent to New Zealand; and I make no doubt that what I said about the Colonies induced many of these people to go to New Zealand.
1751. What inducement was offered to them? Their passages were paid, and they were rationed.

1752. Paid the whole of their passage money? Paid the whole of their passage money. A great many people have gone from these counties and are doing very well there.

1753. You are aware that there has been great depression in the agricultural interest in England during the last year or so? There has been since I came away. When I was in England the depression was not felt. Agricultural labourers were paid better the year I was in England than they were forty years before when I left the country. Agricultural labourers, when I was in England last, were receiving from tenant farmers 15s. a week.

1754. Exclusive of rent? Yes.

1755. Did they receive anything else? No; but when I left England forty years before they were receiving only 12s. or 13s. a week.

1756. Would not the labourer have to pay for his house out of the 15s. a week? Yes, he would have to pay for everything. The tenant farmer would pay him nothing beyond his week's money on the Saturday night, and he would do his best with them.

1757. No board? Some might be boarded in the house, but they would have only 8s. or 9s. a week. I am speaking of agricultural labourers who are married and have wives and children. As soon as the children are old enough to work they help a little.

1758. Do you think many tenant farmers and their labourers would be induced to immigrate to this Colony if the Government were to pay the cost of their passage? I think a good many of them might; but I must remark that when I was in England things were in a very different condition from what they were when I first left it. The large number of railroads that had been formed, and the building going on in various towns employed the surplus labour, and I was struck, in going through many English villages, by the fact that there were scarcely any young men to be seen. As soon as lads have done their schooling—and I am glad to say that the young people in England now have the benefit of good schools and good education, and are very different from what they were in my time—they go off to work on railroads or obtain employment as porters or in other capacities. This has taken off many who would have been labourers on farms, or have found surplus agricultural labour.

1759. Did you call at the office of the Agent General? Yes; I saw Mr. Forster.

1760. I gave you a letter of introduction to Mr. Forster? Yes.

1761. Did you meet with any one in the office who had been in the Colony, other than Mr. Forster? I do not think I did.

1762. Do you think it desirable that there should be some one in the office who could give information respecting the Colony? I think a really practical man in the office would be very useful indeed.

1763. A man who could give information about the Colony generally? Yes; a man who knows the country and its wants, and who could travel about the country a bit, and address the people. Mr. Forster seemed to be very much employed. He had very little time to chat with anyone he was so taken up.

1764. And there was no one else in the office, so far as you could learn, who could give information? I did not hear of any.

1765. As an agent in Sydney, have you met with any demand for vine-dressers, as well as for farm labourers? I have never been requested to try and get vine-dressers.

1766. *Mr. Charles.*] You have had considerable experience with respect to farms and agriculturists along the coast? Yes.

1767. And you know that there would be no difficulty in good agricultural labourers finding employment either to the south or to the north along the coast? I think there would be no difficulty.

1768. From your knowledge of the rivers to the north as well as of the southern coast, do you think if a few small farmers with their families were to come out they could get homesteads at a rental, or at any rate by putting up temporary buildings themselves. Do you not think they could settle on the southern coast at Illawarra on the Moruya, or to the north on the Manning, the Brunswick, and the Richmond? I think they could, but I would wish to say in the first place that there is no land to be had, or scarcely any to be had upon the river banks; it has generally been taken up by free selectors, and I was surprised to hear Mr. Ogilvie say what he did with regard to large proprietors letting their lands, for to my knowledge there are no large landed proprietors on the river banks; every acre has been taken up by small free selectors. If any of the land has fallen into the hands of speculators or monied men, it has been through the misfortune of free selectors. On the Clarence and Manning, away back from the river banks, in some instances not more than 200 or 300 rods, in others half-a-mile or a mile, there is swamp land which has never been utilised, but if labour could be employed upon it and this back land drained into the river, it would be as good as the land on the river bank. It only wants labour to become productive as it is good rich alluvial soil in some places from 5 to 20 feet deep; so that I have no doubt some years hence when labour can be obtained cheaply that it will all be taken up.

1769. Is that Crown land now? Yes, I dare say a good deal of it is Crown land.

1770. Open to selection? I suppose it is open to selection.

1771. *Mr. Day.*] They could take that up by paying down 5s. an acre if it is Crown land? Yes, I suppose they could.

1772. *Mr. Charles.*] Are you not aware that on the Richmond and the Tweed parties have taken up larger tracts of land than they can occupy themselves? Yes, a great many have taken up land not only for themselves but also for their children and families, and by that means they have become possessed of large tracts. I have no doubt if we had a number of tenant-farmers coming out they would after a little time be able to find homes.

1773. Do you know anything about tradesmen's wages or the employment of tradesmen about town, or about the demand for tradesmen in the country? I do not often have applications to send tradesmen into the country; but living in town myself, and having property here, I have had some experience of tradesmen and labourers in the building trade, and I find the expense of building so excessive that it is better not to do anything with your money than to engage in it. I have been building a couple of houses lately, and I shall derive nothing from them as a speculation. It is better to buy Bank shares than to engage in building.

1774. You think if wages were more moderate there would be a greater amount of employment for tradesmen? I make no doubt of it.

1775. *Mr. Barbour.*] Do you think if we could offer the tenant-farmers of England such an inducement as that you have alluded to, there would be a likelihood of a great number coming here? I think there

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would, but I should say with regard to that, that at the present time the young people in the families of the tenant-farmers at Home as they grow up leave their homes and follow other occupations.

1776. If we could induce small farmers to come out and bring their families with them would they be a desirable class of colonists? Yes; very desirable; I know of none more so.

1777. Because they would both be practical farmers themselves, and their sons would be fit to be ploughmen or to fill other useful positions as agriculturists, while their daughters might attend to other duties? Yes.

1778. Do you think it would be a good thing for the Colony to offer to these men in the old country, besides bringing them out free of expense, pieces of land at a small rental; for instance, 100 acres of land for £5 a year, or 200 acres for £10 a year, so that they might have some place to go to when they came;—do you think that would be a great inducement to them to come? I think it would be a great inducement. Why I think so is this: It would give the tenant-farmers an assurance that when he came out here with his family he would have some place to go to. At present those who come out have no such assurance, they float about for a long time unable to find a suitable place, and spend all their means without settling down at all.

1779. I have no doubt you found when you were in the old country, and entered into the feelings of others, that there was a dread of going to a strange country, and a vague feeling as to where they were going on the part of those who desired to emigrate, and as to what they should do. Is not that a usual feeling? That is the usual feeling. I felt it myself when I came here a young man of 21, bringing my wife with me. I had no means when I came here, and I engaged with a gentleman at £30 a year and my rations. I went to work, and I worked like a man for a year, and made acquaintance with my neighbours. In this way I got information that was useful to me, and I became fitted to take a farm of my own.

1780. You were then young and inexperienced? Yes.

1781. But suppose the case of an experienced tenant-farmer in the old country—a 30-acre farmer—such a person to have the opportunity of getting a 100-acre farm for £5 a year, or a 200-acre farm for £10, the Government offering to bring him out and to put him upon the land, would not that be a far greater inducement to him to come out than if he had no such certainty? I think it would be a very great inducement; nothing could be so great as that.

1782. Then do you think it would be worth the while of the country to offer some such inducement as that? I do.

1783. You have said that you have had a great difficulty in getting good farming men when you have had a commission from the country? Yes.

1784. Do you think if these tenant-farmers came out with their families, and they generally have big families, they would bring a large number of people of the farming class with them? Yes, I think they would, for every one who knows anything of the country people of England is aware that they are a little clannish, and if one were disposed to emigrate he would induce others to accompany him, and perhaps twenty or thirty would at last agree to go, under the idea that they would be located together, mutually help and share their burdens alike.

1785. Then there would be likely to be farm servants as well as tenant-farmers come out with that class? Yes.

1786. Do you think it is wise in employers of labour in this country, people who have done well themselves, and are in a good position, to try to get servants at too low wages? No, I do not think it is. I think any labourer is worthy of his hire, and if a man is a good labourer he should have the top wages for his labour.

1787. Have you not sometimes felt, when employers have sent you commissions, restricting you not to give more than £30 or £35 for good labourers that you wished they would come to Sydney to seek for servants themselves? When men do so I often send them their commissions back, and tell them they had better come down themselves and look for servants at the wages they mention.

1788. Is it not often the case that employers of this class expect to get the best men at the lowest wages? It is generally so. No later than yesterday, at the hiring-room, I saw two or three gentlemen (I suppose I must call them gentlemen) who wanted to hire some of the best men, and they said they would not give more than £30 a-year. I told one of them I hoped he would not get what he wanted.

1789. If a man came out as a good farming man, he would be able to drive a cart, to act as a light porter in a warehouse, or to do almost anything in a store? Yes, a good agricultural labourer is fit for any business, he can do anything of that sort of work for the Corporation, or any kind of work with the pick or spade.

1790. If he does so does he not get wages much in advance of what he would receive for farming work? Yes.

1791. Under such circumstances are not men of this class likely to remain in Sydney? Yes, I think so. At the same time I would like to remark that it is not to the advantage of young men to remain in Sydney, as it requires some time for a person to establish his character and to become known in town.

1792. At all events, your experience is that if a man can get 25s. a week in Sydney he is not likely to go into the country to farming for £1 a week? No.

1793. If farmers and people in the country, station-owners, expect good men, they will have to pay good wages? They will—that is my experience.

1794. I suppose your experience is also that good men are better worth good wages than inferior men are worth inferior wages? A good man is better worth £40 a year than a bad man is worth £20.

1795. *Mr. Day.*] Do you know anything about our land laws? I never made myself fully acquainted with them; indeed it has seemed to me that no one else understands them.

1796. Do you know that any man can go upon Crown land upon paying a deposit of 5s. an acre, and that the balance of 15s. can remain for 25 years? Yes, and I know that many of these free selectors have land outside of what they have taken up—lands adjoining them.

1797. That being the case, and having the pick of the whole of the land of the Colony, do you think the tenant-farmers of England would be induced to come here by the prospect of renting land at 10s. or 12s. a year rather than by the prospect of taking up land of their own, upon the payment of 5s.? The English farmers or the agriculturists of England are so confused in reference to this matter that whether they had to pay 1s., 5s., or 10s. would not much matter. They would want to know where the land was located, what was the character of the soil, the expense of bringing their produce to market, and a number of other matters before they would determine upon settling.

1798. If you had your choice to-morrow which would you rather do, become a tenant-farmer at 10s. or take

take up land at 5s., with twenty-five years to pay the balance of 15s. ? With my experience I would take a good horse and look at the country, see what the land was, what market I could convey my produce to. But these men having no practical experience could not do that.

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1799. Do you think they know nothing about our land laws in England ? I must say that nothing pained me so much while I was in England as to hear so little about this Colony. I went once from London to Bristol—there were a number of gentlemen in the carriage with me, but we travelled four and twenty miles without speaking a word to each other. I thought it very unlike what I had been accustomed to, and that I would say something so contrary presently that it would call forth some remark. So I opened one of the windows and looked out—"What a stormy, wet day," said I. "This is a beautiful day," said one of the passengers. This broke the ice, and I soon entered into conversation with a gentleman who lived at Clifton. It came out very soon that I was from Australia, and I learned that very little was known of that country, as was proved by the question put to me by him. He said, "I have a brother in Australia and that is the reason I am so interested in it; I do not know whether you may have met him." I said, "I do not know what might be his name." He told me his name. "Where does he live?" "He lives at Perth, Western Australia." I said I had never happened to meet him. "Now," I said, "If I were to tell you how far my home is from your brother's you would be surprised. Perth is more than 1,500 miles from Sydney, and therefore I have not happened to meet him." He said, "You astonish me; is it possible?" I replied, "If I were to put a thousand more to it what would you say?" He could scarcely believe it. Since then I have had several letters from this gentleman, and I think we have done each other good.

1800. Then they seemed to know nothing about our land laws ? They know but very little about the Colony at all. There are some few who have friends here who keep up correspondence, and there are some who have gone back to England, and in that way there may be a little knowledge of the country circulated, but it is very little. When I was in London, being anxious to hear intelligence respecting the Colony, I could not get a paper upon the arrival of the mail from Sydney without going to Messrs. Gordon and Gotch, and if I were three or four days behind the time I could not get one at all. I also went to the Paris Exhibition, and found that in that city the people knew as little of the Colony as they did in London.

1801. *Mr. Jacob.*] You have stated that if a suitable class of immigrants of the agricultural kind could be obtained for this Colony there is any amount of employment for them here ? Yes.

1802. You have been home lately;—can you say whether that suitable class of people is to be had there ? When I was at home there had been a year or two of great prosperity, and I found a very different state of things from that which existed when I left it at first, and I said to my friends, "You are settled down here and have homes of your own, and I cannot seriously advise you to come to Australia, because you would have to work for three, four, or five years before you could get to where you are to-day, with all your comforts around you. You would have to build your houses, get furniture, and make your homes." So that among my own friends I did not insist much upon it.

1803. Then there is not a superabundance of the class of people you speak of ? Not in the counties I have spoken of.

1804. You have had a good deal of experience of the working of our immigration regulations ? Yes.

1805. Do you think it desirable to continue them ? I do not know about the present regulations.

1806. With regard to persons coming of their own accord, do you think it desirable to allow any persons applying to obtain passages on payment of £2 ? I am under the impression that there is not proper care in the selection.

1807. You know that persons nominating their friends can have them brought out upon payment of £2 ? Yes.

1808. Do you think that system is likely to bring out a suitable class of people ? It would if it were done in a different way from the present.

1809. You think then it does not work well under the present system ? I do not find that it does.

1810. With regard to female servants you say there is a scarcity here;—did you not find there was a difficulty in getting good female servants at home ? I do not think there was any abundance of female servants where I was.

1811. There is a great demand for them in this Colony ? Yes.

1812. Supposing then we encouraged the immigration of female servants in the way proposed we should be doing those at the other end an injustice ? If we were to encourage a large immigration we should do them an injury.

1813. We should be "robbing Peter to pay Paul?" Yes; I do not think female servants are very abundant.

1814. If we have been told that the climate of this country disinclines men to work at a remunerative rate to their employer, is that in accordance with your experience ? I think, take it as a whole, they work as well here as in their own country.

1815. Are they inclined to work as well for the wages paid ? I should not think they are.

1816. Do you think the climate has anything to do with it ? I know that no one worked harder than I for 27 years, and I do not think the climate prevented me.

1817. Then how do you account for the disinclination ? My idea of the disinclination is that people get too well off to work hard.

1818. You mean that they get paid too well and are too prosperous ? There is a very near way of getting along that they do not expect at home.

1819. Do you think the gold discovery has had a beneficial effect in that respect, that men are disinclined to work for less wages than formerly ? I think the gold discovery, upon the whole, has been a blessing to the Colony; still it has made plenty of loafers.

1820. Of course we all have our own ideas with regard to farmers coming out to this country under a system of free grants;—do you think people of a desirable class would be induced to come here and settle under a system of that kind ? I think what Mr. Barbour suggests would meet my views to a great extent, to invite them to come here and settle upon the land with the assurance that when they came they would be able to establish homes.

1821. If they came here with their families under that system would they not naturally employ their families upon their own land, rather than allow them to go out to work for others ? No doubt, if they all had means to do so; but if their means were limited, they would have to send out their children. They would

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would say, "John, or Thomas, or Mary, go out to work until next year, earn a little money, and when things are settled, I shall be glad of your labour at home."

1822. If they had land leased to them at a low rental it is to be assumed that they would have a certain number of acres? Yet; if they had this land to go upon it would take them at least two or three years to establish themselves before they could produce anything for the market.

1823. Would they not want their families to assist them? They would, and would probably keep them if they had the means. If they had not they would be compelled to let them go out for a year or two, and at the end of that time they could have their families back upon their own farms.

1824. Is it your opinion that this system should be adopted in substitution of the other, or could the two systems be worked together? I should prefer the other system.

1825. *Chairman.*] Would you allow parties here to nominate their friends? Many people do not nominate their friends.

1826. *Mr. Jacob.*] What do they do? Money is paid by various persons into a common fund for sending people to the Colony.

1827. Who nominates them? I cannot say.

1828. Somebody must nominate them? Yes. Yesterday at the hiring-room a young woman wanted to go away with a young man, when it was objected to. The young man said, "She is my sister." The reply was, "You never nominated this young woman; the person who nominated her must put his signature to the paper, and take her away."

TUESDAY, 8 JUNE, 1880.

Present:—

MR. DAY,

MR. JACOB.

J. F. BURNS, ESQ., IN THE CHAIR.

George Withers, Esq., called in and examined:—

G. Withers, Esq.
8 June, 1880. 1829. *Chairman.*] You are, I believe, a native of this Colony, and an Alderman of the City of Sydney? Yes.

1830. You are also one of the trustees of the Sydney Permanent Freehold Land and Building Society? Yes.

1831. I understand you have been in business as builder on your own account for some years in this city? For fully twelve years.

1832. How many men do you generally employ? Directly and indirectly about fifty; sometimes I have as many as 150.

1833. All of them in the building line? Yes, I have about fifty of them all the year round.

1834. What is the condition of the building trade at the present time? There must be a large amount of building going on in the suburbs, and also in the city. The fact that brickmakers are able to obtain any price they like for bricks is an indication that the building trade is brisk, although I know that some in the trade do not consider it so.

1835. But there is an unusual demand for bricks? Yes; the price of bricks is from £3 to £3 5s. per thousand: and they are not to be had always at that price, the demand is considerably above the supply.

1836. To what circumstance do you attribute the present extraordinary demand for bricks? It must chiefly be from the fact that a large area of the suburbs is being built upon, thus absorbing the bricks; I am waiting for bricks myself at the present time.

1837. But bricks can still be bought at the advanced price? Yes, the price ranges from £3 to £3 5s. per thousand.

1838. You say there is a large amount of building going on both in the city and suburbs? Yes, especially in the suburbs.

1839. Altogether what is the condition of the building trades at present? I consider the trade is in a flourishing state. The new Building Act has to some extent checked building in the city. Capitalists have not made themselves acquainted with the provisions and technicalities of the new law, and others are seemingly timid; many persons are building in the suburbs rather than be hampered by the Act. A large amount of work must be going on somewhere, but there is nothing like the extent of work in the city that there is in the suburbs.

1840. There is more activity in the suburbs than in the city, but still there is a large amount of work going on? Yes. There is one feature of the building trade that has been lost sight of to some extent—that is, there are not so many alterations being made in merchant's premises, in business premises generally, and I attribute that to the tightness of the money market during the past twelve months or so.

1841. Have you noticed any change in the condition of the money market within the past few months? Yes; things are much more favourable now for the building trades.

1842. Capital is more plentiful? Yes, more easily obtained by those desirous of building; the Building Societies too have reduced their rates.

1843. You are aware that the banks and building societies have reduced the interest on deposits? I am not quite sure about the banks, but I know that the building societies have studied their constituents; and the banks I think are willing to accommodate their customers with overdrafts to a greater extent than before.

1844. From your experience as a director of a building society you know that such societies have reduced the rates of interest for deposits? Yes.

1845. And that is one indication of there being an increased supply of capital? Yes, and increased capital will tend to increase building operations.

1846. Do you know if building societies are more liberal in consequence of there being an increased supply of capital? Yes, of course they are.

1847. If you were told that at the present time there are some two or three hundred masons in or about Sydney who cannot obtain employment, would you be disposed to think the statement correct? Well, I should scarcely think there are that number out of employ. It is a peculiar branch of the trade;

a number of masons may be thrown out in consequence of the unsettled state of the weather. If I wanted twenty, or thirty, or fifty masons to-morrow to put on a job, I think I should experience some difficulty in obtaining anything like the number. Plenty call themselves masons who are simply scabblers, or who have worked with masons; it would not perhaps be difficult to obtain a number of such men.

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1848. Do you think that within the last eighteen months two or three hundred masons, in and about the city, have been continuously unable to obtain employment? There is this fact which might make it possible: Many large first-class public buildings have been completed within that time, and it is possible that some of the men who were engaged on them have been thrown out of employment, first-class masons, that is, masons who would not take such work as laying a foundation. I believe there is work for the whole of the masons in the Colony; but first-class men will not take rough work, and will rather walk about than take a job unsuited to their tastes.

1849. Do you think there is a fair demand for masons generally in the city and suburbs? I think so.

1850. Do you know whether the Colony has gained much accession of population from the other Colonies during the last year or two? I am sure it has; there has been a large accession of mechanics in the different branches of the building trade.

1851. What has attracted those mechanics from the other Colonies? Most of those whom I have encountered came from Victoria, and they came because of a slackness of trade there.

1852. In the special branches of the trade in which you are concerned? Yes. I have never had occasion to employ many strangers. My own impression is that in this Colony, throughout its worst stages, really good mechanics could always get employment.

1853. Do you think that most of those who came from Victoria found employment in this Colony eventually and settled here? Many of them have. I know of one or two of my own knowledge; in fact I may say I know a dozen who have done so. They did not cling to the city altogether, but found employment in the suburbs, or went into the country—to Bathurst and other places—and got employment. A case came under my notice last week: An intelligent fellow, whose father is a builder in Melbourne, had some difference with his family and came to this Colony, and got work here; he is a very good mechanic, and has every prospect of success. He has gone to Bathurst, together with another young man, and has two years work.

1854. The tendency of population has been towards this Colony from the other colonies? Yes, I can speak in regard to the building trades.

1855. I think you reside at Surry Hills? Yes.

1856. Are there many unoccupied houses in that quarter? There are very few vacant houses; as a rule houses are let rapidly enough.

1857. Your business must lead you to travel about a good deal? Yes, I am constantly about.

1858. In all parts of the city and suburbs? Yes, it is part of my business to be about out of doors.

1859. Have you observed many houses to let in the city or suburbs? I think there has been a disposition on the part of city residents to go into the suburbs to live.

1860. What class of residents do you mean? I mean there is a disposition on the part of the working classes to avail themselves of the low rate of travelling on the railways, and build homes for themselves along the line of railway; that to some extent causes houses in the city to be sometimes vacant. I was especially struck with this after a recent visit to Melbourne.

1861. Then you have lately been in Melbourne? Yes.

1862. Are there many houses to let there? Not so many as I expected to have seen; and more building is going on there than I expected to see.

1863. Have you any reason to anticipate that the suburbs here will be overbuilt? No, I think the natural increase of population in this Colony will keep that sort of thing going for a long time.

1864. Have you ever met any of our newly-arrived immigrants loitering about the city unable to get employment? No, I have not. During the time the Exhibition building was being constructed I encountered many men who had no particular trade or capabilities. A number of men who were not mechanics at all had the assurance to go round asking for work as carpenters; many were put on and earned their 10s. a day, who had perhaps nothing at all to do with the trade before. Of course such men could never expect a second job as carpenters. At the time the Exhibition building was being put up I encountered a number of these men, but I never see any about now.

1865. What has become of them? They must have settled down as labourers or got some other work.

1866. Do you think there are many mechanics now about Sydney unable to get employment? I do not think there are. There are a good many labourers, very much worn, looking for work; but if I wanted fifty good mechanics to-morrow I know I should have to be contented with a third of the number—that is, good mechanics.

1867. You say you see many worn men looking for work? Yes; as I am an alderman I suppose they come to me in the hope of being put on the Corporation works.

1868. A class of persons who would not care to leave the city? It would not, perhaps, suit them to leave the city. They have their families here. They form the class of men I feel sympathy for.

1869. *Mr. Jacob.*] When you say worn, do you mean worn from old age? Yes, old age.

1870. *Chairman.*] As an alderman you meet with many persons in search of light employment? Yes.

1871. Do you find a superabundance of that class of persons in the city? Not more than might reasonably be expected in a city like this.

1872. *Mr. Day.*] Do you understand our assisted immigration regulations? I do not know that I am acquainted with them thoroughly.

1873. You know nothing about our immigration system? I am not thoroughly acquainted with the assisted immigration regulations.

1874. Do you think, from your experience, that it would be unwise to bring emigrants to this Colony—such as carpenters, bricklayers, joiners, and other such classes of persons? I am convinced of this, that if such a class of persons as those whom I served my apprenticeship with (mechanics) came here, they would benefit themselves and benefit the country. I refer to thoroughly steady, sensible mechanics.

1875. *Mr. Jacob.*] Mechanics of all kinds? Yes. I am a native of the Colony; but I am thoroughly convinced, from my own experience, I could get £50 premium to take boys as apprentices; but I look upon it as a great responsibility to take a boy myself. Of course if he learns the business well he makes a good man. But there are so many counter-attractions, such as sports, &c., that are detrimental to youths learning their trades. In this Colony youths give too much of their time to sports, and apply themselves too little to business.

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8 June, 1880.
1876. You think there is a fair field for the introduction of more labour into this Colony—that is, labourers and artizans of a good class? Well, I am convinced there is for artizans of a good class. The country, I think, should produce a sufficiency of ordinary labourers. I think Melbourne must possess better mechanics than we have in Sydney. There is more artistic work generally introduced into the buildings there.
1877. You have had large experience amongst the labouring classes in the city and suburbs? Yes.
1878. Have you found many of that class out of employment? I have not recently encountered so many as I did at the time the Exhibition building was being constructed, when there was such an influx of persons to the city.
1879. If you wanted a number of tradesmen to-morrow would you have any difficulty in getting twenty or thirty together? I think I should have great difficulty in getting thirty good tradesmen. I should have to advertise for them; I might have thirty applicants, but there would perhaps be only five out of them who would be tradesmen who could be trusted.
1880. Then from your experience, a good workman, a good artizan, can always get employment? Always get employment, and be a benefit to the country.
1881. Such persons need never be out of employment? They need never be out of employment.
1882. What wages do such a class of persons obtain—carpenters, bricklayers, joiners? Masons get 11s. to 12s. per day; carpenters, 10s. to 11s.—10s. would be the standard wages; labourers would get 8s.
1883. That is for eight hours' work? For eight hours' work.
1884. I think I understood you to say that the price of bricks was now very high? Very high.
1885. I suppose the high price of bricks puts a stop to the building trade to some extent? Yes.
1886. What is the reason that bricks are so high at this particular time? One might imagine it was the difficulty of getting labour. I often put the question to myself, seeing so many labourers in want of a job, and hearing the cry about there being so many labourers out of work. But in the winter months there are many things that cause a high price of bricks. There is always a greater difficulty in drying them than in summer, and sometimes there is a want of water. In winter there is generally a scarcity of bricks owing to the difficulty of drying them fast enough.
1887. Have bricks ever been up to £3 5s. per thousand within the past few years? Yes, about two years ago they were up to £3 10s. per thousand.
1888. Then £3 5s. is not an unprecedented price to pay for bricks? No.
1889. Do you know anything about brickmaking? I have had nothing much to do with bricks beyond buying them.
1890. But from what you know, if a man is getting £3 per thousand for his bricks he is doing a very good thing? Yes.
1891. It is a branch of industry that might be gone into with advantage by any one? Whoever has gone into it has done well. There is room in the metropolis for three or four more establishments such as Goodlet & Smith's and others.
1892. *Mr. Jacob.*] Is the need for mechanics in this country sufficiently great to justify their being introduced here at the public expense—do you think the Government of the country is justified in introducing mechanics of all kinds at the public expense? I think it would be unwise for the Government to hold out certain inducements; the class of men I refer to as being useful colonists is that of men requiring little assistance, who can rely on themselves.
1893. You have not thought so much upon the subject as to be able to give a definite opinion upon it? No, I have not.

John Macintosh, Esq., M.L.A., called in and examined :—

- J. Macintosh, Esq., M.L.A.
8 June, 1880.
1894. *Chairman.*] You are one of the representatives in the Legislative Assembly for East Sydney? Yes.
1895. I believe you issued a large number of railway passes on behalf of the Government a year or two ago to parties who wished to go into the country in search of employment? I have never issued a pass in my life; I have never had any power accorded to me to issue passes; but I may explain that about four or five years ago, when the Palmer diggings broke out, a large number of persons went from New South Wales to those diggings. From several causes they were disappointed. When they returned to Sydney they were almost destitute; in fact they were brought back by the steamship companies from the north of Queensland for about £1 each. The Mayor of Sydney, as I understood, was empowered by the Government to recommend to the Commissioner for Railways such of those persons as he thought deserving of a free pass by railway into the country. As the Mayor was not allowed to grant passes I think he declined the work of recommendation or of even making inquiry into the truth of the statements made by the men. From some cause or other the men who were destitute came to me. Happily, at that time New South Wales was in a prosperous state, whilst the neighbouring colonies and New Zealand were in a rather depressed condition. A larger number of public works was being carried on than in the other Colonies; and these people flocked here from the other Colonies. As I was well known and easily comeatable at all hours of the day nearly, these men, or many of them, at all events, came to me. I made strict investigation into their circumstances, and if I believed their statements to be true I gave them a recommendation to the Commissioner for Railways for a free pass into the country. The Commissioner almost invariably granted a pass on my recommendation. So many men came wanting passes that nearly the whole of my time was taken up in investigating their claims. Hundreds of persons who obtained passes at my recommendation and went into the country have written to me. All, or nearly all, obtained employment of some sort or other in the country, and in their letters they express great gratitude to me for the trouble I took on their behalf, and for the advice I was able to give them. I was, however, eventually relieved of the duty, as I may term it. The Inspector General of Police and Mr. G. F. Wise now constitute a Board to consider the claims of persons requiring free passes into the country. I still give a great number of recommendations to strangers and others who I think may be deserving of them, and they are generally complied with. But that is all that I have had to do with granting railway passes, and for which I have been so much abused. Looking at it myself as a colonist—and I have had one or two years to consider the matter—I feel that I never did a better public work than when doing that.
1896. *Mr. Day.*] Do you find many of the newly-arrived immigrants from England require passes? Some few of them do; but independently of those who came from the other colonies, I have found that the greater number of those who required free passes were persons who had come out in steamers, who had paid

paid their own passage money. The steamers coming to the Colony then were not so numerous as they are now; but I used to expect about one-fifth of those persons who came out in the large steamers to call upon me before they had been in the Colony five or six weeks. Many of them, on landing, would have a good stock of clothing, and perhaps from £4 to £10 each in money. They would go into tolerably good lodgings, and as long as their money lasted they were all right; but when their money was exhausted they would go into a poorer class of lodgings, and very frequently before they came to me they had nothing but what they stood upright in; and in some cases they had slept one or two nights in the open air—in one or other of the parks.

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1897. Were they artizans or labourers? Generally educated persons; some few of them farmers sons who perhaps had been on their fathers' premises, but had not done much work. A few of them had been in regular employment.

1898. Did many artizans apply for free railway passes into the country? A few.

1899. A large number of those persons who applied to you belonged to New South Wales? A large number who applied to me were returned colonists, the larger proportion from the other colonies—especially Northern Queensland. They came back with impoverished means and debilitated in health, some of them suffering from fever and ague. Upon my recommendation the Commissioner for Railways generally considered a case favourably.

1900. You say you have received a number of letters from persons to whom these passes were given;—what was the result of their going into the country; did they succeed in getting employment? Yes; I refer more particularly to educated persons. For instance, one person for whom I obtained a free pass had received a University Education; he went into the country and got employment from a small contractor as cook, near Junec, received 8s. per week and his board; he was there several months; when he was paid his employer was so pleased with him that he gave him at the rate of 10s. per week; the person referred to regretted exceedingly that the contract was finished, because he considered he was obtaining information and experience that would be likely to be of great value to him. He wrote to me at that juncture, and I sent him a few suggestions in a letter; he then went towards Adelong and the Tumut, and joined a survey party, and I think he is with them now.

1901. Did you get any letters from those for whom you procured free passes into the country, stating that they were unable to get employment in the country? No, except from a very few, such persons as I should expect to get such letters from.

1902. Then your impression is that most of those whom you were instrumental in sending into the country found employment? Yes; what they chiefly wanted was a little advice to enable them to look at the Colony as it is, and not as they had pictured it before coming here. I may mention another instance: A person who had received a college education went to Wagga Wagga and took a situation as groom in one of the hotels there; he stayed there several months, receiving 15s. a week; he sent me word he could perform the duties very well, and under the circumstances was very well contented with the situation. Another person of education went towards Cooma and succeeded in establishing a small school there. Several other persons, educated gentlemen as they may be termed, went on to stations and took situations as tutors, or got light work about the station, and many of them are doing very well. Many of those persons out of employment in Sydney are persons who have been accustomed to a better employment than they can get in Sydney.

1903. *Chairman.*] Your house of business is in a part of the city; that makes you easy of access to people generally? Yes.

1904. And as an old resident of the city, and for many years an alderman, you are widely known? It seems so.

1905. That accounts for so many of these persons who could not get employment going to you to consult you as to what they could best do to get work? Yes; I have generally taken an interest in strangers, and have left myself open to be called upon by them. For various reasons I am often enabled to get them employment either in Sydney or in the country. I have a number of friends in different parts of the Colony to whom I can recommend them to go to get information or advice.

1906. You have also travelled a good deal about the Colony? Yes. I may state that last Saturday I visited the works now going on for bringing the water from the Nepean. About 150 men are employed there, and they are getting 7s. and 8s. a day. I have never seen a better class of labourers than they are—I mean the ordinary labourers who use the hammer, the gad, shovel, or pick, not tradesmen. Inferior men, men of inferior strength or ability to do a standard amount of work per day, have little chance of being taken on there. It seems to me there is a great desire on the part of the employers to pay the standard rate of wages and employ the best men; I find that so generally in the Colony, that employers do not care to pay second-rate wages. That of course tends to keep second and third-class men out of employment.

1907. Second- and third-rate men have a far less chance of getting employment? Yes.

1908. Does that apply to mechanics as well as to labourers? Yes, that is my experience amongst mechanics as well as labourers.

1909. Do you know whether there has been any difficulty on the part of stonemasons in obtaining employment in the city during the last year or two? Yes, during the last year or two there has been. For instance, before that time, the buildings for the Works Offices, the Lands Departments, and other large buildings were going on in the city, and in which large quantities of dressed stone were used. A large number of stonemasons were drawn to Sydney. But during the last year or two there have not been so many buildings of that class going on, and there is a number of masons out of employ. People will not leave the city if they can help it. Some few of them have gone into the country, and are doing work about the railways—a rougher kind of work than they were accustomed to in Sydney. By far the greater number of mechanics who have called upon me out of employment are those connected with the iron trades, such as boiler-makers and engineers.

1910. Persons engaged in the iron trades find a difficulty in getting employment in the Colony in their own line of business, at the standard rate of wages? There is not sufficient employment for them. Most of them are brought up to a particular branch of the trade, and are not what may be termed "good all-round men"; and unless they possess very good characters and are very good workmen, and can and are desirous of making themselves useful in a general way, they find it difficult to get employment. At the same time very good mechanics are occasionally out of employ. A large number of what may be termed second-class men have always been found out of employment during the last two or three years—men who get tipsy, or who have debilitated constitutions, or who will not work unless under the eye of an overseer or fore-

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man, find it difficult to get work. For instance, a great deal of the work done in connection with the building trade is of a confidential character. A master builder has perhaps to send men into some merchant's stores or gentleman's residence, and none but men in whom great confidence can be placed are likely to be employed. Men of second- and third-class qualifications find it very difficult to get employment, and that is the case with mechanics as well as labourers.

1911. They are not worth the standard rate of wages? There is a great desire on the part of employers in Sydney to pay the standard rate of wages. Suppose 8s. or 10s. is the standard rate of a day's pay, there are very few employers who would care to give 5s. or 6s. They prefer to have good men who are worth the higher rate.

1912. A great many in the category of men out of employment are men who, through some deficiency or fault of their own, do not find favour with employers? A considerable proportion. But there are many good men amongst the unemployed. Another class of men who come to me for advice or assistance comprise men who have been overseers for a number of years in large establishments in other countries. When they come here they seem to me to have to walk about more than others. I can hardly give the reason, but it is nevertheless the fact. Many of the persons who come out as immigrants have been brought up altogether to city life, and have been for a considerable time in one employ. Such persons are most helpless when they come here. They do not seem capable of exercising sufficient thought to make their own way; they lean more for assistance than those who have travelled in different places. Eventually, however, they fall into something.

1913. When you speak of immigrants do you refer to those who pay their own passages, or those who are assisted to come here by the Government? Those aided by the Government as well as others.

1914. Have you within the last two or three years had immigrants coming to you in search of employment? Yes, a great many. But I cannot say that they were persons who, upon the whole, were well adapted to the requirements of the Colony. They were often men who had been brought up to some special description of work, and at which there was little or no employment for them here. I have had very few of what may be termed first-class labourers or mechanics coming to me for assistance. They generally get taken up almost immediately on arrival—that is, first-class men, who are determined to succeed and attain to a comparatively independent position.

1915. *Mr. Day.*] You know something about our assisted immigration regulations? A little.

1916. You have had a good deal of experience in the labour market of Sydney? Yes.

1917. Knowing these two things, and knowing also a good deal about the country, do you think it advisable to continue the system of assisted emigration to this Colony? That is a question that requires a good deal of consideration. We want no persons in this Colony but able-bodied healthy people—male and female. The first matter that made me take notice of the assisted immigration system was this: About fourteen or fifteen years ago I lived at Botany; at that time Haslem's Creek Cemetery was being cleared of timber by men who had been put on to the work in consequence of the then depressed state of the Colony. As I was going home one evening I noticed a number of these men get out of the train, and I was surprised to find that the Colony possessed such a number of men so physically unfitted for hard labour as they appeared to be. I followed the thing up, and found that many of them were new arrivals. Many had come to the Colony by the aid of their friends who were already here. I thought that proper supervision had not been exercised in the selection of those persons. When the deposit of £2 is made here I am afraid there is not much inquiry made as to whether the person being sent for is fitted for the Colony or not. He comes out at the recommendation of the person paying the deposit. Many who come out in this way are not suited to the requirements of the Colony; on the other hand many who then come out are well fitted for the Colony. Very frequently those who come displace older colonists from their situations.

1918. The question I should like to put to you, and obtain an answer to, is this: From your experience of the labour market, and the assisted immigration regulations we have in operation at the present time, do you think it beneficial to the country, and to the immigrants who come to it, to bring people to the Colony under our system of assisted immigration—is it likely they will find remunerative employment? Yes, I think so; if there was a proper distribution of them in the country—in the interior, similar to the system adopted in Canada, and even in the United States. What I think is required is the appointment of provincial boards, not composed of Government officials, but of persons elected by the people of the district or selected by the Government, and having an interest in their respective districts, who would advise the Government from time to time as to the requirement of their districts, and see to the distribution of immigrants. Such boards might be established for instance at such towns as Goulburn, Wagga Wagga, Hay, Maitland, and other places. They might even employ the new comers for a short time after their arrival at a lower rate of wages than is prevailing in their districts until the immigrants got familiarised to some extent with the Colony.

1919. Until they became colonized? They should work at low wages, but I should be no advocate for making them depend upon the Government. If they were carefully selected in England for their health, character, and capabilities, such men would get on well.

1920. Do you know anything about the labour market in England, Ireland, or Scotland—I mean as to the rate of wages, and the likelihood people have of getting employment? Not a great deal, nothing beyond what I hear from my friends, and learn from the newspapers.

1921. But from what you know of the labour market there, and what you know of the labour market here, and the likelihood of men succeeding, would you, if you had a friend in England, advise him to come here to seek employment? Yes, I should advise him to come here. I would give him advice, and then if he determined to live by his own work and not lean upon others, I would advise him to come here.

1922. Then from your experience you think there could not be too many come here if they are of the right stamp of men—men who would tuck up their sleeves and go to work? No; I find all our successful men, such as contractors or farmers, in different parts of the country, came to the Colony very poor. They have never done any harm to any person that I am aware of, but by their hard work and frugality they have succeeded, and become in time employers of labour. By almost every steamer that leaves the port a large number of such persons leave the Colony for a visit to the old country. They came here poor and go away in comparatively independent circumstances. (I came myself as an emigrant in 1839, I was then eighteen years of age, and landed without one shilling.)

1923. Have you found much poverty and indigence about Sydney among the labouring classes? Yes, a great deal, but chiefly amongst that class of persons to whom an employer would not give the standard rate of wages.

1924.

1924. That poverty does not exist in the country towns? Not to my knowledge. I was in the western districts a short time ago, and I did not see or on my inquiry hear of any labourers walking about idle. J. Macintosh,
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1925. Do you think there is any necessity for a strong able-bodied man to want work in this country? 8 June, 1880.

Not for any length of time if he has an aim.

1926. But even without an aim? There are many persons, such as railway labourers or diggers, who occasionally suffer great distress, because they will not take up with other employments. They will hang about the gold-diggings and railway works until they get impoverished. I have not found much poverty with that class of persons who aim at having a home of their own, and the surroundings of a home; but amongst the class who only aim at obtaining daily wages there is occasionally great distress, both in the country and the towns.

1927. And that good class of men you are speaking of, if they were brought here they would assist the men of this Colony instead of being an injury to them? Yes.

1928. They would find avenues for their labour in all directions? Yes; if they are enterprising intelligent men, determined to get on, they will make their own way.

1929. You say you saw a large number of men at work on the Nepcan water scheme works;—did I understand you to say that the men had taken a contract? It was explained to me in this way: Twenty-two miners from Hartley had the No. 3 contract in connection with the waterworks; and two of their number were appointed by the men themselves as leaders, and take the contract.

1930. And the men draw their pay according to the quantity of work they have done? Yes; their work is measured off every fortnight, and then they get their money; they pay the labourers whom they employ and divide the balance amongst themselves. I have every reason to believe that this gives the twenty-two associated labourers 10s. per day, and may eventually give them 11s. per day clear of all expenses. When I was there I found beef equal to the Orange beef, being sold at from 1½d. to 2d. per lb., and mutton at from 1½d. to 2d. per lb.; milk and bread were also selling at a reasonable price; and the men have no rent to pay.

1931. And other parties of labouring men, if they chose to associate themselves together, might obtain a contract? I don't see anything to prevent them. The contracts let at the present time extend about 8 miles, but there is at least 40 miles of similar work to perform, besides the dam and the aqueducts across the creeks and other places along the route taken to convey the water to the distributing reservoir in and near Sydney.

1932. From whom did the men get the contract? From the Government.

1933. Did they send in tenders the same as other contractors? Yes.

1934. And they beat other tenderers? No; they lost their tender for the tunnel, and offered to do the open canal work attached to the tunnel contract at 3s. 6d. a yard, whilst other contractors had tendered to do it at 7s. They were informed that if they liked they could have 2 miles of open canal cutting at their tender. There is a large quantity of similar work to be performed, but it requires good sound sober men to do it.

1935. There is plenty of opening there now for labourers to go to work? Yes, there will be a good deal of labour required in the open canal cuttings. In the tunnel of course only a limited number of men can work at a time.

1936. You say that the twenty-two associated labourers are now employing other labourers? Yes.

1937. They employ other labour, and make a profit out of it? Yes.

1938. *Mr. Jacob.*] Besides getting 10s. a day each they will get an additional share perhaps by employing other labourers? 10s. is the profit of the whole labour.

1939. With the additional profit by employing other labourers? The additional men get 7s. or 7s. 6d. a day. The balance of the draw is divided amongst the twenty-two associated men, and it gives them 10s. a day. But with regard to immigration I strongly suggest that provincial boards should be appointed, composed of men possessing an interest in their respective districts; and they should have some money at their command in order that they might find immigrants work for a short time, say three or four weeks, giving them a lower rate of wages than the wages prevailing in the district. The immigrants could leave that employment whenever they thought proper. But I think if boards were established for this purpose it would be a great inducement to persons to go into the country. A large number of persons, especially those who are married, do not like to venture into the country, but they might be induced to go if some such inducement as that I have suggested were held out to them.

1940. *Chairman.*] Your recommendation would have reference to immigrants who came here on their own account, who had not been sent for by their friends. Many who have been sent for by their friends at once find employment or remain with their friends? Yes, but often those who come out in that way displace others who are already here. The assistance and advice I suggested by the inland Boards should be given to all new comers.

1941. *Mr. Jacob.*] With regard to the system of assisted immigration as it is at present worked, do you think it desirable to continue it or stop it? I do not think it would be advisable to continue it. The practice might be continued.

1942. But as at present worked—as the Government are working it—do you think it beneficial to the country or not? It is beneficial to a large extent, but it might be made a great deal more beneficial if the emigrants were properly selected in Great Britain.

1943. *Mr. Day.*] Do you think £70,000 too much to expend on an immigration system? No, I do not think £100,000 would be too much, if care was exercised in the selection of persons who are to come out, and if such boards as I have proposed were appointed in different parts of the country, in order to secure the immigrants certainty of work for a short time after their arrival I should even like to see the Government more liberal with free passes by railway to those who wished to seek work in the country than they have hitherto been.

1944. But the Government now gives a free pass to every immigrant who requires one? Yes. I also mean to actually destitute persons.

1945. And seven days free board and lodging to an immigrant who requires it in the country? Yes; but I would rather see the Government give them some kind of employment at a low rate of pay.

1946. *Mr. Jacob.*] Do you mean that the Government should send them into the country, and then make employment for them? There is always work in the country that must be done by the Government.

1947. There is always contract work? People coming from a ship are not all fitted for contract work,

J. Macintosh, but there is other work to be done. Take Wagga Wagga for example. There is not a great deal of work there, but there is the embankment of the river, and the drainage of the town requires seeing to.

Esq., M.L.A. 1948. *Chairman.*] You think it advisable that the Government should give immigrants a short period of employment in the country in order to enable them to gain experience, and give them time to look round and find employment elsewhere? Yes, but I would give them less pay than the wages ruling in the district; and I would place them under provincial boards, such as I have suggested the appointment of.*

8 June, 1880.

TUESDAY, 6 JULY, 1880.

Present:—

MR. BARBOUR,

MR. DAY.

MR. JACOB,

J. F. BURNS, ESQ., IN THE CHAIR.

The Committee met and proceeded on board the immigrant ship "Camperdown," lying off Neutral Bay.

Henry Hill examined:—

- H. Hill. 1949. *Chairman.*] What is your name? Henry Hill.
- 6 July, 1880. 1950. What is your business? I am a miner.
1951. Were you sent for by your friends? It is a man out here who nominated me; I do not know the man. He works in a colliery. His name is William Johnson.
1952. Is he a miner? He is a labourer.
1953. Where? He is at Newcastle now.
1954. How came he to nominate you? He nominated his brother-in-law, and I asked his brother-in-law to get him to nominate me, and he did so.
1955. Do you know what William Johnson is doing now at Newcastle? I do not know. At the time he nominated me his brother-in-law told me he was sinking a well at Liverpool.
1956. Where were you at work when you received that nomination? At Brownie Colliery, in the county of Durham.
1957. Were you induced by any representations of Johnson's brother-in-law to immigrate, or did you immigrate on your own account? I immigrated on my own account.
1958. It was from no representations of the condition of the market for miners that you agreed to come out? No; I just came on my own account.
1959. Had you obtained any information as to the condition of business in your line here? Only what I had seen in the papers; and I had seen letters from here. I had seen what were the wages in the papers.
1960. Do you know whether Johnson is acting in the capacity of agent to any person? I do not know; he is a stranger to me.
1961. *Mr. Barbour.*] Did you know Johnson's brother-in-law? I had seen him three or four times.
1962. *Chairman.*] When you were nominated did you state that you were a coal-miner? I did.
1963. *Mr. Barbour.*] You came out here on your own account? Yes.
1964. Why did you come out? Because I thought I should do better here.
1965. Do I understand that you gave Johnson's brother-in-law money? I asked him if he would send the money to his brother-in-law for me, to nominate me. I went to Durham and got a post office order, and gave it to him, and he sent it off straight away.
1966. And in consequence of that you got a paper, and you came out here? Yes.
1967. *Chairman.*] What is the condition of the coal trade in England? It was getting a little brisker when I left. It had been very dull.
1968. *Mr. Jacob.*] Why did you not apply for your passage at the other end yourself: why did you send your money out here; could you not have got your passage by applying to the proper authorities? I was not aware of that. I heard he was nominating persons out. I heard they had stopped all immigration here.
1969. You understood they had stopped all immigration? I understood all immigration of miners was stopped out here, unless they were nominated from this end.
1970. Did you give it to be understood that you were a miner—did you give any description of yourself? I did. I stated what I was.
1971. Did you tell them that you were a miner? I stated I was a miner.
1972. *Mr. Day.*] Do you understand anything about any other kind of work besides coal-mining? I have never worked at any other trade.
1973. You have been working in coal mines all your life? Yes; about sixteen years.
1974. Have you any friends in this Colony? No.
1975. *Mr. Barbour.*] Is Johnson's brother-in-law on board this ship? No, he came out on a passage before this. When he sent my money he was coming then. I am not aware of the name of the ship he came in.
1976. When you get on shore do you intend to search for Johnson? No, I am going to try to find a man of the name of Gilbert Ridley. They tell me he is at Lambton.
1977. Is he a coal-miner too? No; he keeps a public-house.
1978. Has he been a coal-miner? I think so; I am not sure.
1979. *Mr. Day.*] Do you belong to any Trades' Union? I belonged to the Miners' Union.
1980. Did you ever receive any communication from the Societies in this Colony? No, I never received any.
1981. No particulars from the Trades' Unions of this Colony? No; nothing. All I ever received was the nomination paper; nothing else besides the papers I got from home. 1982.

***ADDED (on revision)**:—When duties, such as I have suggested to be done by a provincial board, are cast upon resident Government officials, they are apt to look upon it as an extra gratuitous duty they are called upon to perform, and they are not likely to have sufficient experience, or be zealous and kindly in their manner to those strangers who desire to receive practical advice or assistance when friendless on arrival, and beginning a new career as colonists.

1982. Did you pay anything into that society? I paid something fortnightly.
 1983. What benefit did you get? I got none.
 1984. What did you expect to get? They said 7s. or 10s. a week in the event of accident, but if there was any strike it was 7s. a week; but when they were on strike they only got 4s. 11d. for six weeks.
 1985. Did you understand they were united with any other society in any part of the world? They were simply for the county of Durham, and nowhere else that I am aware of.

H. Hill.

6 July, 1880.

Charles Norwood examined:—

1986. *Chairman.*] What is your name? Charles Norwood.
 1987. Were you sent for by your friends? A relation by the wife's side.
 1988. What was your occupation in England? I was brought up on a farm.
 1989. Any coal-mining in connection with it? Yes, for the last six or seven years.
 1990. Where? Croup colliery, near the farm.
 1991. Where does your friend live who sent for you? At Orange.
 1992. What is he? He has a horse and cart, loading wood about.
 1993. Did he nominate you? Yes, or some of his friends.
 1994. What representation did you make when you left England in the paper to enable you to come out here? Farm labourer.
 1995. You made a representation that you were a farm labourer? Yes. I had been mining for seven years.
 1996. Do you intend to go to Orange? No, I want to go to Tamworth to the wife's brother.
 1997. What is he? He is a road man under the Government.
 1998. What family have you got? Three.

C. Norwood.

6 July, 1880.

Alexander Goodwin examined:—

1999. *Chairman.*] What is your name? Alexander Goodwin.
 2000. From what part did you emigrate? From Stirlingshire, in Scotland
 2001. What is your occupation? I was mining when I left.
 2002. Did you describe yourself as a miner to the agent in England? Yes. My brother did, the nominee.
 2003. Where does your brother reside? At Wallsend.
 2004. Is he a miner? Yes.
 2005. How long had you been mining before you left Scotland? For the last eight years.
 2006. Was it upon the representations of your brother that you were induced to immigrate? Yes.
 2007. You thought you would do better here than in Scotland? Yes.
 2008. Have you brought a family with you? Yes, three—two daughters and a son.
 2009. You are sure your brother is a miner at the present time? Yes.
 2010. Has he any other employment? Only a labourer.
 2011. Not an overseer in the mine or agent? No, I do not think so. I could not exactly give any details of that.
 2012. I suppose there had been a correspondence between you and him for some time? Yes.
 2013. *Mr. Barbour.*] Did your brother recommend you to come? He did.
 2014. What was the inducement he offered—did you think you would do better here? Trade was exceedingly dull in the old country, and he thought I would do better here.
 2015. *Chairman.*] Had you been accustomed to farm labour too? Yes.
 2016. How long? I was always doing a little at it, more or less.
 2017. *Mr. Jacob.*] But you were nominated as a miner? Yes.
 2018. *Chairman.*] Do you intend to go to your brother? For the present, until I see something better.
 2019. *Mr. Jacob.*] Was there any objection to your going on board as a miner? No.
 2020. *Mr. Barbour.*] Were you entered on the paper as a miner? Yes.
 2021. And you can turn your hand to anything? Yes.

A. Goodwin.

6 July, 1880.

John Wade examined:—

2022. *Chairman.*] What is your name? John Wade.
 2023. What part did you emigrate from? Northumberland.
 2024. What occupation did you follow there? Miner.
 2025. *Mr. Barbour.*] Coal-miner? Yes.
 2026. *Mr. Day.*] All your life? Yes.
 2027. *Chairman.*] Had you followed any other pursuit? For a few months. I was at a strange place; but still it was connected with mining.
 2028. Who sent for you? William Johnson.
 2029. Where does he live? At New Lambton.
 2030. Did you know him personally? For five years before he left and came out to the Colony.
 2031. How long has he been in the Colony? About two years I think.
 2032. Is he working as a miner, or is he acting as agent for any one? He is working as a miner.
 2033. Was it owing to correspondence with him that you came out? Yes.
 2034. I suppose he told you that you would do better in the Colony? Yes, that was about what he said.
 2035. Are you a married man? Yes.
 2036. And have a family with you? Wife and five children.
 2037. Did you get any information from any one besides Johnson? Another one who lives in Lithgow Valley.
 2038. He wrote to you and told you what the prospects were out here? Yes.
 2039. And he thought you would do better here than in England? Yes.
 2040. And when you entered your name in the paper did you state what your occupation was? Yes.

J. Wade.

6 July, 1880.

2041.

- J. Wade. 2041. Coal-miner? Yes. In the paper that came out I was entered as a miner.
 2042. *Mr. Jacob.*] Why did Johnson nominate you? I had applied to come out and could not.
 6 July, 1880. 2043. Was any reason given to you? They said emigration was closed.
 2044. Any particular class? They said it was closed, and if I wished to come out I would have to send out to some one to nominate me.
 2045. Who told you that, one of the authorities? I got a letter from London; from the Agent General's Office.
 2046. *Chairman.*] From whom? I could not tell you, it was one of the clerks.
 2047. *Mr. Day.*] Have you got that letter by you? No.
 2048. *Mr. Jacob.*] Were you told that any particular class of emigrants would not be allowed to be nominated? No; they did not make any distinction.
 2049. But you would have to be nominated at this end to enable you to come out? Yes.
 2050. *Mr. Barbour.*] To whom did you send the money? To William Johnson.
 2051. How much did you send? I sent out £9.
 2052. That was for yourself, your wife, and five children? Yes.
 2053. *Mr. Jacob.*] How much delay did that cost you? I sent away in May last year.
 2054. *Mr. Barbour.*] And you got your paper back when? About the 28th or 29th of August.
 2055. *Chairman.*] Do you know of any others besides yourself who came out under the nomination of William Johnson? No; I do not.
 2056. *Mr. Day.*] What wages were you getting at Home coal-mining? Wages used to vary; it was piece-work.
 2057. What did you earn a day? About 4s. 6d. to 5s. a-day.
 2058. *Chairman.*] On an average? Yes.
 2059. *Mr. Barbour.*] How much did you have per ton? According to the thickness of the seam.
 2060. *Mr. Day.*] Was that the average of the district? The average of the district, I think, was about 4s. 4d. a day.
 2061. *Chairman.*] Did you get regular employment? Not in the winter-time.
 2062. What were your average earnings per year as a miner? I could hardly tell that; I do not think the pits would average more than half-time.
 2063. *Mr. Day.*] About £1 a week on the average? Scarcely so much as that.
 2064. *Mr. Barbour.*] In the winter-time did you work at anything else? No, just idle.
 2065. *Mr. Day.*] Then all the men were working by piece-work, and not by day labour? There were some worked by day labour.
 2066. *Mr. Barbour.*] What is the least price they pay for the thin seams? I have worked at 1s. 4d. per ton.
 2067. And what is the highest price you have worked for? You must remember that we had a percentage. It was from 1s. 6d., as high as 4s. 6d.
 2068. *Chairman.*] I suppose Mr. Johnson sent you full information as to the rates of wages paid in the Newcastle district? Yes; he thought a working man had a better chance out here, and I was desirous to come.
 2069. Do you know of any coal-miners on board who entered under other designation? Yes, there is one on board who has come out of Northumberland.
 2070. Have you heard of any coal-miners on board who entered their names under other trades? I do not know how they entered. I know there are some who have worked in mines, but whether they worked in mines all the time I cannot say. My object in coming out was not to stop at the mines; I am going to get other work if possible.

Stephen Powell examined:—

- S. Powell. 2071. *Chairman.* What is your name? Stephen Powell.
 6 July, 1880. 2072. What part of England are you from? About 3 miles from Pontypool, in Monmouthshire.
 2073. What occupation did you follow there? A miner.
 2074. How long have you been coal-mining? All my life-time.
 2075. Who nominated you? My uncle.
 2076. Where does he live? At Lambton.
 2077. *Mr. Barbour.*] What is his name? Stephen Powell.
 2078. *Chairman.*] How long has he been living there? Close upon twenty-five years.
 2079. Did he write and tell you the rate of wages there? No.
 2080. Did he tell you you would be better off there? He would not have nominated me if he had not known that. Trade was very bad at home.
 2081. You thought you would be better off here? Yes.
 2082. Did he write and tell you so? No, he did not write.
 2083. Did he advise you to emigrate? Yes.
 2084. And he paid the deposit for you? Yes.
 2085. You are a single man? Yes.
 2086. Are you entered in the papers as a coal-miner? I am not certain whether he nominated me as a labourer or as a coal-miner.
 2087. Do you know how many miners there are on board? I do not.
 2088. Have you any idea? No.
 2089. You do not know how many were coal-miners and entered as other trades? No.
 2090. *Mr. Barbour.*] We do not want it for anything particular, we only want to make you more comfortable? No, sir, I do not know. I think my cousin gave his statement last night as a labourer.
 2091. What is his name? Stephen Howell. He was not certain whether uncle entered him as a coal-miner or labourer.
 2092. *Mr. Jacob.*] Did you give any description of yourself to any Government agent at home before you embarked? No.
 2093. No particulars were taken from your mouth as to what you were, and what your occupation was? We gave it to the agent at Pontypool.
 2094. What did you give as your occupation? A stone-miner. That means getting coal, or hard ground,
 2095.

2095. *Chairman.*] You have been all your life a coal-miner? Yes.
 2096. *Mr. Jacob.*] Did you understand that as a coal-miner you would not be able to come out here? No.
 2097. *Mr. Barbour.*] Did you send the money out to your uncle? He paid it here.
 2098. You did not send it out to him? No.

S. Powell.
 6 July, 1880.

Robert Nevin examined :—

2099. *Chairman.*] What is your name? Robert Nevin.
 2100. From what part did you emigrate? From the county of Durham.
 2101. You are a married man? Yes.
 2102. Have you any children? No.
 2103. What occupation had you been following before you left England? I was in a mine.
 2104. Coal-mining? Yes.
 2105. Had you been coal-mining long? Four years.
 2106. And what before that? I was in a factory—engine works.
 2107. Who nominated you? Andrew Teasdel, the wife's uncle.
 2108. Where does he live? At times in Newcastle.
 2109. What did you say was your occupation before you came out? I said I was labouring in the mines.
 2110. Do you know whether the wife's uncle is a coal-miner? He is not working in the mines at present.
 2111. Did he send for you? Yes.
 2112. Did he recommend you to come out? He recommended the wife's father; I was not coming at the time.
 2113. Did he send for anyone else? For his father, his sister, and his sister's husband.
 2114. Was his father a coal-miner? Yes; he is on board now.
 2115. What is his name? William Teasdel.

R. Nevin.
 6 July, 1880.

William Anderson examined :—

2116. What is your name? William Anderson.
 2117. From what part did you emigrate? The county of Durham.
 2118. Who sent for you? The wife's brother, my brother-in-law.
 2119. Where does he live? Near Newcastle.
 2120. What is he? He has been a miner; he has been several things.
 2121. Is he at the coal-mines now? He is not now.
 2122. What was he before he came out to the Colony? A coal-miner.
 2123. *Mr. Barbour.*] What is his name? Andrew Teasdel.
 2124. *Chairman.*] Did you describe yourself as a miner? Mining labourer.
 2125. Was it owing to correspondence with Teasdel that you emigrated? Well, it was.
 2126. I suppose you thought you would better your condition? Yes.
 2127. You are aware that you are entered upon the ship's books as a labourer? Yes.
 2128. *Mr. Jacob.*] You described yourself as a mining laborer? Yes.
 2129. To whom? In my papers that I sent up to London.
 2130. Did you hear that miners' labourers would not be selected as immigrants? I did not hear that. I have been close upon five years labouring in the mines.
 2131. You mentioned that in your paper? Yes, I did.
 2132. And no exception was taken to you as a miner? No.
 2133. *Mr. Day.*] Do you understand any other work besides mining? Yes, labouring; just a common labourer.
 2134. You could do any kind of labouring work? Yes.
 2135. Then you have not been all your life in a mine? In and about a mine for 30 years, underground and above, such as labouring on railways, and working down in the mines, and hewing coal.
 2136. I suppose what you mean by labouring is that you can handle a pick and shovel, and dig? Yes.
 2137. Can you do anything on a farm? No, nothing on a farm.
 2138. Only as a general labourer? Yes, an ordinary labourer.
 2139. *Mr. Barbour.*] Would you just mention how many of your relations are on board? My wife's father, and four sons, and a son-in-law, and two daughters. There are ten of us altogether.
 2140. *Chairman.*] What are the ages of your sons? Two are 16, one 18, and the other 19.
 2141. I presume they have also been working at the mines? Yes, in and about the mines.
 2142. But your father-in-law has paid his passage out?
 2143. *Mr. Barbour.*] In the mines, what you call labouring in and about the mines, those are not regular miners? They are common labourers, just knocking about, doing anything. When I say labouring I was kind of responsible. The coal-hewers and the deputy overmen, those are practical miners; but during the last four or five years I have been looking after the work that has been going from the hewers to the ships. That is what I call an ordinary labourer. I have also worked on the railway.
 2144. You mean attending the trucks? Yes.
 2145. And the practical miner is the hewer? Yes.
 2146. *Mr. Day.*] What are you going to do here? I am engaged in a mine, but I do not know at what. My sons and myself.
 2147. *Chairman.*] Who engaged you? Andrew Teasdel. He is at a place called Raspberry Gully.
 2148. Do you know who engaged you for Raspberry Gully? John Barker they call him. He was a neighbour of mine at home.
 2149. *Mr. Barbour.*] What is he now? A miner.
 2150. For himself—on his own account? No, not on his own account.
 2151. *Chairman.*] Does he offer to engage you on behalf of others? He tells me that his master would employ us—all the six—and he will get a house for us with four rooms.
 2152. How did he know you were here? He knew I was coming out. His friends would send him a letter.

W. Anderson.
 6 July, 1880.

Stephen

Stephen Howell examined:—

- S. Howell. 2153. *Chairman.*] What is your name? Stephen Howell.
 2154. From what part of England? From Monmouthshire.
 6 July, 1880. 2155. From a coal-mining district? Yes.
 2156. What pursuit did you follow there? Coal-mining.
 2157. Have you been coal-mining all your life? Yes.
 2158. Where do you intend to go to now? To Lambton.
 2159. Who sent for you? My uncle.
 2160. What is his name? Stephen Powell.
 2161. Stephen Powell sent for you? Yes, he is my uncle. He is my mother's brother.
 2162. What is he? A collier.
 2163. Did he nominate you? Yes.
 2164. Was it owing to anything he wrote to you that you were induced to emigrate? From information from friends in England.
 2165. As to the prospects for coal-miners out here? Yes.
 2166. What description did you give of yourself? A stone-miner.
 2167. What did you mean by a stone-miner? Anything underground.
 2168. Did you work at anything but coal-mining? Only the hard ground, as we call it.
 2169. What does stone-mining comprise? Sinking the pits, or any hard work.
 2170. Are you aware that you are entered as a labourer? Yes.
 2171. Why did you describe yourself as a labourer? The officer in Pontypool told me it would suit best.
 2172. The officer told you it would suit better if you described yourself as a labourer? Yes.
 2173. What was he? The local agent for the Government, Mr. Morgan.
 2174. Did he occupy any other position? No, nothing.
 2175. *Mr. Jacob.*] Did he tell you why? He said it would sound better.
 2176. *Chairman.*] How came you to go to see him? That was the one we had to go and see.
 2177. Did he reside in any town or village there? In Pontypool.
 2178. Did he carry on any other business? No.
 2179. Did he reside there permanently? Yes.
 2180. *Mr. Day.*] Have you made any arrangement as to where you are going? To Lambton.
 2181. You are going to work down there? Yes.
 2182. Have you got any work to go to? We are not sure till we go there and see.
 2183. How were you treated on board ship? Very well.
 2184. Since you started till now? Yes.
 2185. *Chairman.*] Do you know how many coal-miners there are on board? No, I do not.
 2186. Do you know how many are going to the Newcastle district from the ship? About sixty-four, with women and children and all.
 2187. That is males and females; adults and children? Yes, altogether.
 2188. *Mr. Jacob.*] How do you happen to know the number; have you been telling one another? Yes.

Dr. Charles Henry Gibson examined:—

- Dr. C. H. Gibson. 2189. *Chairman.*] Your name? Charles Henry Gibson.
 2190. You are the medical officer of this ship? I am.
 6 July, 1880. 2191. Can you tell the Committee about how many of the immigrants on board have been sent for by friends in the coal-mining districts? About twenty-five.
 2192. Has your attention been called to the fact that a number of the immigrants have been entered under different occupations to what their real ones are? That is my impression, from conversation with the people.
 2193. Do you mean the heads of families? I mean the heads of families—ten or twelve heads of families.
 2194. How many of the immigrants do you suppose will leave the vessel for Newcastle? About eighty souls. That is my impression.
 2195. For the coal-mining districts? Yes.
 2196. Do you know whether the coal-miners on board are in excess of the number entered upon the ship's manifest? I believe they are in excess.
 2197. Is that owing to the department in England checking the emigration of miners? I cannot tell you that; I do not know that they have checked miners. It is out of my province.
 2198. Do you know if any of the immigrants entered as farm labourers are coal-miners? I do not know. It is not within my province to deal with the question of occupation, unless as bearing upon a man's state in illness or disease.
 2199. *Mr. Barbour.*] Do I understand you to say that it is your impression that there are some farm labourers on board who are miners? I have no impression; I have no knowledge that would justify me in giving an opinion.
 2200. *Mr. Jacob.*] What data have you? Conversation among the people; addressing them, and speaking to them. I have fairly good data to go upon.
 2201. *Mr. Barbour.*] On the whole, do you think they are a desirable class of immigrants for a new Colony? I do not; but I would like to qualify that statement. As a whole, you have to take the whole body, and that embraces a percentage of unfit men. In my judgment the percentage of unfit men is larger than what it ought to be. Even under the best system there will be some who are absolutely useless for any purpose whatever; but there are a far larger number of people—15 per cent.—who are not likely to be of any use whatever.
 2202. Have these been nominated in the Colony, or have they been sent out? I believe nearly all the people in this ship are nominated.
 2203. *Chairman.*] Are any of the unsuitable ones in the list of persons nominated by the Agent General? None of those are objectionable.
 2204. Your remarks do not refer to those? No.
 2205. And consequently the 15 per cent. are nominated by parties in the Colony? Consequently. The statement does not apply to the general body; and I except the single women.

William

SELECT COMMITTEE ON ASSISTED IMMIGRATION.

79

William Cousens examined :—

2206. *Chairman.*] Your name is? William Cousens.
 2207. What part of England do you come from? I belong to Scotland, Aberdeen.
 2208. You are a carpenter by trade? A carpenter and joiner.
 2209. What induced you to immigrate to this Colony? A cousin.
 2210. Where does he reside? He is working up at Windsor.
 2211. What is he? A carpenter.
 2212. Did he nominate you? Yes.
 2213. Did he write and tell you the state of business in your trade here? Yes; he said he could give me work.
 2214. Have you a family? Two in family.
 2215. And you think you have better prospects here than in the old country? Yes; or I would not have left.
 2216. How long has your cousin been out here? Six years.
 2217. And is he doing well? Yes.
 2218. Did he come out as an immigrant? Yes.
 2219. On his own account? Yes.
 2220. Have you any more on board sent for by your cousin? I am the only one.
 2221. *Mr. Barbour.*] You say your cousin has sent for you? Yes.
 2222. Did he say he would give you a job? Yes.
 2223. What is he doing, is he working at his trade? Yes.
 2224. Is he a contractor? As far as I can learn.
 2225. *Mr. Day.*] Did he tell you how much you could earn a-day? He said he would give me 12s., but now he said, on Saturday, that wages are down to 11s.
 2226. *Chairman.*] You regard this as good wages? Yes. I was earning 9d. an hour before I left.
 2227. *Mr. Jacob.*] How many hours did you work? Nine.
 2228. *Chairman.*] And did you get regular work? Yes.
 2229. Your position will be improved here; you can live for less? I should think so. Meat is cheaper, and the price of provisions is less.
 2230. *Mr. Day.*] Then you are pretty sure of work at 11s. a-day? Yes; as soon as I get on shore, a house and work are ready for me.

W. Cousens.
 6 July, 1880.

John Allmett examined :—

2231. *Chairman.*] What is your name? John Allmett.
 2232. What part of England do you come from? Bristol.
 2233. What is your trade? Carpenter and joiner.
 2234. By whom were you nominated? By my sister.
 2235. Where does she live? At Marrickville.
 2236. Had you been living long in Bristol? All my life.
 2237. What induced you to emigrate? To better my condition.
 2238. Did you hear from your sister as to the rate of wages here? I saw it in the papers she sent Home.
 2239. Have you had any communication with her since you arrived here? Three letters.
 2240. Have you heard of your prospects of employment here? No.
 2241. Are you a married man? Yes.
 2242. *Mr. Day.*] What were you getting a day in Bristol? I was paid by the hour—7d. an hour.
 2243. How many hours did you work? Fifty-four hours a week in the summer, and forty-eight in the winter.
 2244. That would be 5s. 3d. a day? About that.
 2245. Did you get regular work? Yes; but within the last twelve months trade has been very depressed.
 2246. Was it constant work? No, it was not.
 2247. Did your sister tell you you could get constant work here? No.
 2248. Did she give you encouragement to come? No; she said she would not advise me; I could please myself, but she nominated me.
 2249. *Chairman.*] What led you to emigrate was seeing the rate of wages, and you thought you could better your condition by coming here? Yes.

J. Allmett.
 6 July, 1880.

ASSISTED IMMIGRATION.

APPENDIX.

[To the Evidence of G. F. Wise, Esq., 14th April, 1880.]

A 1.

TRADES and Callings of Immigrants who arrived under the Assisted Immigration Regulations of September, 1876, in 1877, 1878, and 1879.

Trades and Callings.	1877.	1878.	1879.	Total.
Farming and General Labourers	1,295	1,218	1,320	3,833
Miners	337	114	33	484
Building Trades	394	270	255	919
Iron	329	161	72	562
Clothing "	116	58	37	211
Provision "	66	38	15	119
Manufacturing Trades	72	45	38	155
Miscellaneous, principally boys between 12 and 15 coming with the parents.....	283	187	186	606
	2,892	2,091	1,906	6,889
	Total Males, 6,889.			
Married women.....	872	740	916	2,528
Domestic servants.....	477	844	1,077	2,398
Other callings	278	170	148	596 : 5,522
	1,627	1,754	2,141	Total } 12,411 Adults }
	Total Females, 5,522.			
Total Adults,—Males				6,889
Females				5,522
				12,411

14 April, 1880.

GEORGE F. WISE,
Agent for Immigration.

TRADES AND CALLINGS, 1877, 1878, and 1879.

Males.	England.	Scotland.	Ireland.	United States and Canada.	Other Countries.	Totals.
1. Pastoral— Farming and general labourers.....	1,380	218	1,912	292	31	3,833
2. Mining— General miners	317	24	22	47	1	411
{ Coal	41	5	1	.....	1	48
{ Iron .....	.....	.....	.....	.....	.....	.....
{ Special { Copper	20	.....	.....	.....	.....	20
{ Tin	5	.....	.....	.....	.....	5
{ Gold .....	.....	.....	.....	.....	.....	.....
Totals	383	29	23	47	2	484
3. Building trades— Builders	7	1	.....	4	.....	12
Carpenters and joiners	216	42	43	42	11	354
Masons	137	35	35	19	.....	226
Bricklayers	60	3	8	12	.....	89
Brickmakers	26	1	1	6	.....	34
Plumbers	37	1	1	8	2	49
Painters	76	2	5	19	11	113
Plasterers.....	25	5	4	4	4	42
Totals	590	90	97	114	28	919
4. Iron Trades— Boilermaker.....	1	.....	.....	.....	.....	1
Patternmakers.....	8	1	1	.....	.....	10
Engineers.....	90	17	4	24	7	142
Moulders	28	2	3	9	1	43
Fitters	69	12	8	4	4	97
Blacksmiths.....	93	15	14	17	1	140
Turners	20	2	.....	.....	.....	22
Brass finishers.....	15	3	.....	3	.....	21
Labourers.....	62	7	7	8	2	86
Totals	386	59	37	65	15	562

Trades and Callings—continued.

Males.	England.	Scotland.	Ireland.	United States and Canada.	Other Countries.	Totals.
5. Clothing Trades—						
Tailors	40	7	10	4	10	71
Boot and shoemakers	56	11	23	12	7	109
Weavers	15	2	.....	7	1	25
Hatters	3	.....	1	1	1	6
Totals	114	20	34	24	19	211
6. Provision Trades—						
Butchers	36	1	7	5	2	51
Bakers	32	6	14	1	2	55
Grocers	7	.....	4	2	.....	13
Totals	75	7	25	8	4	119
7. Various Manufacturing Trades—						
Cabinet-makers	20	1	2	3	5	31
Carrriage-builders	33	2	1	5	.....	41
Glass-makers	4	.....	.....	2	.....	6
Zinc-workers	1	.....	.....	3	.....	4
Tinmiths	13	3	1	3	1	21
Saddlers	29	3	6	2	.....	40
Puddlers	7	1	.....	4	.....	12
Totals	107	10	10	22	6	155
8. Miscellaneous Trades, including males above 12 years of age, accompanied by or coming to relatives						
	372	60	85	71	18	606
Grand Totals of Males	3,407	493	2,223	613	123	6,889
FEMALES.						
1. Married women .....	.....	.....	.....	.....	.....	2,523
2. Domestic Serrants	594	108	1,639	30	27	2,398
3. Other callings, including females above 12 years of age, accompanied by or coming to relatives	350	58	161	15	12	596
Grand Totals of Females	944	166	1,800	45	39	5,522
					Total Adults ...	12,411

GEORGE F. WISE,
Agent for Immigration.

14 April, 1880.

A 2.

RETURN showing the Districts in which Depositors reside who have sent for relatives and friends under the Immigration Regulations of September, 1876.

	1877 (including 3 months of 1876.)				1878.				1879.				Grand Totals.
	Married People.	Children.	Single Men.	Single Women.	Married People.	Children.	Single Men.	Single Women.	Married People.	Children.	Single Men.	Single Women.	
North Coast—													
Bellinger River .....	.....	.....	3	5	.....	.....	4	5	.....	.....	7	6	30
Ballina .....	.....	3	3	2	.....	.....	.....	.....	.....	.....	1	7	9
Casino .....	.....	3	4	5	1	2	7	3	3	9	8	.....	56
Grafton	1	5	7	8	4	10	14	6	4	6	17	7	98
Kempsey .....	.....	.....	6	5	.....	.....	9	2	3	10	18	8	61
Lismore .....	.....	.....	1	.....	.....	.....	2	.....	1	3	9	5	22
Maclean	2	2	7	7	.....	.....	2	3	.....	3	12	9	49
Manning River .....	.....	.....	1	3	.....	.....	1	.....	.....	.....	.....	.....	5
Morpeth .....	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Newcastle	20	61	26	38	21	75	27	42	64	181	105	90	855
Port Macquarie .....	.....	.....	.....	.....	.....	.....	2	1	.....	.....	1	.....	4
Port Stephens .....	.....	.....	.....	.....	.....	.....	1	.....	1	.....	1	.....	11
Raymond Terrace	1	3	1	4	.....	.....	3	2	.....	1	4	5	25
Trial Bay .....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	.....	1
Tweed River .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	1
Wingham	3	3	2	5	.....	.....	3	.....	4	10	3	1	41
Woodburn .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	4	5
	54	80	62	82	52	87	76	64	160	229	188	143	1,277
Sydney	55	173	255	398	61	161	247	342	133	386	540	592	3,592
North Inland—													
Armidale	2	2	9	8	1	4	4	3	2	4	3	4	51
Boggabri .....	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	.....	.....	2
Bendemeer .....	.....	.....	.....	.....	.....	.....	1	1	.....	.....	.....	.....	2
Bingera .....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	.....	1
Bundarra .....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	.....	1

RETURN showing the Districts in which Depositors, &c.—*continued.*

	1877 (including 3 months of 1876).				1878.				1879.				Grand Totals.
	Married People.	Children.	Single Men.	Single Women.	Married People.	Children.	Single Men.	Single Women.	Married People.	Children.	Single Men.	Single Women.	
North Inland—<i>continued.</i>													
Breeza	...	...	...	...	...	...	1	...	...	...	...	...	1
Back Creek	...	...	...	...	...	...	1	...	...	3	...	...	4
Branxton	...	...	...	...	...	...	...	...	1	2	2	3	9
Cassilis	...	...	3	1	1	2	...	...	...	...	1	...	9
Clarence Town	...	...	1	...	...	...	...	...	...	...	...	...	1
Glen Innes	...	...	2	3	...	...	...	1	...	...	1	...	7
Gunnedah	...	...	1	1	1	...	...	1	3	1	5	...	15
Dungog	...	...	...	...	1	...	2	...	...	...	2	...	6
Inverell	1	3	5	3	1	...	3	2	4	...	2	...	26
Maitland	...	7	9	14	2	3	6	3	6	15	24	16	113
Murrurundi	1	2	11	9	...	...	6	3	2	1	5	5	48
Merriwa	...	...	1	...	...	...	...	...	...	1	...	...	2
Muswellbrook	...	...	4	5	...	...	...	...	...	3	2	...	14
Manilla	...	...	2	...	...	...	...	...	...	...	...	...	2
Narrabri	...	...	...	6	...	1	1	...	...	4	...	...	12
Paterson	...	...	1	...	...	...	...	...	...	...	...	...	1
Singleton	...	1	5	5	...	...	4	3	...	...	6	4	28
Scone	...	...	4	4	...	...	...	...	...	...	...	...	8
Tamworth	...	...	8	8	3	9	10	7	5	8	9	15	90
Tenterfield	...	2	2	3	...	...	1	...	...	3	...	...	11
Vegetable Creek	1	3	1	...	...	...	...	...	...	3	...	...	9
Warialda	...	...	1	2	...	...	2	...	...	1	...	...	6
Wollombi	...	1	2	2	...	...	1	2	...	1	4	...	13
Walcha	...	...	...	...	1	1	1	...	1	1	...	...	7
West Inland—													
Bathurst	6	30	16	27	1	4	5	8	6	16	14	13	159
Bourke	...	...	1	...	...	...	1	...	...	...	...	...	2
Bowenfels	...	...	...	...	...	...	...	...	...	...	...	1	1
Coonamble	...	...	4	1	...	...	...	...	...	...	...	...	5
Carcoar	2	10	3	8	...	...	1	1	1	6	2	...	37
Coonabarabran	...	...	2	...	...	...	...	...	...	...	...	...	2
Cobar	...	...	1	1	...	...	...	...	1	...	1	...	4
Dubbo	1	5	1	3	2	4	...	3	1	...	...	...	24
Forbes	...	1	3	2	...	...	1	...	2	5	5	...	21
Gulgong	1	...	...	...	1	4	2	2	...	5	3	...	20
Hill End	...	...	5	...	...	...	...	...	...	...	...	...	5
Hartley	...	3	...	2	3	6	2	3	3	5	8	6	46
Louth	...	...	...	...	...	...	...	...	...	...	1	...	1
Lithgow	...	...	...	...	4	1	3	5	18	13	8	...	57
Molong	1	3	1	...	...	4	4	...	...	...	1	...	15
Mudgee	...	1	6	3	1	2	1	1	5	3	1	...	27
Orange	4	13	20	11	1	...	8	4	4	12	11	10	107
Parramatta	...	1	...	4	...	...	5	1	1	5	9	5	32
Parkes	1	1	2	3	...	...	...	1	...	4	4	...	17
Penrith	...	5	1	1	...	1	1	...	3	3	2	...	17
Rydal	...	...	...	...	...	...	...	1	1	1	1	...	5
Rockley	...	...	...	1	4	3	2	...	...	...	...	...	11
Sofala	...	...	1	...	...	1	...	1	...	...	...	...	4
Wallerawang	...	...	1	1	...	...	...	...	...	...	...	...	2
Wellington	2	...	3	1	...	...	...	...	...	1	1	...	10
Windsor	...	...	2	4	...	...	2	1	...	...	2	...	11
	46	94	146	147	42	49	84	59	88	105	157	124	1,141
South Inland—													
Albury	3	3	19	9	2	5	3	6	2	3	7	4	73
Adelong	...	...	2	1	...	...	...	2	6	2	1	...	16
Bombala	...	...	...	...	...	...	2	...	1	4	6	...	12
Braidwood	2	2	1	1	2	3	5	1	2	11	2	2	40
Berrima	2	...	2	2	1	2	4	4	...	8	3	3	31
Balranald	...	...	...	...	...	...	...	...	...	...	...	2	2
Burrowa	...	2	9	4	...	...	3	2	...	1	6	...	27
Camden	...	...	...	...	...	...	2	3	...	8	5	...	18
Cooma	...	1	2	1	2	4	1	4	4	5	1	2	33
Cootamundra	1	3	1	2	...	...	...	1	2	4	4	2	23
Corowa	...	...	2	3	...	...	...	...	...	...	...	...	5
Campbelltown	...	1	6	3	...	1	1	2	...	...	...	...	14
Deniliquin	1	3	2	9	1	3	4	5	1	3	6	5	46
Goulburn	1	2	4	5	1	8	7	6	3	13	20	14	89
Gundagai	...	...	5	4	2	8	14	4	...	2	3	5	49
Grenfell	...	...	1	...	1	5	2	1	...	1	3	...	15
Gunning	...	...	...	...	...	...	...	1	...	2	...	1	4
Howlong	...	...	1	...	...	...	...	...	...	1	...	...	2
Hay	...	...	1	5	...	...	1	...	2	7	5	...	21
Jerilderie	...	...	1	1	...	...	...	...	1	6	6	...	16
Kiandra	...	...	1	...	...	...	...	...	...	...	...	...	6
Liverpool	...	...	...	...	...	...	...	...	1	1	...	2	6
Murrumburrah	...	...	...	...	1	1	2	2	6	1	3	...	12
Moama	...	...	...	...	1	1	1	...	1	5	7	2	21
Narrandera	...	...	...	...	1	1	1	...	...	...	...	...	4
Picton	2	5	...	5	1	2	...	...	...	1	...	...	19
Queanbeyan	...	1	3	2	...	2	3	1	1	2	3	1	20
Tarcutta	...	...	...	...	...	...	...	...	...	3	...	...	3
Tumut	...	1	1	2	...	...	1	5	...	1	9	6	26

RETURN showing the Districts in which Depositors, &c.—*continued.*

	1877 (including 3 months of 1876).				1878.				1879.				Grand Totals.
	Married People.	Children.	Single Men.	Single Women.	Married People.	Children.	Single Men.	Single Women.	Married People.	Children.	Single Men.	Single Women.	
<i>South Inland—continued—</i>													
Tumberumba .....	...	...	...	...	...	...	...	...	...	...	...	1	1
Urana .....	...	...	1	...	...	...	...	...	...	...	...	...	1
Wagga Wagga	1	2	1	3	...	...	8	3	2	1	6	2	32
Wentworth .....	...	...	...	...	...	1	...	...	...	...	...	...	1
Young	1	...	3	2	...	2	2	3	...	...	5	...	19
Yass	1	1	...	...	...	...	1	3	1	4	3	4	20
<i>South Coast—</i>													
Bega	1	3	5	5	...	...	4	4	1	...	5	3	33
Broughton Creek	2	3	4	3	...	...	3	3	...	...	7	3	30
Eden .....	...	...	...	...	...	...	...	...	...	...	...	1	1
Kiama	1	1	13	12	1	...	5	4	4	8	22	15	92
Moruya	2	5	2	1	...	3	7	1	...	...	...	2	25
Nowra .....	...	...	4	5	1	4	2	8	...	...	...	1	26
Shoalhaven	1	2	2	2	...	...	...	...	...	4	...	2	14
Ulladulla .....	...	...	1	2	2	6	1	1	1	...	2	3	22
Wollongong	2	3	4	1	6	18	11	9	27	57	37	35	245
	48	44	104	95	50	79	100	87	112	141	192	157	1,209

SUMMARY.

	1877 (and 3 months of 1876).				1878.				1879.				Grand Totals.
	Married People.	Children.	Single Men.	Single Women.	Married People.	Children.	Single Men.	Single Women.	Married People.	Children.	Single Men.	Single Women.	
North Coast	54	80	62	82	52	87	76	64	160	229	188	143	1,277
Sydney	110	173	255	308	122	161	247	342	266	386	540	592	3,592
North and West Inland ...	46	94	146	147	42	49	84	59	88	105	157	124	1,141
South Coast and Inland ...	48	44	104	95	50	79	100	87	112	141	192	157	1,209
Totals—Souls	258	391	567	722	266	376	507	552	626	861	1,077	1,016	7,219

Total number of depositors on account of the 7,219 nominees is 3,270.

GEORGE F. WISE,
Agent for Immigration.

Immigration Office,
Sydney, 14th April, 1880.

A 3.

RETURN showing the number of Immigrants who arrived under the Immigration Regulations of September, 1876, in 1877, 1878, and 1879, and who at their own request were forwarded into the country districts.

Inland Towns.	Married Couples.	Children.	Single Women.	Single Men.	Inland Towns.	Married Couples.	Children.	Single Women.	Single Men.
NORTH.					NORTH—continued.				
Armidale	4	1	1	3	Warraldra	2	...	1	...
Branxton	3	6	...	1	Wallendbeen	1	...	...	1
Barraba	1	1	...	...	Waratah	3	10	1	...
Blandford .....	...	...	...	2	Wickham	1	1	1	3
Bundarra .....	...	...	1	...	Wallsend	9	23	1	3
Bendemecr	1	...	...	...	Wallabadah .....	...	...	...	2
Clarence Town	1	3	...	4	Wollombi .....	...	...	1	2
Cope's Creek	1	...	...	...	Warrarah	10	10	7	32
Coorabong	1	3	3	3	Willow-tree	1	...	...	...
Dungog .....	...	...	...	2	Walgett .....	...	...	...	1
Denman	1	1	...	...		204½	323	70	318
Gunnedah	3	2	...	1	SOUTH.				
Hexham	6	18	...	5	Appin	1	4	1	...
Hinton	2	3	...	2	Adelong	9	17	4	6
Hamilton	3	1	...	...	Albury .....	...	...	...	5
Inverell	1	...	3	3	Bookham .....	...	...	...	1
Lochinvar .....	...	...	...	1	Binalong	12	27	6	9
Lambton	9	14	1	1	Braidwood	1	3	1	4
Moree .....	...	...	...	1	Burrowa	1	2	...	4
Merriwa	2	...	1	1	Bungendore	1	1	...	...
Maitland	43	82	11	72	Bethungra	3	7	1	24
Murrurundi	54	66	3	79	Berthong .....	...	...	...	1
Minni	3	8	1	1	Bungonia	1	4	...	1
Muswellbrook	2	4	3	10	Brcadalbane	1	...	...	7
New Lambton	5	12	6	3	Bowning	8	20	5	11
Patterson	1	1	...	...	Bega	6	13	4	15
Pine Ridge .....	...	...	...	2	Bombala .....	...	...	1	1
Quirindi	5	6	11	30	Bowral	2	1	...	4
Rocky Ponds .....	...	...	2	...	Berrima	2	3	...	2
Scone	3	3	...	7	Burwood	1	...	...	...
Singleton	3	7	2	13	Croydon	1	1	1	...
Tamworth	18½	35	9	26	Cooma .....	...	...	2	2
Uralla	1	2	...	...			
Vegetable Creek .....	...	...	...	1					

Inland Towns.	Married Couples.	Children.	Single Women.	Single Men.	Inland Towns.	Married Couples.	Children.	Single Women.	Single Men.
<i>SOUTH—continued.</i>					<i>WEST—continued.</i>				
Campbelltown	2	1	8	7	Bowenfels	8	12	4	15
Cootamundra	15	19	23	60	Coonabarabran	1	6	.....	.....
Campbellfields	1	.....	.....	1	Croydon	1	2	.....	.....
Douglass Park	1	1	.....	1	Canowindra	.....	.....	.....	1
Deniliquin	2	5	5	3	Condobolin	1	.....	1	1
Duntroon	.....	.....	.....	2	Cudgong	1	2	.....	.....
Frogmore	2	1	.....	.....	Carcoar	7	7	3	14
Fairfield	1	3	.....	3	Cowra	.....	.....	.....	2
Goulburn	27	42	30	79	Emu Plains	1	3	2	4
Glenfield	.....	.....	1	.....	Eskbank	5	9	2	13
Gunning	.....	.....	2	9	Frogmore	.....	.....	.....	1
Gundagai	2	7	3	1	Forbes	1	.....	.....	1
Grenfell	1 $\frac{1}{2}$	5	1	.....	George's Plains	4	12	1	8
Homebush	1	.....	.....	.....	Guyong	1	1	.....	.....
Hay	.....	.....	.....	1	Gulgong	.....	.....	1	3
Jordan's Crossing	3	3	.....	3	Hartley Vale	15	28	7	13
Junce	2	7	3	5	Homebush	.....	.....	.....	1
Joadja Creek	13	31	6	9	Home Rule	1	4	.....	.....
Jugiong	.....	.....	.....	2	Kurrangong	1	4	.....	.....
Kangaloon	.....	.....	.....	5	Kelso	.....	.....	4	2
Kangaroo Valley	.....	.....	.....	1	Keenc's Swamp	1	2	.....	.....
Kiandra	1	2	.....	1	Lithgow Valley	49 $\frac{1}{2}$	103	18	39
Liverpool	7	11	2	2	Locke's Platform	2	.....	.....	6
Menangle	.....	.....	.....	4	Macquarie Plains	7	7	4	20
Moss Vale	17 $\frac{1}{2}$	28	10	32	Mount Victoria	.....	.....	1	1
Moama	1	1	.....	.....	Mudgee	2	6	.....	3
Marulan	7	14	3	7	Molong	1	3	3	2
Murrumburrah	34	47	3	210	Menindie	.....	.....	.....	1
Manna Fields	4	9	.....	20	Mulgrave	.....	.....	2	2
Mittagong	38	84	16	24	Newbridge	.....	2	1	12
Nattai	2	3	.....	2	O'Connell's Plains	1	.....	.....	.....
Pictou	.....	.....	1	1	Oberon	.....	.....	.....	1
Parramatta	15	15	8	11	Orange	162	330	44	262
Queanbeyan	5	9	1	7	Parkes	.....	.....	.....	3
Robertson	.....	.....	2	1	Penrith	3	7	2	4
Sutton Forest	1	3	3	1	Rylestone	1	.....	.....	.....
Timberumba	1	1	.....	.....	Rooty Hill	2	4	.....	3
Tumut	.....	.....	4	5	Rookwood	.....	.....	.....	2
Terang	.....	.....	.....	1	Richmond	5 $\frac{1}{2}$	13	2	4
Wombat	1	1	.....	.....	Riverstone	.....	.....	.....	1
Woodford	.....	.....	.....	1	Raglan	1	9	3	3
Wagga Wagga	38	77	33	32	Rydal	4	6	2	2
Young	4	1	6	18	Spring Hill	1	1	.....	.....
Yass	3	3	2	20	Sofala	.....	.....	.....	2
	302	537	202	689	South Creek	2	.....	.....	1
<i>WEST.</i>					Spring Grove	3	3	1	3
Auburn Park	1	.....	.....	.....	Tarana	2	.....	1	.....
Brown's Siding	2	4	.....	1	Trunkey Creek	.....	.....	.....	1
Bathurst	66 $\frac{1}{2}$	132	33	136	Windsor	3	5	2	4
Bourke	.....	.....	.....	1	Wimbleton	.....	6	1	.....
Blayney	5	17	3	38	Wallerawang	6	8	3	19
Blacktown	3	.....	2	2		383 $\frac{1}{2}$	755	153	663
Coast Towns.	Married Couples.	Children.	Single Women.	Single Men.	Coast Towns.	Married Couples.	Children.	Single Women.	Single Men.
Ballina	1	3	1	3	Macleay River	7	10	6	23
Bulli	8	15	4	6	Manning River	13	28	.....	6
Bodalla	1	6	1	2	Merimbula	6	15	1	14
Broughton Creek	1	6	.....	3	Nelligen	2	9	1	5
Bermagui	.....	.....	.....	2	Newcastle	223 $\frac{1}{2}$	436	85	172
Bellinger River	1	1	4	9	Port Macquarie	6	4	.....	2
Brisbane Water	1	4	.....	.....	Pambula	.....	.....	.....	.....
Bulladelah	.....	.....	.....	1	Rocky Mouth	.....	.....	.....	3
Croki	.....	.....	.....	3	Richmond River	23	45	13	49
Clarenc River	33	64	4	119	Ryde	4	4	.....	.....
Cape Hawke	1	.....	.....	.....	Raymond Terrace	.....	.....	2	1
Camden Haven	1	.....	.....	.....	Shoalhaven	10	17	2	20
Casino	1	4	.....	.....	Shellharbour	.....	.....	.....	4
Eden	2	10	.....	5	Trial Bay	1	1	.....	6
Gladstone	.....	.....	.....	2	Terrigal	.....	.....	.....	3
Grafton	26	57	12	55	Tathra	3	4	3	26
Greta	2	4	.....	2	Ulladulla	6 $\frac{1}{2}$	13	3	17
Gerrington	.....	.....	.....	1	Wollongong	66 $\frac{1}{2}$	131	7	62
Hunter's Hill	.....	.....	.....	1	Woonona	.....	.....	.....	1
Kiama	23	43	18	73	Wingham	3	4	1	2
Kempsey	1	4	1	7	Wolumla	.....	.....	.....	2
Kameruka	1	.....	.....	.....		491	954	167	748
Lawrence	1	2	.....	.....		8	11	15	12
Lismore	.....	.....	.....	1	Sundries	.....	.....	.....	.....
Moruya	5	6	1	16		.....	.....	.....	.....
Morpeth	6	4	7	19		.....	.....	.....	.....

APPENDIX.

85

SUMMARY.

	Married Couples.	Children.	Single Women.	Single Men.	Souls.
By Sea	491	954	167	748	2,851
By Rail—					
North.....	204½	323	70	318	1,120
South.....	302	537	202	689	2,032
West.....	383½	755	153	663	2,338
Sundries	8	11	15	12	54
	1,389	2,580	607	2,430	8,395

LOCALITIES.

North	44
South	64
West.....	57
Coast Towns	47
Total.....	212

14 April, 1880.

GEORGE F. WISE,
Agent for Immigration.

A 4.

RETURN showing the number of persons of 50 years of age and upwards who have arrived under the Immigration Regulations of September 19, 1876.

Date.	50 Years of Age and upwards.		Total.
	Males.	Females.	
1877.....	11	14	25
1878.....	21	14	35
1879.....	10	10	20
Total	42	38	80

Memo.—The number of persons noted above were permitted to come as passengers with their children or relatives on condition that they paid full cost of their passage, viz., £15 per head; these, therefore, cannot be classed as immigrants at the public expense.

14 April, 1880.

GEORGE F. WISE,
Agent for Immigration.

A 5.

RETURN showing the Classification of Education of the Immigrants who arrived under the Immigration Regulations of September, 1876, in the years 1877, 1878, and 1879.

Countries.	12 Years of Age and upwards.			Under 12 Years of Age.			Total.
	Cannot read.	Read only.	Read and write.	Cannot read.	Read only.	Read and write.	
England and Wales	303	168	5,778	2,125	280	707	9,361
Ireland	456	176	4,133	450	55	141	5,411
Scotland	9	15	900	341	42	115	1,422
America and Canada.....	6	1	215	146	19	41	428
Other Countries	18	10	223	24	9	33	317
Totals.....	792	370	11,249	3,086	405	1,037	16,939
	12,411			4,528			

14 April, 1880.

GEORGE F. WISE,
Agent for Immigration.

A 6.

RETURN showing the Classification of Religions of the Immigrants who have arrived under the Immigration Regulations of September, 1876, in the year 1877, 1878, and 1879.

Nationality.	Classification of Religions.																Grand Totals.			
	Church of England.		Church of Scotland.		Wesleyan Methodists.		Other Protestants.		Roman Catholics.		Jews.		Mahomedans and Pagans.		Other Persuasions.			Totals.		
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.				
England and Wales	2,385	2,481	107	94	1,280	1,143	413	347	222	191	24	20	..	..	34	14	5,071	4,290	9,361
Ireland	361	291	124	89	40	20	13	5	2,290	2,162	..	..	..	..	1	..	2,838	2,573	5,411
Scotland	61	70	585	497	20	16	71	40	39	19	1	1	..	..	2	..	779	643	1,422
America and Canada.....	86	46	31	11	51	23	24	16	87	38	3	1	..	..	4	..	234	144	423
Other Countries.....	57	36	8	7	10	7	44	32	58	26	19	10	..	..	8	..	199	118	317
	3,550	2,924	835	698	1,416	1,220	585	440	2,696	2,436	47	32	..	..	42	13	9,171	7,768	16,939
	11,668.				5,132.				139.											

Remarks :—Protestants, 11,663; Roman Catholics, 5,132; other Persuasions, 139; Total, 16,939.

14 April, 1880.

GEORGE F. WISE,
Agent for Immigration.

A 7.

A 7.

NUMBER of Ships arrived with Immigrants under Government Regulations from 1835 to 1865. None from 1865 to 1880.

Moreton Bay	37 ships.	} From 1838 to 1865.
Port Phillip...	...	...	...	...	44* "
Hobart Town	...	...	...	...	0† "
Newcastle	...	...	...	...	5 "
Chiefly with Railway labourers—						} None from 1865 to 1876.
1 ship in 1854	Total, 1,195 Immigrants.					
4 do. 1855						

14 April, 1880.

GEORGE F. WISE,
Agent for Immigration.

* In addition to this number three ships touched at Port Phillip, and landed a portion of their passengers.
† Four ships touched at Hobart Town, and landed a portion of their passengers.

A 8.

NUMBER of Depositors under the Existing Regulations of 1876.

From September, 1876 to 31st December, 1877	...	...	...	915—15 months.
From 1st January, 1878, to 31st December, 1878	...	...	...	823—12 "
From 1st January, 1879, to 31st December, 1879	...	...	...	1,532—12 "

Total Number of Depositors to 31st December, 1879 ... 3,270

Immigration Office, 14 April, 1880.

GEORGE F. WISE,
Agent for Immigration.

B.

[To the Evidence of Mr. H. V. Wigg, 11 May, 1880.]

Name.	Trades given.	Real calling.
Broadhead	Labourer	Miner.
Broadway	do.	Bricklayer.
Brown Sam	do.	Miner.
Barker	Bricklayer	do.
Chayton	Platelay	do.
Chappel	Farm Labourer	do.
Craddock	Labourer	do.
Dowson	do.	do.
Farnar	Mason	Miner—lately a painter.
Foreman	do.	do.
Heslop	Farm Labourer	do.
Ingles	do.	do.
Jones	Labourer	Scientific Instrument Maker.
Lovett	Farm Labourer	Miner—now at Wallsend.
Mack	do.	Miner—but late a gardener.
M'Gill	do.	do. now at Shale Pits.
Mobberly	do.	do.
Nichol	do.	do. now at Wallsend.
Peacock	do.	do.
Robinson	do.	Screenener.
Summerfield	do.	Engincer.
John Stark	do.	Miner—now at Lambton.
James Stark	do.	do. do.
Welsh	do.	do. at Charlestown.
Walton	do.	do. but late butcher.
Wilkinson	do.	Watchmaker.
Bousefield	Labourer	Miner.
Newton	do.	do.
Flynn Pat.	Mason	do.
Heslop Wm.	Farm Labourer	do. now at Wallsend.
Ayr H.	Labourer	do.

There were also about five single men, brothers and sons of above mostly, who came in other callings than their real one.

[Handed in by Chairman, 9 July, 1880.]

C 1.

The Rev. G. Sutherland to Chairman, Committee on Assisted Immigration.

Sir,

Ross-street, Forest Lodge, June 14, 1880.

Will you permit a citizen, who occupies a public position which affords some means for knowing what our Colony requires in the matter of immigration, to offer some suggestions on the important subject entrusted to your Committee.

1. Assisted immigration cannot yet be dispensed with unless we are content to move slowly, and below the enterprise and requirements of the age.

2. Our immigration should be freed from some of its fetters and prejudices. To give us the best returns for our money we should draw a ship-load of emigrants in rotation from the south of England, the north of Ireland, and the east of Scotland. The thrift, the push, the energy, the enterprise of Scotch emigrants have made Canada and Otago very largely what they are. It is unnecessary to say that the rule of introducing eight Englishmen to one Scotchman, or some such proportion, is so utterly ludicrous that it is high time that it disappeared for ever from the code of regulations. We can afford at this time of day to draw an equal number of Englishmen, Scotchmen, and Irishmen into our Colony without this offensive class legislation. We believe that we are the only Colony in all Australasia where such restriction exists. Certainly the introduction of a large body of Scotch agriculturists would not swell the numbers of those who hang round Sydney looking for work as hewers of wood or drawers of water.

3. The Agents coming to go home from here—one to each of the three countries—with such instructions that we would not have Irishmen from England and Scotland as well as from their own Isle; and without inquiry as to their religion, but with directions that would guard that important element from being worked as it has been for the past periods to the great advantage of one if not two parties.

4. As settlement on the waste lands of our Colony is most desirable, surveyed districts open for purchase should be put within the reach of agricultural or pastoral immigrants, that if possible each ship-load might mark some further stage of occupation and consequent cultivation. Such is now the programme of the Canadian Government in the settlement of their great

great north-western territory. We are well aware that our thin and generally arid soil over much of our upland territory presents difficulties peculiar to our Colony; but we think that maps of every agricultural and fruit-growing section of our country open to selection or purchase could be prepared, furnished to Agents, and shown to immigrants on arrival, and every inducement given to an early occupation of their new homes.

5. Till something of this nature is done, the results of immigration may be more real than perceptible, in being scattered as units from north to south and from east to west.

It will be an immediate gain to New South Wales if every third ship-load of immigrants contains the brains, the energy, the enterprise, the love of independent homes of Scotchmen. If drawn from the right counties few of them will ever enter the police court, the prison, or the pauper asylum.

Hoping that you may give the foregoing remarks any attention to which they may be entitled as coming from one who has seen the results of immigration in America, New Zealand, and Australia, and who has made New South Wales his permanent home,

I am, &c.,
GEO. SUTHERLAND,
Pastor, St. George's Church, Sydney, and Editor of *The Witness*.

C. 2.

Mr. J. W. Watt to Chairman, Committee on Assisted Immigration.

My dear Sir,

Sydney, 16 June, 1880.

Referring to the Inquiry on Immigration, of which you are Chairman, I enclose copy of Chamber of Commerce report, and will be glad if you will consider suggestions as to equalizing cost of passages from the United Kingdom to this Colony with that to America, allowing passengers to choose their own ship, the only condition of Government paying part passage being that the immigrant paid the balance himself.

It is usual to grant free passes by rail to the interior in favour of immigrants at public expense. Would it not be well to give the same privilege to all passengers, second-class or steerage, who pay their own passages to the Colony, and the announcement in England of this privilege would be a great inducement to passengers. For instance, the Orient Company, for which we are agents, would circulate the concession of such a privilege widely, and the concession would cost the Colony nothing while it would aid in bringing here the most desirable class of passengers, viz., those who pay their own passages.

I leave for England to-morrow *via* San Francisco, but hope to return before the end of the year.

Yours, &c.,
JOHN W. WATT.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

IMMIGRATION.

(LETTER FROM COLONIAL SECRETARY TO AGENT GENERAL FOR THE COLONY.)

Ordered by the Legislative Assembly to be printed, 13 May, 1880.

[Laid upon Table in accordance with promise made in answer to Question 10, Votes 94, Wednesday, 12 May, 1880.]

The Colonial Secretary to The Agent General.

Sir,

Colonial Secretary's Office, Sydney, 27 December, 1877.

With reference to your telegram of the 21st, and to mine, in answer, of the 27th instant, concerning the exhaustion of the Immigration Vote, and the consequent need of restricting emigration operations in the United Kingdom, I have now the honor to inform you that, from inquiries made, I learn beyond doubt that by reason chiefly of difficulties arising between the large employers and trade-unions, there is not at present in this Colony any employment, or any prospect of employment, for engineers or moulders, or in fact for any workers in any branch of the iron trade. You would do well therefore to discourage or refuse assistance to persons of this class who propose to emigrate.

2. On the other hand, I am able to assure you that there is good demand for stonemasons, bricklayers, and carpenters, and generally for all persons employed in the building trade; whilst throughout the whole of the interior there is practically an unlimited demand for pick and shovel labourers.

I have, &c.,

MICH. FITZPATRICK.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

IMMIGRATION.

(RETURN OF IMMIGRANTS ARRIVED IN 1879.)

Ordered by the Legislative Assembly to be printed, 28 May, 1880.

RETURN of Immigrants arrived in 1879 :—

On January 12	...	...	...	...	...	...	...	422
March 4	...	...	...	...	...	...	...	502
April 3	...	...	...	...	...	...	...	421
" 14	...	...	...	...	...	...	...	506
May 4	...	...	...	...	...	...	...	511
June 12	...	...	...	...	...	...	...	456
July 9	...	...	...	...	...	...	...	403
August 15	...	...	...	...	...	...	...	524
September 16	...	...	...	...	...	...	...	478
October 9	...	...	...	...	...	...	...	446
" 27	...	...	...	...	...	...	...	571
November 14	...	...	...	...	...	...	...	491
Total	...	...	...	...	...	...	...	5,731

Classification.

Farm and general labourers	...	...	...	...	...	...	1,320
Miners	...	...	...	...	...	...	33
Building Trades	...	{	Carpenters, &c.	...	...	...	94
			Masons	...	...	...	84
			Bricklayers	...	...	...	34
			Brickmakers	...	...	...	6
			Plumbers, Painters, and Plasterers	...	...	...	37
Iron Trades	...	{	Blacksmiths	...	...	...	28
			Engineers	...	...	...	14
			Moulders, Fitters, &c.	...	...	...	20
			Labourers	...	...	...	10
Clothing Trades	...	...	...	...	...	...	37
Provision Trades	...	...	...	...	...	...	15
Sundry manufacturing Trades	...	...	...	...	...	...	38
Miscellaneous, including boys above 12 coming with parents	...	...	...	...	...	...	136
			Total Male Adults	...	...	...	1,906
Married women	...	...	...	...	...	...	916
Domestic Servants	...	...	...	...	...	...	1,077
Other girls, including over 12 years of age, with parents	...	...	...	...	...	...	148
				...	...	...	2,141
Children under 12 years of age	...	...	...	...	...	...	1,684
Total Immigrants	...	...	...	...	...	...	5,731

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

IMMIGRATION.

(CORRESPONDENCE RESPECTING DISCREPANCY BETWEEN THE CHARTER-PARTY OF THE SHIP "NORTHAMPTON" AND THE CONTRACT TICKETS ISSUED TO THE IMMIGRANTS BY THAT VESSEL.)

Ordered by the Legislative Assembly to be printed, 10 March, 1880.

NO.	SCHEDULE.	PAGE.
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No. 1.

The Agent for Immigration to The Principal Under Secretary.

Sir, Government Immigration Office, Sydney, 24 January, 1879.

Referring to paragraph No. 5 of my report* of the arrival of the ship "Northampton," I have the honor to bring under the notice of the Colonial Secretary a most important discrepancy which exists between the "contract tickets" issued to the immigrants prior to their embarkation, which purports also to be an acknowledgment of their payment of £2 each towards their cost of passage, and the charter-party of the ship, which gives in several instances a different scale of rations to be issued to the immigrants, and thus on many occasions the immigrants have just cause for complaint, asserting, and with truth, that they were promised to be provided with certain rations which have not been given to them.

Thus:—

	Per contract ticket.	Per charter-party.
Pork,	per week 24 ozs.	16 ozs.
Preserved meat,	" 16 "	24 "
Butter,	" 6 "	9 "
Cheese,	" 6 "	3 "
Biscuit,	" 42 "	28 "
Flour,	" 56 "	90 "
Oatmeal or rice,	" 24 "	20 "
Peas,	" $\frac{3}{4}$ pint.	$\frac{1}{2}$ pint.
Potatoes (preserved),	" 8 ozs.	12 ozs.
Tea,	" 1 "	$1\frac{1}{2}$ "
Sugar,	" 12 "	16 "
Pepper,	" $\frac{1}{2}$ "	$\frac{1}{4}$ "

"A further discrepancy," as stated by the Surgeon-Superintendent of the ship "Northampton," "also exists on the scale of rations issued to children under twelve years of age."

A printed form of the dietary scale as per charter-party is posted up in the ship, and is provided and signed by the Agent General, to which of course the master of the ship is bound to adhere, "whilst the passengers contract ticket" is signed by one of the officers in the department of the Agent General in London, thus H. H. Speed Andrews, R.N., as agent on behalf of brokers.

There is no doubt that these two documents should exactly agree the one with the other, more particularly as both appear to emanate from the office of the Agent General, although I fail to understand why the signature of Mr. Speed Andrews is attached to the passenger contract ticket "as agent on behalf of brokers."

I have the honor to suggest that this very important matter may be brought under the immediate notice of the Agent General.

I have, &c.,
 GEORGE F. WISE,
 Agent for Immigration.

Minute by the Colonial Secretary.

The Agent General's attention should no doubt be invited to this matter.—24. Approved.—H.P., 24/1/79.

* Dated 23 January, 1879, and laid upon the Table of the Legislative Assembly, 24th January, 1879.

No. 2.

The Colonial Secretary to The Agent General.

Sir,

Colonial Secretary's Office, Sydney, 29 January, 1879.

24 January, 1879. With reference to my letter of the 24th instant, enclosing a copy of the report* of the Agent for Immigration, regarding the arrival of the ship "Northampton," &c., I have now the honor to invite your attention to the statements and observations contained in the letter, of which a copy is herewith transmitted, from Mr. Wise, on the subject of a discrepancy between the ship's charter-party and the contract tickets issued to the emigrants, in the matter of the scale of rations.

I have, &c.,

HENRY PARKES.

No. 3.

The Principal Under Secretary to The Agent for Immigration.

Sir,

Colonial Secretary's Office, Sydney, 1 February, 1879.

In reply to your letter of the 24th of last month, reporting on the discrepancy between the charter-party of the ship "Northampton" and the contract tickets issued to the emigrants in the matter of the scale of rations, I am directed by the Colonial Secretary to inform you that the attention of the Agent General in London has been invited to the statements and observations contained in your letter.

I have, &c.,

MAXWELL ALLAN.

No. 4.

The Agent General to The Colonial Secretary.

Sir,

3, Westminster Chambers, S.W., 27 March, 1879.

I have the honor to invite your attention to the fact, that whereas, under the provisions of the Address of the Legislative Assembly, dated the 6th July, 1877, the reports by the Immigration Agent, some of which contain reference to, or criticism on, proceedings taken or arrangements made in this office, are constantly printed as Parliamentary papers, it has not hitherto been the practice to print the replies which I am usually invited or instructed to make to such references or criticisms. I venture therefore to submit, that not only does the above quoted address appear to render necessary the publication of my replies, but that irrespective of any such special reason it is in itself right upon general grounds that the same publicity should be given to the one class of documents as to the other.

I have, &c.,

WILLIAM FORSTER.

Submitted, 13/5/79. Approved.—H.P., 14/5/79.

No. 5.

The Agent General to The Colonial Secretary.

Sir,

3, Westminster Chambers, S.W., 27 March, 1879.

In reply to your letter No. 79/651, of the 29th January last, inviting my attention to the statements and observations contained in the letter from Mr. Wise, dated 24th of January last, on the subject of a discrepancy between the charter-party of the emigrant ship "Northampton," and the contract tickets issued to the emigrants, in the matter of the scale of rations, I have the honor to explain that the contract ticket is a legal document, which the owner of the vessel is obliged to give to the emigrant under the "Passengers' Act, 1855" (copy of which is enclosed), and that the scale of provisions shown therein is, as therein stated, that which, "at least" the master of the vessel is "required by law" to supply; but the charter-party secures to the emigrant a more liberal scale of provisions than that "required by law." Obviously, however, this increased scale cannot, from the nature and purpose of the document, appear in the contract ticket, the form and wording of which it is not in my power in any respect to alter, because it is a schedule to the Act, unless in the case of certain articles for which the substitution of others is expressly sanctioned by the Act. But a notice of the increased scale is posted up in the ship, as mentioned by Mr. Wise, in order that the emigrant may know the extra quantities, which are secured to him by the charter-party, over and above what are required by law. It will thus be evident to you, notwithstanding Mr. Wise's emphatic affirmation that "there is no doubt that these two documents should exactly agree the one with the other," that it is, on the contrary, absolutely impossible that these two documents should agree, unless the actual be reduced to the bare legal scale,—which clearly would not be for the benefit of the emigrant.

Again, with regard to Mr. Wise's remark, that "thus on many occasions the immigrants have just cause for complaint," on account of the difference alluded to, I have the honor to invite your consideration, not of mere extracts from the two scales arbitrarily selected by Mr. Wise, but of the two complete scales placed side by side as hereto appended in columns so as to show the difference in favour of and against the emigrant, and accompanied by brief explanatory remarks. It is difficult to conceive how, from a comparison of the two scales, any emigrant could find cause for complaint, or be otherwise than grateful for the difference in his favour. In order, however, that attention may be specially directed to the fact of the superior liberality of ours over the legal scale, I propose in future to add the following words to the form of dietary scale which is posted in the ship:—"N.B.—This scale, to the benefit of which the emigrant is entitled, is more liberal than the scale required by law as shown on the contract ticket."

The difficulty Mr. Wise feels in failing "to understand why the signature of Mr. Speed Andrews is attached to the passenger's contract ticket as agent on behalf of brokers," is also easily explained. The contract ticket is a legal document which, as I have already remarked, the owner of the vessel is bound to furnish, and which it is absolutely necessary in order to secure to the emigrants, as well as to the Government by whom their passages are paid, the benefits of the Passengers' Act, should be in the precise form required

* Dated 23rd January, and laid upon the Table of the Legislative Assembly, 24th January, 1879.

required by that Act. (I regret two slight clerical errors as explained in the appended table.) But inasmuch as it would be in practice exceedingly inconvenient that the contract tickets should be issued directly to the emigrants by the owners of the vessel, all other transactions with the emigrants or on their behalf being conducted by and through this office, it is arranged, and is accordingly provided in clause 13 of the charter-party, that the owners should authorize our Emigration Officer to act for them in this respect and capacity only, as set forth in a form drawn up for the purpose, a copy of which I have the honor to enclose.

I cannot refrain from concluding this long, but I hope satisfactory, explanation, in a matter, the merits of which are almost obvious upon the face of it, with a suggestion that it might be desirable if the Immigration Agent would in future take a little more pains to examine the documents in his possession before indulging in comments which impute negligence to others, and which, however easily, cannot be even in the most summary way refuted without considerable trouble in examination and correspondence.

I have, &c.,

WILLIAM FORSTER.

[Enclosures.]

[No. 1.]

SCALE of Rations for one adult Emigrant.

Articles.	Weekly Totals as per Charter-party.	Weekly Totals as per Contract Ticket.	Difference in favor of Emigrant.	Difference against Emigrants.	Remarks.
Beef	16 ozs.	16 ozs.	} 8 ozs. preserved meat substituted for pork. See clause 35 Passengers Act.
Pork	16 "	24 "	...	8 ozs.	
Preserved meat	24 "	16 "	8 ozs.	...	
Suet	6 "	6 "	...	...
Butter	9 "	6 "	3 ozs.	...	} Compensated by substituted issues of flour and potatoes.
Biscuit	28 "	42 "	...	14 ozs.	
Flour	90 "	56 "	34 ozs.	...	
Rice or oatmeal	20 "	24 "	...	4 ozs.	
Peas split	$\frac{1}{2}$ pt.	$\frac{1}{2}$ pt.	...	$\frac{1}{2}$ pt.	
Potatoes, fresh	3 lbs.	$\frac{1}{2}$ lb.	2 $\frac{1}{2}$ lbs.	...	
Or do. preserved	$\frac{1}{2}$ "	...	...	...
Carrots	8 ozs.	8 ozs.	...	...
Onions	4 "	...	4 ozs.	...	
Raisins	8 "	8 ozs.	...	...
Tea	1 $\frac{1}{2}$ "	1 "	$\frac{1}{2}$ oz.	...	
Coffee, roasted	2 "	2 "	...	...
Sugar, raw	16 "	12 "	4 ozs.	...	
Molasses, W.I.	8 "	8 "	...	...
Cheese	3 "	6 "	...	3 ozs.	An error in the contract ticket form. Cheese is not required by the Act.
Water	21 qts.	21 qts.	} An error in the contract ticket form. $\frac{1}{2}$ oz. only is required by the Act.
Mixed pickles	$\frac{1}{2}$ pt.	$\frac{1}{2}$ pt.	...	...
Mustard	$\frac{1}{2}$ oz.	$\frac{1}{2}$ oz.	...	...
Lime juice	6 ozs.	6 ozs.	...	...
Salt	2 "	2 "	...	...
Pepper	$\frac{1}{2}$ "	$\frac{1}{2}$ "	...	$\frac{1}{2}$ oz.	

W.F., 27/379.

[Nos. 2 and 3.]

[Passengers' Act, 1855, 18 and 19 Vic., cap. 119. Passengers' Act Amendment Act, 1863, 26 and 27 Vic., cap. 51.]

[No. 4.]

New South Wales Emigration.—Appointment of Agent to sign and issue Contract tickets for Emigrants.

To Mr.

Sir,

3, Westminster Chambers, Victoria-street, Westminster, 18

Whereas have entered into a contract with Her Majesty the Queen on behalf of Her Colony of New South Wales, and with the Agent General of that Colony to convey from Plymouth to Sydney certain emigrants as therein mentioned, to be selected by the said Agent General, and for the more convenient issue and delivery to the emigrants of the contract tickets and duplicates which it is requisite should be issued and delivered to them desire to appoint you

of to be agent to issue and deliver the same.

do therefore hereby constitute and appoint you to be agent for and in name, or in your own name as such agent to sign, issue, and deliver all such passengers' contract tickets and the counterparts thereof, as it shall be requisite or proper to sign, issue, and deliver in accordance with the Passengers Act to such emigrants as shall be approved by or on behalf of the said Agent General, hereby agreeing to ratify and confirm all or whatsoever you shall lawfully do or cause to be done in the premises, and to hold you harmless and indemnified against all claims, demands, losses, costs, charges, and expenses which may be made upon you or which you may sustain, pay, or incur in consequence of acting as such agent as aforesaid.

Your obedient Servant,

Minute by the Colonial Secretary.

Agent for Immigration for any remarks he desires to make. To be returned and re-submitted.—
H.P., 14/5/79.

The Agent for Immigration, B.C., 14 May, 1879.—C.W.

No. 6.

The Colonial Secretary to The Agent General.

Sir,

Colonial Secretary's Office, Sydney, 19 May, 1879.

In reply to your letter of the 27th of March last, concerning the reports on Immigration, laid before Parliament in pursuance of the Address of the Legislative Assembly, dated 6th July, 1877, I have the honor to inform you that I have approved of your suggestion that such replies as you may have to make

make to any of the Immigration Agent's reports, containing reference to or criticisms on, proceedings taken or arrangements made in your office be printed, and laid before Parliament in the same manner as the reports themselves, and that the necessary instructions have been given accordingly.

I have, &c.,

HENRY PARKES.

No. 7.

The Principal Under Secretary to The Agent for Immigration.

Sir,

Colonial Secretary's Office, Sydney, 19 May, 1879.

I am directed to state for your information and guidance that, in consequence of a representation made by the Agent General in London, concerning the reports on Immigration, laid before Parliament in pursuance of the Address of the Legislative Assembly, dated 6th July, 1877, the Colonial Secretary has approved of a suggestion of Mr. Forster's that such replies as he may have to make to any of your reports containing reference to or criticism on proceedings taken or arrangements made in his office be printed, and laid before Parliament in the same manner as the reports themselves.

I have, &c.,

CRITCHETT WALKER.

No. 8.

Report of Agent for Immigration.

Memorandum.

Immigration Office.

In the letter herewith annexed from the Agent General, dated March 27th, 1879, referring to my communication of the 24th January, 1879, addressed to the Honorable the Colonial Secretary, relative to the difference in the dietary scale as per contract ticket delivered to the emigrant, and to that of the charter-party, in accordance with which provisions are issued to the emigrant during the voyage, it appears to me that my observations, which have originated in consequence of constant complaints from emigrants to the Board of Immigration, have been misunderstood by the Agent General; otherwise, I do not think that my communication would have been interpreted as one in which I had "indulged in comments which impute negligence to others, and which, however easily, cannot be, even in the most summary way refuted without considerable trouble in examination and correspondence."

I am perfectly aware, as stated in my letter of the 24th January, that in many instances the emigrants have a more liberal allowance of provisions issued to them than by their contract ticket they are entitled to receive; of this excess of liberality they do not complain, but they have continually complained that certain rations which, by their contract ticket, they expected would be provided for them have not been so provided.

I readily admit that on the whole emigrants have no cause for complaint, but nevertheless I have considered that I should make known their complaint, so that if possible their contract ticket should be more explicit, and certainly should not show a *larger* quantity of provisions in any one particular than that which the master of the vessel is bound to provide.

If reference be made to my own letter of 24th January it will be seen that the scale of rations therein noted is confirmed by the ration scale furnished by the Agent General, in which it is stated that the following articles are issued as *against* the emigrant, viz.:

8	ozs. pork,	per week.
14	" biscuits	"
4	" rice or oatmeal	"
3	" cheese	"

As such contract ticket is a "legal document," which specifies the provisions which the owner of the vessel is obliged to give to the emigrant under the Passenger Act, and that the scale of provisions therein stated is that which "*at least*" the master of the vessel is required by law to supply, I submit that notwithstanding that extra supplies are given to the emigrants, the fact remains that the legal document which they hold is not carried out in its integrity; and although by the 35th clause of the Passenger Act, referred to by the Agent General, it is incumbent on the master of the vessel, under a very severe penalty, to "set forth in the contract tickets of the passengers a list of the substituted articles which may, at his option, be made in the dietary scale," no such information is given thereon.

I notice that the complaints made are so far acknowledged by the Agent General that he proposes "in future to add the following words to the form of dietary scale which is posted in the ship."

N.B.—"This scale, to the benefits of which the emigrant is entitled, is more liberal than the scale required by law as shown in the contract ticket."

I would respectfully suggest that the "substitutions" should also be entered upon the contract tickets as is positively directed to be done in accordance with the 35th clause of the Passenger Act, and thus, every cause for complaint would then be removed.

To the Principal Under Secretary, B.C., 20 May, 1879.

G.F.W.

No. 9.

The Agent for Immigration to The Principal Under Secretary.

Sir,

Government Immigration Office, Sydney, 24 June, 1879.

Referring to your communication of the 19th ultimo, (79/3,603,) I have the honor to suggest that in compliance with the request from the Agent General, the letter from the Agent General, addressed to the Colonial Secretary, dated 27th March, 1879, relative to the complaints of the emigrants per ship "Northampton" in January last, be submitted to the Legislative Assembly, also that my reply to the said letter, addressed to yourself, dated 20th May, 1879, should be published at the same time. Both of these documents are in your office.

Probably also the subsequent communication from the Colonial Secretary to the Agent General would be published at same time.

I have, &c.,

GEORGE F. WISE,

Agent for Immigration.

Minute by the Colonial Secretary.

Appd.—H.P., 12/2/80.

1879.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

IMMIGRATION.

(REPORTS FROM IMMIGRATION AGENT AND OTHERS—SHIP "NORTHBROOK.")

Ordered by the Legislative Assembly to be printed, 28 October, 1879.

FURTHER RETURN to an *Address* adopted by the Honorable the Legislative Assembly of New South Wales on the 6th July, 1877, That, in the opinion of this House, there should be laid upon the Table of this House,—

“(1.) Copies of all Reports, since 1875 to date, from the Agent General, the Health Officer, and Agent for Immigration, to the Government, relative to the despatch of Emigrants from England or elsewhere, and after their inspection on arrival in the Colony by each ship.

“(2.) That similar reports should henceforward be laid upon the Table of the House as soon as practicable after the arrival and inspection of the Immigrants by each ship.

“(3.) That the above Resolutions be communicated by Address to His Excellency the Governor.”

(*Mr. Macintosh.*)

IMMIGRATION.

The Agent General for New South Wales to The Colonial Secretary, New South Wales.

Sir,

3, Westminster Chambers, S.W., 24 April, 1879.

I have the honor to inform you that the ship "Northbrook," of 1,820 tons register, has been chartered for the conveyance of emigrants from Plymouth to Sydney, New South Wales, to be ready to embark passengers on Monday, the 12th May next.

The rates are as follows, viz. :—

If 325 and under 350	...	...	...	...	...	£15 0 0
If 350 " 375	...	...	...	...	...	14 15 0
If 375 and upwards	...	...	...	...	...	14 9 6

I have, &c.

WILLIAM FORSTER.

The Agent General for New South Wales to The Colonial Secretary, New South Wales.

Sir,

3, Westminster Chambers, 15 May, 1879.

With reference to my letter of the 24th ultimo, announcing the engagement of the "Northbrook" for the conveyance of the emigrants to Sydney, I have the honor to enclose herewith a copy of the charter-party of the vessel.

The ship will sail from Plymouth with the passengers described in the accompanying list.

The undermentioned gratuities have been promised on condition that the several parties shall have performed their duties to the satisfaction of the Government, viz. :—To the surgeon-superintendent, Wm. Dunkley, Esq., seventh voyage, 16s. per head; to the master, the first mate, the second mate, the third mate, or person who served out the provisions, 4s. on each emigrant landed alive, to be divided as the surgeon-superintendent recommends, subject to the approval of the Government; to the schoolmaster, £5; the matron, £40; to the four sub-matrons, £3 each; the cook, £5; the cook's assistant, £3; the baker, £3; the men in charge of the distilling apparatus, £5; the hospital assistant, £3; the water-closet constable, £5; the ordinary and female mess constables, each £3.

I have, &c.,

WILLIAM FORSTER.

The Agent General for New South Wales to The Colonial Secretary, New South Wales.

Sir,

3, Westminster Chambers, S.W., 22 May, 1879.

Referring to my despatch of the 24th April last (No. 34 *Emigration*—79), reporting the chartering of the ship "Northbrook," I have now the honor to advise you of the sailing of that vessel on the 15th instant with 534 emigrants on board, equal to 429 statute adults, and to enclose :—

- 1st. Alphabetical list of emigrants, giving their names, ages, occupations, and the amount received by the Emigration Officer for passages and bedding, and paid into the Bank of New South Wales.
- 2nd. Return of the emigrants embarked, distinguishing the nominations made in the Colony, general assisted, English, Scotch, and Irish.
- 3rd. Certificate of Dr. William Dunkley of his examination of the emigrants before embarkation, as well as of the medicine chest.

I have, &c.,

WILLIAM FORSTER.

The Agent for Immigration to The Under Secretary, Colonial Secretary's Department.

Sir,

Immigration Office, Sydney, 3 October, 1879.

I have the honor to report the arrival, on the 14th August, of the ship "Northbrook," with immigrants. This vessel left Plymouth on 15th May, thus completing the voyage in ninety-one days.

The contract price, as per charter-party, is at the rate of £14 9s. 6d. per statute adult.

2. This vessel arrived in port in a cleanly condition.

With regard to the arrangements for the convenience of the emigrants, the surgeon-superintendent reports that "the accommodation was very good, with the exception of the single women's water-closet and bath-room, which caused inconvenience, particularly at night, through the water-closet being on deck, in lieu of in the 'tween decks, for use of the women and children at night or in very bad weather.

Complaints having been made as to insufficiency of space in the compartment allotted to the female immigrants, the Board of Immigration directed that a measurement of the ship should be made by a marine surveyor. The report from the Board of Immigration thereon is herewith annexed.

3. The immigrants by this vessel consisted of ninety-seven married couples, less one married man and two married women who died on the voyage, with their 178 children, 101 single women, and fifty-four single men. Their nationality is noted in the margin.

In addition to the sum of £158 paid by depositors in this Colony, a further amount of £677 was paid direct to the Agent General in London, thus making a total of £835 paid by the immigrants or by their friends towards the cost of their passage.

4. There occurred during the voyage eighteen deaths, namely three adults and fifteen infants under two years of age; there were also eight births.

5. On examination by the Board of Immigration of the married people and of the single men on board the ship, and of the single women at the depôt, all expressed themselves well satisfied both as to the sufficient quantity and as to the good quality of the provisions issued to them during the voyage.

Annexed herewith is an abstract return of the disposal of the immigrants.

6.

English	....	293
Irish	....	166
Scotch	....	66
Other countries	....	4

524

6. The larger number of the single women who were received at the depôt were discharged to their friends, leaving forty who, on the hiring day, immediately obtained engagements as domestic servants at an average rate of wages of £23 8s. per annum, equal to 9s. per week.

7. A large number of the immigrants availed themselves of free passes by railway and by steamers to twenty-seven different localities in the country districts, namely, fifty-three married couples with their 119 children, twenty-seven single women and thirty single men, making a total of 232 individuals; of this number, twenty-four married couples and six single men were hired by employers previous to their departure from Sydney.

8. The surgeon-superintendent, William Dunkley, Esq., appears to have given every satisfaction in the performance of his duties; it is therefore recommended that he be paid the gratuity of 16s. per head, as per letter of instructions from the Agent General, for this his seventh voyage in charge of immigrants; also that he receive the usual certificate entitling him to a further sum of £60 towards the cost of his return passage to England.

9. It is further recommended that, in accordance with the letter of instructions, the usual gratuity of 4s. per head on the immigrants landed alive be paid to the master and officers of the ship, namely, 1s. 6d. per head to the master, 1s. per head each to the first mate and to the officer who served out the provisions, and 6d. per head to the second mate.

10. The surgeon-superintendent reports of the matron, Mrs. Cochot, that "she performed her arduous duties very well"; it is therefore recommended that the promised gratuity of £40 be paid to her, also that she receive the usual certificate entitling her to a further sum of £30 towards cost of her return passage to England.

11. Other gratuities are recommended to be paid, as follows:—To the schoolmaster, the baker, the engineer, and the water-closet constable, each £5; £3 each to the surgeon's assistant, the assistant cook, also to the four sub-matrons, and to the twelve constables, and on the special recommendation of the surgeon-superintendent, the sum of £5 to the head nurse, of £3 to the second nurse, and of £2 to an assistant school-mistress.

12. The surgeon-superintendent reports that diarrhoea, pneumonia, and bronchitis were the principal diseases which occurred during the voyage.

I have, &c.,
GEORGE F. WISE,
 Agent for Immigration.

Ship "Northbrook," arrived at Sydney, 15th August, 1879.
 Number of Births on Board:—Males, 6; Females, 2.

Nominal List of Deaths on Board.

No.	Name.	Age.	Disease.
1	Gillies, Mary	41 years...	Pneumonia.
2	Barker, James A.	5 months	Convulsions.
3	Wilkinson, Hannah S.	5 "	Convulsions.
4	Meredith, Florence...	14 "	Diarrhoea.
5	Powers, Ellen M.	10 "	Diarrhoea.
6	Stark Margaret	17 "	Diarrhoea.
7	Aikman, Maggie	10 "	Diarrhoea.
8	English, Connor	47 years	Diarrhoea and exhaustion.
9	Wilson, Mary	2 "	Diarrhoea.
10	Longbottom, Mrs.	24 "	Pneumonia.
11	Welsh, Mary Ann	14 months	Convulsions.
12	Chaytor, Mary	13 "	Diarrhoea.
13	Sheehan, Honora	12 "	Diarrhoea.
14	Maxwell, Spencer	10 "	Bronchitis.
15	Parr, Young...	18 "	Diarrhoea and exhaustion.
16	Broomhead, William	18 "	Enteritis.
17	English, James	12 "	Enteritis.
18	Dixon, Margaret	Infant	Enteritis.

Disposal of the Immigrants.

How disposed of.	Married couples with their children under 12 years of age.		Single Females.	Single Males.	Remarks.
	Married Couples.	Children under 12 yrs.			
1. Left the ship to join their friends, or hire on their own account	42½	59	.....	24	
2. Left the ship under engagements to proceed into the country	24	44	.....	6	
3. Forwarded at their own request into the country by railway and by steam-boat	29	75	.....	24	*40 hired as domestic
4. Received at the Immigration Depôt, widows and children included	.....	.....	114	.....	servants, at average
5. Left the depôt to join their friends	.....	.....	74	.....	rate of wages 9s. per
6. Hired from the depôt	.....	.....	*40	.....	week, or £23 8s. per
					annum.

Government Immigration Office,
 Sydney, 3 October, 1879.

GEORGE F. WISE,
 Agent for Immigration.

Report of the Board of Immigration relative to the measurements of the ship "Northbrook."

Government Immigration Office, Sydney, 3 October, 1879.

THERE having been reason to believe that the area space allotted to the emigrants on board the ship "Northbrook," recently arrived, was less than that to which they were entitled by the conditions of the charter-party, and as the single women had complained that their compartment was overcrowded, the Immigration Board directed that Captain Pockley, marine surveyor, should be instructed to measure the several compartments of the ship, and to furnish his report thereon (copy of which is herewith annexed).

From this report it appears that the area space in the several compartments was sufficient, in accordance with the terms of the charter-party, which allows 17 feet for each statute adult,—

In the single men's compartment, for 51 statute adults.

In the married people's " 263 "

In the single women's " 85½ "

whereas the number embarked and berthed—

In the single men's compartment, 54 statute adults.

In the married people's " 270 "

In the single women's " 105 "

Thus the number embarked in excess of the terms of the charter-party was as follows:—

In the single men's compartment, 3 statute adults.

In the married people's " 7 "

In the single women's " 19½ "

Captain Pockley, however, has stated that "in consequence of the encumbered condition of the ship's 'twixt decks being, as they were, lumbered up with the partially demolished immigrants' fittings, stores, and ship's equipment, it was not possible to obtain exactly accurate measurements."

On reference being made to the master of the vessel relative to these measurements, he stated that he would have the ship measured by his own surveyor. It was not, however, until Monday, the 29th ultimo, that he forwarded for the information of the Board the report of Captain Sustenance (copy of which is herewith annexed).

This report differs from that furnished by Captain Pockley, inasmuch as in the married people's and single men's compartment there is stated to be an excess of space for the number of emigrants embarked; but Captain Sustenance reports there was only superficial area space for 95, in lieu of 105 statute adults who occupied the single women's compartment.

In view of the difference of the measurements given by the two surveyors, neither of which (in consequence of the great delay on the part of the master in furnishing his surveyor's report) can now be verified by a third measurement, the Board are not prepared to recommend the infliction of a fine upon the ship. They think, however, that the attention of the Agent General should be called to the fact that the ship was permitted to sail with more persons on board than was consistent with the terms of the charter-party, and that the Agent General should be requested to give such instructions to the despatching officer as will ensure for the future that the conditions of the charter-party in respect of measurements are positively complied with before the final departure of the vessel.

H. G. ALLEYNE.

JOHN F. SHERIDAN.

SAMUEL WILKINSON.

J. MILBOURNE MARSH.

WM. J. KILLICK PIDDINGTON.

GEORGE F. WISE.

1879.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

IMMIGRATION.

(REPORTS FROM IMMIGRATION AGENT AND OTHERS—SHIP "LA HOGUE.")

Ordered by the Legislative Assembly to be printed, 28 October, 1879.

FURTHER RETURN to an *Address* adopted by the Honorable the Legislative Assembly of New South Wales on the 6th July, 1877, That, in the opinion of this House, there should be laid upon the Table of this House,—

- “(1.) Copies of all Reports, since 1875 to date, from the Agent General, the Health Officer, and Agent for Immigration, to the Government, relative to the despatch of Emigrants from England or elsewhere, and after their inspection on arrival in the Colony by each ship.
- “(2.) That similar reports should henceforward be laid upon the Table of the House as soon as practicable after the arrival and inspection of the Immigrants by each ship.
- “(3.) That the above Resolutions be communicated by Address to His Excellency the Governor.”

(Mr. Macintosh.)

IMMIGRATION.

The Agent General to The Colonial Secretary.

Sir,

3, Westminster Chambers, S.W., 9 May, 1879.

I have the honor to inform you that the ship "La Hogue," of 1,331 tons register, has been chartered for the conveyance of emigrants from Plymouth to Sydney, New South Wales, to be ready to embark passengers on Monday, the 9th June next.

The rates are as follows, viz. :—

	£	s.	d.
If 300 and under 325	14	9	6
325 " 350	14	4	6
350 " 375	13	17	6
375 and upwards	13	15	0

I have, &c.,

WILLIAM FORSTER.

The Agent General to The Colonial Secretary.

Sir,

3, Westminster Chambers, 9 June, 1879.

With reference to my letter of the 9th ultimo, announcing the engagement of the "La Hogue" for the conveyance of emigrants to Sydney, I have the honor to enclose herewith a copy of the charter-party of that vessel.

The ship will sail from Plymouth with the passengers described in the accompanying list.

The undermentioned gratuities have been promised, on condition that the several parties shall have performed their duties to the satisfaction of the Government, viz. :—To the surgeon-superintendent, Mr. C. Pratt, first voyage, 10s. per head; to the master, the first mate, the second mate, the third mate, or person who served out the provisions, 4s. on each emigrant landed alive, to be divided as the surgeon-superintendent recommends, subject to the approval of the Government; to the schoolmaster, £5; the matron, £40; the three sub-matrons, £3 each; the cook, £5; the cook's assistant, £3; the baker, £3; the men in charge of the distilling apparatus, £5; the hospital assistant, £3; the water-closet constable, £5; the ordinary and female mess constables, each £3.

I have, &c.,

WILLIAM FORSTER.

The Agent General to The Colonial Secretary.

Sir,

3, Westminster Chambers, S.W., 19 June, 1879.

Referring to my despatch of the 9th May last (No. 36 Emigration—79), reporting the chartering of the ship "La Hogue," I have now the honor to advise you of the sailing of that vessel on the 12th instant, with 476 emigrants on board, equal to 389 statute adults, and to enclose—

1st. Alphabetical list of emigrants, giving their names, ages, occupations, and the amount received by the Emigration Officer for passage and bedding, and paid into the Bank of New South Wales.

2nd. Return of the emigrants embarked, distinguishing the nominations made in the Colony, general assisted, English, Scotch, and Irish.

3rd. Certificate of Dr. Charles W. Pratt of his examination of the emigrants before embarkation, as well as of the medicine chest.

I have, &c.,

WILLIAM FORSTER.

The Agent for Immigration to The Under Secretary, Colonial Secretary's Department.

Sir,

Immigration Office, Sydney, 6 October, 1879.

I have the honor to report the arrival, on the 16th ultimo, of the ship "La Hogue" with immigrants. This vessel left Plymouth on the 12th June, thus completing her voyage in ninety-six days.

The contract price as per charter-party is at the rate of £13 15s. per statute adult.

2. The "La Hogue" arrived in port in a very good and cleanly condition. This vessel is well adapted for the conveyance of immigrants, the twixt decks being lofty, and the poop affording ample space for the convenience of the female immigrants.

3. The immigrants by this vessel consisted of eighty-two married couples, with their 155 children, fifty-eight single men, and 101 single women. Their nationality is noted in the margin.

In part payment of their cost of passage, and in addition to the sum of £138 paid by depositors in the Colony, a further sum of £601 was paid direct to the Agent General, making a total of £739 paid by immigrants or friends towards their cost of passage.

4. Among the immigrants I have to report that one of the single women named Ellen Russell (passage certificate No. 2,484) was confined on the 22nd August. The depositor, her sister, took charge of her and the child immediately after arrival. I have also to report that an immigrant, Thomas Masterson (passage certificate No. 1,637), was found during the voyage to be of unsound mind; he was on arrival of the ship forwarded to the Reception House for Insane Persons, at Darlinghurst, for treatment.

5. An abstract return of the disposal of the immigrants is herewith annexed.

During the voyage there occurred seven deaths—infants 2½ years of age and under. There were also nine births.

6. On examination by the Board of Immigration, of the married people and single men on board the ship, and of the single women at the Depot, all expressed themselves well satisfied both with the good quality and the sufficient quantity of the provisions issued to them during the voyage.

7.

English	266
Irish	127
Scotch	80
Other Countries	5
	478

7. The single women were as usual received at the Dépôt, the larger number of whom were called for by their friends, leaving forty-six who, on the hiring day, immediately obtained engagements as domestic servants, at an average rate of wages of £24 5s. 4d. per annum, equal to 9s. 4d. per week.

8. A large number of the immigrants availed themselves of the privilege of free passes to proceed into the country districts. There were thus forwarded, at their own request, either by steamer conveyance or by railway, a total of 210 individuals (of the 478 who arrived) to thirty-one different localities; of whom eight married couples, four single women, and two single men, were hired previous to their departure from Sydney; five married couples, fourteen single men, and nine single women, were forwarded to their friends; the remainder proceeded to such localities as they themselves had selected. It is rarely the immigrants will accept advice as to where there would be the greatest probability of their obtaining employment.

9. I am unable at present to give any report relative to the surgeon-superintendent, Dr. Pratt; he left the ship without notifying his intention to do so, and without permission, immediately after the examination had been held by the Board of Immigration. I have not received any communication from him since then. I must necessarily therefore report respecting Dr. Pratt in a further communication.

10. The matron, Miss Chicken, appears to have given satisfaction in the performance of her duties; it is therefore recommended that, in accordance with the instructions contained in the letter of advice from the Agent General, that the gratuity of £40 be paid to her; also, that she receive the usual certificate of £30 towards the cost of her return passage to England.

11. The other gratuities as per letter of instructions are as follows:—To the schoolmaster, the cook, the water-closet constable, and the engineer, the sum of £5 each; the sum of £3 each to two sub-matrons, to the surgeon's assistant, the cook's assistant, the baker, and to the eleven ordinary constables; also, by special recommendation, the sum of £5 to the nurse, of £2 to an assistant baker, and of £2 to a third sub-matron.

12. It is further recommended that the usual gratuity of 4s. per head on the immigrants landed alive should be thus distributed, viz. —To the master of the vessel, 1s. 6d. per head; to the chief officer, and to the officer who served out the provisions, each 1s. per head; and 6d. per head to the second officer.

13. There was one case of scarlet fever on board during the voyage, otherwise the general condition of the immigrants appears to have been very healthy.

I have, &c.,
GEORGE F. WISE,
 Agent for Immigration.

Ship "La Hogue" arrived at Sydney, 16th September, 1879.

Number of Births on board:—Males, 7; Females, 2.

Nominal list of Deaths on board.

No.	Name.	Age.	Disease.
1	Botton, Mary	15 months	Diarrhoea.
2	King, Ellen	2½ years	Acute inflammation of lungs.
3	M'Gregor, William	11 months	Marasmus.
4	Mulliner (unbaptized)	2 weeks	Atrophy.
5	Bull, Mary	8 months	Marasmus.
6	Mulliner, Archibald	11 "	do.
7	Hall, Robert	11 "	do.

Disposal of the Immigrants.

How disposed of	Married couples with their children under 12 years of age.		Single Females.	Single Males.	Remarks.
	Married couples.	Children under 12 yrs.			
1. Left the ship to join their friends or hire on their own account	42	77	.....	28	
2. Left the ship under engagements to proceed into the country	8	8	.....	2	
3. Forwarded at their own request into the country by railway and by steam-boat	32	70	.....	28	
4. Received at the Immigration Dépôt, widows and children included ... ..	.....	.....	111	.....	* 46 domestic servants hired at average rate of wages—9s. 4d. per week, or £24 5s. 4d. per annum.
5. Left the Dépôt to join their friends ... ..	.....	.....	65	.....
6. Hired from the Dépôt ... ..	.....	.....	*46	.....

Government Immigration Office,
 Sydney, 6th October, 1879.

GEORGE F. WISE,
 Agent for Immigration.

1879.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

IMMIGRATION.

(REPORTS FROM IMMIGRATION AGENT AND OTHERS—SHIP "CORONA.")

Ordered by the Legislative Assembly to be printed, 28 October, 1879.

FURTHER RETURN to an *Address* adopted by the Honorable the Legislative Assembly of New South Wales on the 6th July, 1877, That, in the opinion of this House, there should be laid upon the Table of this House,—

- “ (1.) Copies of all Reports, since 1875 to date, from the Agent General, the Health Officer, and Agent for Immigration, to the Government, relative to the despatch of Emigrants from England or elsewhere, and after their inspection on arrival in the Colony by each ship.
- “ (2.) That similar Reports should henceforward be laid upon the Table of the House as soon as practicable after the arrival and inspection of the Immigrants by each ship.
- “ (3.) That the above Resolutions be communicated by Address to His Excellency the Governor.”

(*Mr. Macintosh.*)

IMMIGRATION

The Agent General for New South Wales to The Colonial Secretary, New South Wales.

Sir,

3, Westminster Chambers, 6 June, 1879.

I have the honor to inform you that the ship "Corona," of 1,199 tons register, has been chartered for the conveyance of emigrants from Plymouth to Sydney, New South Wales, to be ready to embark passengers on the 7th July next.

The rates are as follows, viz. :—

If 325 and under 350	...	...	...	...	...	£12 12 0
350 " 375	...	...	...	...	...	12 9 0
375 and upwards	...	...	...	...	...	12 6 6

I am, &c.,

WILLIAM FORSTER.

The Agent General for New South Wales to The Colonial Secretary, New South Wales.

Sir,

3, Westminster Chambers, 9 July, 1879.

With reference to my letter of the 6th ultimo, announcing the engagement of the "Corona" for the conveyance of the emigrants to Sydney, I have the honor to enclose herewith a copy of the charter-party of that vessel.

The ship will sail from Plymouth with the passengers described in the accompanying list.

The undermentioned gratuities have been promised, on condition that the several parties shall have performed their duties to the satisfaction of the Government, viz. :—To the surgeon-superintendent, Mr. C. E. Strutt, sixth voyage, 14s. per head; to the master, the first mate, the second mate, the third mate, or person who served out the provisions, 4s. on each emigrant landed alive, to be divided as the surgeon-superintendent recommends, subject to the approval of the Government; to the schoolmaster, £5; the matron, £40; the sub-matrons, £3 each; the cook, £5; the cook's assistant, £3; the baker, £3; the men in charge of the distilling apparatus, £5; the hospital assistant, £3; the water-closet constable, £5; the ordinary and female mess constables, each £3.

I am, &c.,

WILLIAM FORSTER.

The Agent General for New South Wales to The Colonial Secretary, New South Wales.

Sir,

3, Westminster Chambers, 1 August, 1879.

Referring to my despatch of the 6th June last (No. 39 Emigration—79), reporting the chartering of the ship "Corona," I have now the honor to advise you of the sailing of that vessel on the 10th ultimo, with 454 emigrants on board, equal to 379½ statute adults, and to enclose :—

- 1st. Alphabetical list of emigrants, giving their names, ages, occupations, and the amount received by the Emigration Officer for passage and bedding, and paid into the Bank of New South Wales.
- 2nd. Return of the emigrants embarked, distinguishing the nominations made in the Colony, general assisted, English, Scotch, and Irish.
- 3rd. Certificate of Dr. C. E. Strutt of his examination of the emigrants before embarkation, as well as of the medicine chest.

I am, &c.,

WILLIAM FORSTER.

The Agent for Immigration to The Principal Under Secretary.

Sir,

Immigration Office, Sydney, 23 October, 1879.

I have the honor to report the arrival, on the 9th instant, of the ship "Corona," with immigrants, having left Plymouth on the 10th July, thus completing the voyage in ninety-one days.

The contract price, as per charter-party, is at the rate of £12 6s. 6d. per statute adult.

2. The "Corona" arrived in port in a most excellent condition; the arrangements for the comfort of the immigrants appear to have been in all respects most satisfactory, and on examination by the Board of Immigration of the married people and of the single men on board the ship and of the single women at the Dépôt, all expressed themselves well satisfied with their treatment during the voyage.

3. The immigrants by this vessel consisted of seventy-three married couples, less one husband, who died on the voyage, 120 children, 107 single women, and seventy-four single men.

Their nationality is noted in the margin.

In part payment of their cost of passage, and in addition to the sum of £277 paid by depositors in the Colony, a further sum of £456 was paid to the Agent General, thus making a total of £733 contributed either by depositors or by the emigrants themselves.

4. Annexed herewith is an abstract of the disposal of the immigrants.

During the voyage there were four births and twelve deaths, viz. :—One adult and eleven infants.

5. The single women were received as usual at the Dépôt, the larger number were handed over to their friends, leaving a remainder of forty-one, who readily obtained engagements as domestic servants on the hiring day, at an average rate of wages of £24 5s. 4d. per annum, equal to 9s. 4d. per week.

6. Free passes by railway and by steamers were granted to thirty-three married couples, with their fifty-six children, thirty-seven single men, and eighteen single women. These were forwarded to thirty-six different localities in the country districts. Of those thus forwarded, eleven married couples, eight single men, and one single woman were hired previous to their departure from Sydney; the remainder either proceeded to their friends who had nominated them, or to seek employment in such districts as they themselves had determined upon.

English 215
Irish 146
Scotch 77
Other Countries 8

446

7. The surgeon-superintendent, C. E. Strutt, Esq., appears to have given great satisfaction in the performance of his duties; he is therefore entitled to receive, as per letter of instructions from the Agent General, the sum of 14s. per head on the immigrants landed alive, for this his sixth voyage in charge of immigrants; also, to receive a certificate entitling him to be paid the further sum of £60 towards the cost of his return passage to England.

8. Dr. Strutt reports of the matron, Mrs. Eagar, that "she discharged her duties efficiently"; she is therefore recommended as entitled to receive a gratuity, as per letter of instructions, of the sum of £40; also, to receive a certificate authorizing the further payment to her of the sum of £30 towards the cost of her return passage to England.

9. The surgeon-superintendent reports that every assistance was afforded to him by the master and officers of the ship; it is therefore recommended that the promised gratuity of 4s. per head on the number of passengers landed should be thus distributed—to the master, the sum of 1s. 6d. per head; to the chief mate and to the officer who served out the provisions, each 1s. per head; and to the second officer the sum of 6d. per head.

10. Other gratuities, as per letter of instructions from the Agent General, are payable as follows:—To the schoolmaster, the cook, the man in charge of the distilling apparatus, and the water-closet constable, each the sum of £5; the sum of £3 each to the three sub-matrons, the cook's assistant, the baker, the hospital assistant, and the eleven ordinary constables; also, on the special recommendation of the surgeon-superintendent, the sum of £3 to the chief nurse, and of £2 to the second nurse.

11. The surgeon-superintendent reports that during the voyage the principal diseases which occurred were diarrhoea, dyspepsia, croup, and catarrh.

I have, &c.,
GEORGE F. WISE,
 Agent for Immigration.

Ship "Corona" arrived at Sydney, 9th October, 1879.

Number of births on board:—Males, 3; Female, 1.

Nominal List of Deaths on Board.

No.	Name.	Age.	Disease.
1	Gibson, John	1 year 11 months	Diarrhoea.
2	Pettigrew, Alexandra	1 " 9 "	Meningitis.
3	Ellis, William	10 "	Meningitis.
4	Brodie, Louisa B.	1 " 5 "	Diarrhoea.
5	Wood, Fred. C.	11 "	Diarrhoea
6	Spark, Mary J.	1 " 9 "	Marasmus
7	Payne, Caroline A.	4 " 6 "	Croup
8	Hawkins, John	70 to 80 years	Debility
9	Johnson, Thomas C.	Infant	Premature Birth
10	Morsen, Peter	Infant	Premature Birth
11	Aboy, M'Miles	Infant	Premature Birth
12	Ellis, Mary E.	Infant	Premature Birth

Disposal of the Immigrants.

How disposed of.	Married couples with their children under 12 years of age.		Single Females.	Single Males.	Remarks.
	Married Couples.	Children under 12 yrs.			
1. Left the ship to join their friends, or hire on their own account	39	64	...	37	
2. Left the ship under engagements to proceed into the country	11	14	...	8	
3. Forwarded at their own request into the country by railway and by steam-boat	22	42	...	29	*41 hired as domestic
4. Received at the Immigration Depôt, widows and children included ... ..	...	...	123	...	servants, at average
5. Left the Depôt to join their friends ... ..	...	...	82	...	rate of £24 5s. 4d.
6. Hired from the Depôt ... ..	...	...	*41	...	per annum, equal to
					9s. 4d. per week.

Government Immigration Office,
 Sydney, 23 October, 1879.

GEORGE F. WISE,
 Agent for Immigration.

1879.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

IMMIGRATION.

(REPORTS FROM IMMIGRATION AGENT AND OTHERS—SHIP "NINEVEH.")

Ordered by the Legislative Assembly to be printed, 28 October, 1879.

FURTHER RETURN to an *Address* adopted by the Honorable the Legislative Assembly of New South Wales on the 6th July, 1877, That, in the opinion of this House, there should be laid upon the Table of this House,—

- “ (1.) Copies of all Reports, since 1875 to date, from the Agent-General, the Health Officer, and Agent for Immigration, to the Government, relative to the despatch of Immigrants from England or elsewhere, and after their inspection on arrival in the Colony by each ship.
- “ (2.) That similar Reports should henceforward be laid upon the Table of the House as soon as practicable after the arrival and inspection of the Immigrants by each ship.
- “ (3.) That the above Resolutions be communicated by Address to His Excellency the Governor.”

(Mr. Macintosh.)

IMMIGRATION.

The Agent General for New South Wales to The Colonial Secretary, New South Wales.

Sir,

3, Westminster Chambers, S.W., 14 March, 1879.

I have the honor to inform you that the ship "Nineveh," of 1,174 tons register, has been chartered for the conveyance of immigrants from Plymouth to Sydney, New South Wales, to be ready to embark passengers on Monday, the 7th April next.

The rates are as follows, viz. :—

If 325 and under 350	...	...	...	...	£14 19 0
" 350 "	" 375	...	...	...	14 14 0
" 375 and upwards	...	...	...	...	14 9 0

I am, &c.,
WILLIAM FORSTER.

The Agent General for New South Wales to The Colonial Secretary, New South Wales.

Sir,

3, Westminster Chambers, S.W., 24 April, 1879.

Referring to my despatch of the 14th March last (No. 17 Emigration-79), reporting the chartering of the ship "Nineveh," I have now the honor to advise you of the sailing of that vessel on the 10th instant, with 405 emigrants on board, equal to 331½ statute adults, and to enclose :—

- 1st. Alphabetical list of emigrants, giving their names, ages, occupations, and the amount received by the Immigration Officer for passages and bedding, and paid into the Bank of New South Wales.
- 2nd. Return of the emigrants embarked, distinguishing the nominations made in the Colony, general assisted, English, Scotch, and Irish.
- 3rd. Certificate of Dr. Richard Dawes of his examination of the emigrants before embarkation, as well as of the medicine chest.

I am, &c.,
WILLIAM FORSTER.

The Agent General for New South Wales to The Colonial Secretary, New South Wales.

Sir,

3, Westminster Chambers, April, 1879.

With reference to my letter of the 14th ultimo, announcing the engagement of the "Nineveh" for the conveyance of the emigrants to Sydney, I have the honor to enclose herewith a copy of the charter-party of that vessel.

The ship will sail from Plymouth with the passengers described in the accompanying list.

The undermentioned gratuities have been promised, on condition that the several parties shall have performed their duties to the satisfaction of the Government, viz. :—to the surgeon-superintendent, Mr. R. Dawes, fifth voyage, 14s. per head; to the master, the first mate, the second mate, the third mate, or person who served out the provisions, 4s. on each emigrant landed alive, to be divided as the surgeon-superintendent recommends, subject to the approval of the Government; to the schoolmaster, £5; the matron, £40; the two sub-matrons, £3 each; the cook, £5; the cook's assistant, £3; the baker, £3; the man in charge of the distilling apparatus, £5; the hospital assistant, £3; the water-closet constable, £5; the ordinary and female mess constables, each £3.

I am, &c.,
WILLIAM FORSTER.

The Agent for Immigration to The Principal Under Secretary.

Sir,

Government Immigration Office, Sydney, 26 July, 1879.

I have the honor to report the arrival, on the 9th instant, of the ship "Nineveh," with immigrants, having left Plymouth on the 10th April, thus completing the voyage in ninety days.

The contract price, as per charter-party, is at the rate of £14 19s. per statute adult.

2. The "Nineveh" arrived in good order, her accommodations for the convenience of the emigrants were most satisfactory.

3. The immigrants by this vessel consisted of seventy-five married couples, with their 126 children, fifty-nine single men, and sixty-eight single women.

Their nationality is noted in the margin.

In part payment, and in addition to the sum of £147 deposited by friends in the Colony, a further sum of £492 was paid direct to the Agent General in London, thus making a total of £639 paid by immigrants or their friends towards their cost of passage.

4. An abstract return of the disposal of the immigrants is herewith annexed. During the voyage there occurred three births and six deaths; also, one birth on the day after arrival in port.

5. On examination by the Board of Immigration of the married people and single men on board the ship, and of the single women at the dépôt, complaints were made as to the bad quality of the flour and of bread which on several occasions during the voyage had been issued. On inquiry from the master of the ship, it was acknowledged that the flour was bad on several occasions, but other good flour having been found in tanks, it was subsequently used. The surgeon-superintendent reports in his journal, "the flour is of very indifferent quality and unfit for use; the captain has shown the greatest anxiety in the matter, and has ordered every tank containing flour to be examined in order to procure the best for the use

English ..	256
Irish ..	126
Scotch ..	19
Other countries	3

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use of the immigrants." Subsequently, he adds, "the captain found in several of the tanks good flour, which was immediately brought into use, and good bread was therefore baked." Complaints as to the very inferior quality of the flour issued for the use of immigrants have of late become very frequent, especially of that which is usually shipped in casks. I am therefore desired by the Board of Immigration to urge that the Agent General be especially invited to warn the representatives of the ships which are chartered that good wholesome flour must be provided, and means must be adopted to prevent its deterioration during the voyage, as it is of the utmost importance that the terms of the charter-party should in every respect be faithfully fulfilled, so as to leave no cause for such repeated complaints.

6. The single women were received at the Depôt, one-half of whom left to join their relatives or friends who had sent for them, leaving thirty-seven, who on the hiring day immediately obtained engagements as domestic servants at wages from 8s. to 12s. per week, averaging £22 6s. 4d. per annum.

Free passes by steamer and by rail were granted to those of the immigrants who elected to go into the country districts; thus a total of 221 out of 403 who arrived were forwarded to twenty-five different localities, of whom twelve married couples and fourteen single men were hired by employers previous to their departure from Sydney. The remainder proceeded either to join their relatives or friends, or to seek employment.

7. The surgeon-superintendent, Richard Dawes, Esq., appears to have given every satisfaction in the discharge of his duties; it is therefore recommended that he be paid the promised gratuity of 14s per head for this his fifth voyage in charge of emigrants; also, that he receive the usual certificate entitling him to a further sum of £60 towards the cost of his return passage to England.

8. The surgeon-superintendent reports of the matron, Miss Matley, that "she discharged her duties to my satisfaction, being very kind and attentive to those placed under her charge"; it is therefore recommended that she be paid the promised gratuity of £40; also, that the usual certificate be granted entitling her to receive the further sum of £30 towards the cost of her return passage to England.

9. Dr. Dawes reports that "the captain and officers of the ship were kind to the emigrants and attentive to my requests"; it is therefore recommended that the usual gratuity of 4s. per head be thus distributed—the sum of 1s. 6d. per head to the master of the ship; of 1s. each to the first mate and to the officer who served out the provisions; and 6d. per head to the second mate.

10. Other gratuities, as per letter of instructions, are recommended to be paid as follows:—To the schoolmaster, the cook, the man in charge of the distilling apparatus, and to the water-closet constable, the sum of £5 each; £3 each to the two sub-matrons, the cook's assistant, the baker, the hospital assistant, and to the ten ordinary constables; also, upon the special recommendation of the surgeon-superintendent, the sum of £5 to the nurse.

11. The surgeon-superintendent reports that the principal diseases which occurred on board during the voyage were bronchitis, rheumatism, diarrhœa.

I have, &c.,
GEORGE F. WISE,
 Agent for Immigration.

Ship "Nineveh" arrived at Sydney, 9th July, 1879.
 Number of births on board:—Males, 3; Female, 1.

Nominal List of Deaths on Board.

No.	Name.	Age.	Disease.
1	Gunn, George B.	4 months	Diarrhœa.
2	Wailes, Isabella	2 years	Bronchitis
3	Smith, James	1 year	Convulsions
4	Carter, Ernest	Infant	Teething Diarrhœa.
5	Summerville, William	1 year	Teething Diarrhœa.
6	Mrs. Smith's child	3 hours	Weakness.

Disposal of the Immigrants.

How disposed of.	Married couples with their children under 12 years of age.		Single Females.	Single Males.	Remarks.
	Married Couples.	Children under 12 yrs.			
1. Left the ship to join their friends, or hire on their own account	29	39	.....	25	
2. Left the ship under engagements to proceed into the country	12	23	.....	14	
3. Forwarded at their own request into the country by railway and by steam-boat	34	63	.....	20	
4. Received at the Immigration Depôt, widows and children included ... ..	...	...	68	...	*37 Hired as domestic servants, at average rate of wages 8s. 7d. per week, or £22 6s. 4d. per annum.
5. Left the Depôt to join their friends ... ..	...	...	31	...	
6. Hired from the Depôt ... ..	...	...	*37	...	

Government Immigration Office,
 Sydney, 26 July, 1879.

GEORGE F. WISE,
 Agent for Immigration.

[3d]

1879.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

IMMIGRATION.

(REPORTS FROM IMMIGRATION AGENT AND OTHERS—STEAM-SHIP "STRATHLEVEN.")

Ordered by the Legislative Assembly to be printed, 13 November, 1879.

FURTHER RETURN to an *Address* adopted by the Honorable the Legislative Assembly of New South Wales on the 6th July, 1877, That, in the opinion of this House, there should be laid upon the Table of this House,—

- “ (1.) Copies of all Reports, since 1875 to date, from the Agent General, the Health Officer, and Agent for Immigration, to the Government, relative to the despatch of Emigrants from England or elsewhere, and after their inspection on arrival in the Colony by each ship.
- “ (2.) That similar Reports should henceforth be laid upon the Table of the House as soon as practicable after the arrival and inspection of the Immigrants by each ship.
- “ (3.) That the above Resolutions be communicated by Address to His Excellency the Governor.”

(*Mr. Macintosh.*)

IMMIGRATION.

The Agent General to The Colonial Secretary.

Sir,

3, Westminster Chambers, S.W., 17 July, 1879.

I have the honor to inform you that the steam-ship "Strathleven," of 2,436 tons gross register, has been chartered for the conveyance of emigrants from Plymouth to Sydney, New South Wales, to be ready to embark passengers on the 1st September.

The rates are as follows, viz. :—

If 425 and under 450	...	...	...	...	£15	0	0
450 " 475	...	...	...	...	14	17	6
475 and upwards	...	...	...	...	14	12	6

I have, &c.,

WILLIAM FORSTER.

The Agent General to The Colonial Secretary.

Sir,

3, Westminster Chambers, 3 September, 1879.

With reference to my letter of the 17th July, announcing the engagement of the "Strathleven" for the conveyance of the emigrants to Sydney, I have the honor to enclose herewith a copy of the charter-party of that vessel.

The ship will sail from Plymouth with the passengers described in the accompanying list.

The undermentioned gratuities have been promised on condition that the several parties shall have performed their duties to the satisfaction of the Government, viz. :—To the surgeon-superintendent, second voyage, 10s. per head; to the master, the first mate, the second mate, the third mate, or person who served out the provisions, 4s. on each emigrant landed alive, to be divided as the surgeon-superintendent recommends, subject to the approval of the Government; to the schoolmaster, £5; the matron, £40; the sub-matrons, £3 each; the cook, £5; the cook's assistant, £3; the baker, £3; the men in charge of the distilling apparatus, £5; the hospital assistant, £3; the water-closet constable, £5; the ordinary and female mess constables, each £3.

I have, &c.,

WILLIAM FORSTER.

The Agent General to The Colonial Secretary.

Sir,

3, Westminster Chambers, S.W., 11 September, 1879.

Referring to my despatch of the 17th July last (No. 48, Emigration—79), reporting the chartering of the steam-ship "Strathleven," I have now the honor to advise you of the sailing of that vessel on the 4th instant with 575 emigrants on board, equal to 501 statute adults, and enclose—

- 1st. Alphabetical list of emigrants, giving their names, ages, occupations, and the amount received by the Emigration Officer for passage and bedding, and paid into the Bank of New South Wales.
- 2nd. Return of the emigrants embarked, distinguishing the nominations made in the Colony, general assisted, English, Scotch, and Irish.
- 3rd. Certificate of Dr. John M. Booth, of his examination of the emigrants before embarkation, as well as of the medicine chest.

I have, &c.,

WILLIAM FORSTER.

The Agent for Immigration to The Under Secretary, Colonial Secretary's Department.

Sir,

Immigration Office, Sydney, 11 November, 1879.

I have the honor to report the arrival, on the 27th ultimo, of the steam-ship "Strathleven," having left Plymouth on the 4th September, thus completing the voyage in fifty-three days.

The contract price, as per charter-party, is at the rate of £14 12s. 6d. per statute adult.

This is the first occasion on which Government immigrants have been brought by steamer to New South Wales, and those by the "Strathleven" have enjoyed many extra advantages.

The accommodation has been more commodious—the voyage performed in a month's less time—the provisions less liable to deterioration than on the longer passage by sailing-ships—and in all respects the present voyage appears to have been a most prosperous one. It is, however, a matter for serious consideration whether or not it be advisable that immigrants should be provided with passages in large steamers in preference, as heretofore, in sailing-vessels. Assuming of course that no other passengers would be permitted to come with immigrants, as is the case in sailing-vessels, there is always the risk of some serious illness occurring, such as would oblige the vessel on arrival to be placed in quarantine. The demurrage of such a detention in the case of the "Strathleven" would have caused an extra charge of 4d. per ton, equal to about £40 per day or £280 per week.

A minor difficulty should also be mentioned, viz. :—That the steamer must necessarily bring her own advices. Consequently, depositors cannot receive any information until after the ship's arrival, and therefore a considerable delay must occur before the depositors can hear of the arrival of their friends and prepare for their reception.

3. On examination by the Board of Immigration, all the immigrants expressed themselves well satisfied with their treatment during the voyage.

4. The immigrants by this vessel consisted of ninety-three married couples, with their 126 children, 106 single men, and 153 single women.

Their nationality is noted in the margin.

In

English	289
Irish	239
Scotch	37
Other Countries	12
	571

In part payment of their cost of passage, and in addition to the sum of £378 paid by depositors in this Colony, a further sum of £636 was paid direct to the Agent General, thus making a total of £1,014 paid by the immigrants or by their friends towards their cost of passage.

5. Annexed herewith is an abstract report of the disposal of the immigrants. During the voyage there occurred three births and seven deaths. Two other deaths of children occurred after arrival and before the expiration of the lay days.

6. The single women were received at the Dépôt immediately after the arrival of the ship, eighty-five of whom were delivered to their friends, leaving sixty-eight, who readily obtained engagements from the Dépôt as domestic servants, at an average rate of wages of £24 5s. 4d. per annum, equal to 9s. 4d. per week.

7. Free passes by rail and by steamers were issued to those who desired to proceed into the country districts. There were thus forwarded to forty-eight different localities a total of forty-two married couples, with their fifty-eight children, sixty-four single men, and twenty-four single women. Of these thus forwarded, twelve married couples, twenty-three single men, and five single women were hired previous to their departure from Sydney; twenty-four married couples, nineteen single women, and forty single men were forwarded to their friends, and the remainder were forwarded to obtain employment in the country; the latter were principally agricultural labouring men.

8. The surgeon-superintendent, J. M. Booth, Esq., appears to have given every satisfaction in the discharge of his duties; he is therefore entitled to receive the gratuity of 10s. per head, in accordance with the letter of instructions from the Agent-General, also to receive the usual certificate entitling him to the further sum of £60 towards the cost of his return passage to England.

9. Dr. Booth reports of the matron, Miss Cullen, that she performed her duties "very well"; she is therefore entitled to receive the promised gratuity of £40, also the usual certificate entitling her to the further sum of £30 towards the cost of her return passage to England.

10. Dr. Booth reports that every assistance was rendered to him by the master and officers of the ship; it is therefore recommended that the usual gratuity of 4s. per head on the number of the immigrants be thus distributed, viz.—1s. 6d. per head to the master of the vessel; 1s. per head each to the first mate and to the officer who served out the provisions; and 6d. per head to the second mate.

11. Other gratuities are payable as follows:—The sum of £5 each to the schoolmaster, the cook, the man in charge of the distilling apparatus, to the water-closet constable; also, by special recommendation of the surgeon-superintendent, to the nurse; the sum of £3 each to the three sub-matrons, the hospital assistant, the thirteen ordinary constables, the baker, the cook's assistant, and the baker's assistant.

12. The surgeon-superintendent reports that "diarrhoea, diphtheria, and gastric complaints were the principal diseases which occurred on board during the voyage."

I have, &c.,

GEORGE F. WISE,

Agent for Immigration.

Steam-ship "Strathleven" arrived at Sydney, 27th October, 1879.

Number of Births on board:—Males, 2; Female, 1.

Nominal list of Deaths on board.

No.	Name.	Age.	Disease.
1	Pollock, Mary	2 years	Diphtheria.
2	Pollock, David	5 "	do.
3	McEnzie, Colin	7 days	Convulsions.
4	Palpeyman, Mary	15 months	Diphtheria.
5	Smyth, Charles	2 years	do.
6	Cartwright, Harriett	1 year	do.
7	Elleny, Frederick	7 years	Scrofulous.

Disposal of the Immigrants.

How disposed of.	Married couples with their children under 12 years of age.		Single Females.	Single Males.	Remarks.
	Married couples.	Children under 12 yrs.			
1. Left the ship to join their friends or hire on their own account	51	72	.....	42	
2. Left the ship under engagements to proceed into the country	12	6	.....	23	
3. Forwarded at their own request into the country by railway and by steam-boat	30	52	.....	41	*68 hired as domestic servants, at average rate of £24 5s. 4d. per annum, equal to 9s. 4d. per week
4. Received at the Immigration Dépôt, widows and children included	.....	.....	162	.....
5. Left the Dépôt to join their friends	.....	.....	94	.....
6. Hired from the Dépôt	.....	.....	*68	.....

Government Immigration Office,
Sydney, 11 November, 1879.

GEORGE F. WISE,
Agent for Immigration.

1879.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

IMMIGRATION.

(REPORTS FROM IMMIGRATION AGENT AND OTHERS—SHIP "PERICLES.")

Ordered by the Legislative Assembly to be printed, 16 December, 1879.

FURTHER RETURN to an *Address* adopted by the Honorable the Legislative Assembly of New South Wales on the 6th July, 1877, That, in the opinion of this House, there should be laid upon the Table of this House,—

- “ (1.) Copies of all Reports, since 1875 to date, from the Agent General, the Health Officer, and Agent for Immigration, to the Government, relative to the despatch of Emigrants from England or elsewhere, and after their inspection on arrival in the Colony by each ship.
- “ (2.) That similar Reports should henceforward be laid upon the Table of the House as soon as practicable after the arrival and inspection of the Immigrants by each ship.
- “ (3.) That the above Resolutions be communicated by Address to His Excellency the Governor.”

(Mr. Macintosh.)

IMMIGRATION.

The Agent General to The Colonial Secretary.

Sir,

3, Westminster Chambers, S.W., 4 July, 1879.

I have the honor to inform you that the ship "Pericles," of 1,598 tons registered, has been chartered for the conveyance of emigrants from Plymouth to Sydney, New South Wales, to be ready to embark passengers on the 28th July.

The rates are as follows, viz. :—

If 325 and under 350	...	...	...	...	...	£15	9	6
350	"	375	...	...	...	14	14	6
375	"	400	...	...	...	14	9	6
400 and upwards	...	...	...	...	...	13	19	6

I have, &c.,

WILLIAM FORSTER.

The Agent General to The Colonial Secretary.

Sir,

3, Westminster Chambers, S.W., 30 July, 1879.

With reference to my letter of the 4th instant, announcing the engagement of the "Pericles" for the conveyance of the emigrants to Sydney, I have the honor to enclose herewith a copy of the charter-party of that vessel.

The ship will sail from Plymouth with the passengers described in the accompanying list.

The undermentioned gratuities have been promised on condition that the several parties shall have performed their duties to the satisfaction of the Government, viz. :—To the surgeon-superintendent, Mr. J. Neylan, first voyage, 10s. per head; to the master, the first mate, the second mate, the third mate or person who served out the provisions, 4s. on each emigrant landed alive, to be divided as the surgeon-superintendent recommends, subject to the approval of the Government; to the schoolmaster, £5; the matron, £40; the (three) sub-matrons, £3 each; the cook, £5; the cook's assistant, £3; the baker, £3; the men in charge of the distilling apparatus, £5; the hospital assistant, £3; the water-closet constable, £5; the ordinary and female mess constables, each £3.

I have, &c.,

WILLIAM FORSTER.

The Agent General to The Colonial Secretary.

Sir,

3, Westminster Chambers, S.W., 11 September, 1879.

Referring to my despatch of the 4th July last (No. 45, Emigration—79), reporting the chartering of the ship "Pericles," I have now the honor to advise you of the sailing of that vessel on the 29th ultimo with 491 emigrants on board, equal to 406½ statute adults, and to enclose—

1st. Alphabetical list of emigrants, giving their names, ages, occupations, and the amount received by the Emigration Officer for passage and bedding, and paid into the Bank of New South Wales.

2nd. Return of emigrants embarked, distinguishing the nominations made in the Colony, general assisted, English, Scotch, and Irish.

3rd. Certificate of Dr. John Neylan, of his examination of the emigrants before embarkation, as well as of the medicine chest.

I have, &c.,

WILLIAM FORSTER.

The Agent for Immigration to The Principal Under Secretary.

Sir,

Immigration Office, Sydney, 11 December, 1879.

I have the honor to report the arrival, on the 14th ultimo, of the ship "Pericles," with immigrants, having left Plymouth on the 29th August, thus completing her voyage in seventy-seven days.

The contract price, as per charter-party, is at the rate of £13 19s. 6d. per statute adult.

2. On arrival, the "Pericles" was placed in quarantine by the Health Officer until the 27th ultimo; all the immigrants then came to Sydney, leaving one family of four individuals and one nurse still at the Quarantine Station.

The ship, when visited by the Board of Immigration, was found to be in most excellent order, all arrangements for the accommodation of the immigrants were very satisfactory, and when examined by the Board the married people and the single men and single women expressed themselves perfectly satisfied both with the quality and with the quantity of the provisions issued to them during the voyage.

3. The immigrants by this vessel consisted of eighty-five married couples, less one wife, who died during the voyage, one hundred and fifty-eight children, one hundred and five single women, and fifty-nine single men.

Their nationality is noted in the margin.

In part payment of their cost of passage, and in addition to the sum of £260 deposited by friends in the Colony on their account, a further sum of £510 was paid to the Agent General in London, thus making a total of £770 paid by the immigrants or by their friends towards their cost of passage.

4. Annexed herewith is an abstract of the disposal of the immigrants. During the voyage there occurred ten births and ten deaths; also one birth and two deaths occurred during the thirteen days that the immigrants were detained at the Quarantine Station.

5. The single women were as usual received at the Dépôt; about one half of these were delivered to their friends, leaving fifty-nine, all of whom readily obtained engagements on the hiring day, at an average rate of wages of 9s. 6d. per week, equal to £24 14s. per annum.

English	....	222
Irish	....	169
Scotch	....	104
Other Countries	....	6
		491

6. Of the 491 individuals who arrived by this ship, free passes by railway and by steamer were granted to 231. These proceeded to thirty-two different localities; seventeen married couples, eleven single men, and four single women were hired previous to their departure from Sydney; fourteen married couples, thirteen single men, and twenty-one single women were forwarded to their friends, leaving only eleven married couples and seven single men, who proceeded into the country to seek for employment; the remainder of the immigrants, exclusive of the fifty-nine single women who were hired from the Dépôt, did not apply for railway passes; it is therefore to be presumed, as was known to be the case in many instances, that either they obtained employment or that their friends resided in Sydney.

7. The surgeon-superintendent, John Naylen, Esq., appears to have given every satisfaction in the performance of his duties; it is therefore recommended that he receive the promised gratuity of 10s. per head on the immigrants landed alive, also that he receive the usual certificate entitling him to a further sum of £60 towards the cost of his return passage to England.

8. Dr. Neylan reports of the matron, Miss Bant, that "she gave complete satisfaction"; it is therefore recommended that the promised gratuity of £40 for this her sixth voyage in charge of immigrants, should be paid to her, also that she receive the usual certificate entitling her to a further sum of £30 towards the cost of her return passage to England.

9. The surgeon-superintendent reports that every assistance was rendered to him by the master and officers of the ship; it is therefore recommended that the usual gratuity of 4s. per head on the immigrants landed alive, should be thus distributed:—To the master of the ship, 1s. 6d. per head; to the first officer, and to the officer who served out the provisions, each 1s. per head; and 6d. per head to the second officer.

10. Other gratuities are payable as per letter of instructions from the Agent General as follows:—the sum of £5 each, to the schoolmaster, the cook, the man in charge of the distilling apparatus, and the water-closet constable; of £3 each to the three sub-matrons, the hospital assistant, the baker, the cook's assistant, and to the eleven ordinary constables; also, on the special recommendation of the surgeon-superintendent, the sum of £5 to each of the two nurses whom the surgeon-superintendent was obliged to appoint on account of much illness during the voyage.

11. The surgeon-superintendent reports that the principal diseases which occurred during the voyage were diarrhœa and bronchitis.

I have, &c.,
GEORGE F. WISE,
Agent for Immigration.

Ship "Pericles" arrived at Sydney, 14th November, 1879.
Nominal list of Deaths on board.

No.	Name.	Age.	Disease.
1	Spruce, Benjamin	1½ year	Convulsions.
2	Voitch, Margaret	1 "	Acute hydrocephalus.
3	Jacks, Flora	1 "	Tabes mesenterica.
4	Templeton, Marion P.	5 days	Convulsions.
5	Hetherington, Mary Ann	15 months	Diarrhœa.
6	Bower, Louise	5 "	Bronchitis.
7	Poolford, Alice	2½ years	Diarrhœa and convulsions.
8	Jones, Elizabeth	1½ "	Acute nephritis.
9	Templeton, Margaret	28 "	Ulceration and perforation of stomach.
10	Buckley, John	10 days	Congenital syphilis.

Disposal of the Immigrants.

How disposed of.	Married couples with their children under 12 years of age.		Single Females.	Single Males.	Remarks.
	Married couples.	Children under 12 yrs.			
1. Left the ship to join their friends or hire on their own account... ..	42½	67	.....	28	
2. Left the ship under engagements to proceed into the country	17	21	.....	11	
3. Forwarded at their own request into the country by railway and by steam-boat	25	70	.....	20	*59 hired as domestic servants, at an average rate of wages of 9s. 6d. per week, equal to £24 14s. per annum.
4. Received at the Immigration Dépôt, widows and children included... ..	.....	.....	118	.....
5. Left the Dépôt to join their friends ... ..	.....	.....	59	.....
6. Hired from the Dépôt ... ..	.....	.....	*59	.....

Government Immigration Office,
Sydney, 11 December, 1879.

GEORGE F. WISE,
Agent for Immigration.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

IMMIGRATION.

(REPORTS FROM IMMIGRATION AGENT AND OTHERS—SHIP "NORTHAMPTON.")

Ordered by the Legislative Assembly to be printed, 4 February, 1880.

FURTHER RETURN to an *Address* adopted by the Honorable the Legislative Assembly of New South Wales on the 6th July, 1877, That, in the opinion of this House, there should be laid upon the Table of this House,—

“ (1.) Copies of all Reports, since 1875 to date, from the Agent General, the Health Officer, and Agent for Immigration, to the Government, relative to the despatch of Immigrants from England or elsewhere, and after their inspection on arrival in the Colony by each ship.

“ (2.) That similar Reports should henceforward be laid upon the Table of the House as soon as practicable after the arrival and inspection of the Immigrants by each ship.

“ (3.) That the above Resolutions be communicated by Address to His Excellency the Governor.”

(*Mr. Macintosh.*)

IMMIGRATION.

The Agent General to The Colonial Secretary.

Sir, 3, Westminster Chambers, S.W., 29 August, 1879.
I have the honor to inform you that the ship "Northampton," of 1,161 tons register, has been chartered for the conveyance of emigrants from Plymouth to Sydney, New South Wales, to be ready to embark passengers on the 29th November.

The rates are as follows, viz. :—

If 325 and under 350	...	...	...	...	...	£13 19 0
„ 350 „ 375	...	...	...	...	...	13 15 0
375 and upwards	...	...	...	...	...	13 12 6

I am, &c.,
WILLIAM FORSTER.

The Agent General to The Colonial Secretary.

Sir, 3, Westminster Chambers, S.W., 1 October, 1879.
With reference to my letter of the 29th August, announcing the engagement of the "Northampton" for the conveyance of the emigrants to Sydney, I have the honor to enclose herewith a copy of the charter-party of that vessel.

The ship will sail from Plymouth with the passengers described in the accompanying list.

The undermentioned gratuities have been promised on condition that the several parties shall have performed their duties to the satisfaction of the Government, viz. :—To the Surgeon-Superintendent, second voyage, 10s. per head; to the master, the first mate, the second mate, and the third mate, or person who served out the provisions, 4s. on each emigrant landed alive, to be divided as the Surgeon-Superintendent recommends, subject to the approval of the Government; to the schoolmaster, £5; the matron, £40; the sub-matrons, £3 each; the cook, £5; the cook's assistant, £3; the baker, £3; the men in charge of the distilling apparatus, £5; the hospital assistant, £3; the water-closet-constable, £5; the ordinary and female mess constables, each £3.

I am, &c.,
WILLIAM FORSTER.

The Agent General to The Colonial Secretary.

Sir, 3, Westminster Chambers, S.W., 9 October, 1879.
Referring to my despatch of the 29th August last (No. 57 Emigration—79), reporting the chartering of the ship "Northampton," I have now the honor to advise you of the sailing of that vessel on the 3rd instant, with 429 emigrants on board, equal to 360½ statute adults, and to enclose—

1st. Alphabetical list of emigrants, giving their names, ages, occupations, and the amount received by the Emigration Officer for passage and bedding, and paid into the Bank of New South Wales.

2nd. Return of the emigrants embarked, distinguishing the nominations made in the Colony, general assisted English, Scotch, and Irish.

3rd. Certificate of Dr. George Westby, of his examination of the emigrants before embarkation as well as of the medicine chest.

I am, &c.,
WILLIAM FORSTER.

The Agent for Immigration to The Principal Under Secretary.

Sir, Immigration Office, Sydney, 30 January, 1880.
I have the honor to report the arrival from Plymouth, on the 9th instant, of the ship "Northampton" with immigrants, having left that port on the 3rd October, thus completing the voyage in ninety-eight days.

The contract price as per charter-party is at the rate of £13 15s. per statute adult.

2. The "Northampton" arrived in port in a cleanly condition; all the arrangements for the convenience and comfort of the immigrants were very satisfactory.

3. The immigrants by this vessel consisted of sixty-three married couples with their 119 children, ninety single men, and eighty-nine single women.

Their nationality is noted in the margin.

In addition to the sum of £246 paid by depositors in the Colony, a further amount of £461 was paid by the other emigrants to the Agent General in London, making a total of £707 paid by emigrants or their friends towards their cost of passage.

4. Herewith is annexed an abstract account of the disposal of the immigrants. During the voyage there occurred twelve deaths (chiefly infants), there were also seven births.

5. On examination by the Board of Immigration of the married people and of the single men on board the ship, and of the single women at the depôt, satisfaction was generally expressed as to their treatment during the voyage.

6. The single women were as usual received at the depôt, of whom the greater number were delivered to their parents and friends, leaving forty-four who, on the hiring day were immediately engaged as domestic servants, at an average rate of wages of 9s. per week.

English	204
Irish	181
Scotch	34
Other countries	5
	424

7. A large number of the immigrants availed themselves of free passes by railway and by steamers. There were thus forwarded to fifty-one different localities in the country districts a total of 174, viz. :— Twenty-five married couples with their forty-five children, fifty-seven single men, and twenty-two single women, of whom eleven married couples, twenty-three single men, and five single women were hired previous to their departure from Sydney. Ten married couples, twenty-seven single men, and seventeen single women were forwarded to their friends, leaving only four married people and seven single men, who proceeded into the country in search of employment.

No information could be obtained as to the disposal of the remaining 206 immigrants ; it is to be presumed therefore that they either found employment or were provided for by friends or relations in Sydney and its suburbs.

8. The Surgeon-Superintendent, George Westby, Esq., appears to have given every satisfaction in the performance of his duties ; it is therefore recommended that he receive the gratuity of 10s. per head on the immigrants landed alive, as per letter of instructions from the Agent General, for this his second voyage in charge of immigrants to this Colony ; also to receive the usual certificate entitling him to the further sum of £60 towards the cost of his return passage to England.

9. The Surgeon-Superintendent reports of the matron, Mrs. Kent, that she discharged her duties satisfactorily ; it is therefore recommended that she receive the promised gratuity of £40 for this her fourth voyage in charge of female immigrants, also to receive the usual certificate entitling her to the sum of £30 towards the cost of her return passage to England.

It is further recommended that Mrs. Kent receive an additional gratuity of £10, as compensation for services rendered as matron at first appointed to the ship "Pericles," which vessel after leaving Plymouth on 31st July last, grounded on the "Manacle Rocks," near Falmouth, and was subsequently obliged to return to port. Mrs. Kent continued in charge of the female immigrants at the request of Mr. Phillips, the Emigration Officer, until the 22nd August, when on account of serious illness, "caused by anxiety in keeping secret the accident to the ship from the single girls" she was unable to continue the voyage, and another matron was then appointed in her stead.

10. Dr. Westby reports that every assistance was rendered to him by the master and officers of the ship ; it is therefore recommended that the usual gratuity of 4s. per head on the immigrants landed alive be thus distributed :—To the master of the ship, 1s. 6d. per head ; to the chief mate, 1s. ; to the third officer and the steward, who together had the charge of and issued the stores, 1s. per head ; and 6d. per head to the second officer.

It is however to be noted, for the information of the Agent General, that the chief officer, named Alexander Christian, was reported on two occasions during the voyage to have been under the influence of drink. On investigation by the Board of Immigration relative to this charge, and on report of the Surgeon-Superintendent, it was found that some years ago Alexander Christian had a sun-stroke in the West Indies, and therefore that a very small portion of liquor would have an injurious effect upon him. Such being the case, although the Board recommend that he should receive the promised gratuity, it is considered that as he appears to be physically incapable of taking much liquor, he should not again be permitted to hold the appointment of mate on board a ship with immigrants.

11. Other gratuities are payable, as per letter of instructions from the Agent General, as follows :— To the schoolmaster, the cook, the man in charge of the distilling apparatus, and to the water-closet constable, the sum of £5 each ; to two of the sub-matrons, the sum of £3 each, and to the third sub-matron, the sum of £2 ; to the ten ordinary and mess constables, the sum of £3 each ; to two of the constables, £2 each ; and to the baker, the cook's assistant, and the hospital assistant, £3 each ; also the sum of £5 to the nurse, who is reported to have been fully occupied in tending to the sick, and who "discharged her duties to the entire satisfaction" of the Surgeon-Superintendent.

12. The Surgeon-Superintendent reports that the principal disease that occurred during the voyage was diarrhœa.

I have, &c.,

GEORGE F. WISE,
Agent for Immigration.

Ship "Northampton" arrived at Sydney, 9th January, 1880.

Number of Births on board :—Males, 3 ; Females, 4.

Nominal list of Deaths on board.

No.	Name.	Age.	Disease.
1	M'Namarra, Michael	Infant	Diarrhœa.
2	Lahey, Joseph	"	do
3	Lahey, Julia	7 years	Hydrocephalus.
4	Hardyman, Caroline	Infant	Aphthæ.
5	Hunter, Henry	"	Diarrhœa.
6	Townsend, Sarah	"	Tabes Mesenterica.
7	Pendlebury, Robert	1 year	Diarrhœa.
8	Perrin, Priscilla	"	do
9	Sullivan, William	Infant	Tabes Mesenterica.
10	Grant, Henry	1 year	Hydrocephalus.
11	Denahy, James	"	Diarrhœa.
12	Mason, Sarah	17 months	do

Disposal

Disposal of the Immigrants.

How disposed of.	Married couples with their children under 12 years of age.		Single Females.	Single Males.	Remarks.
	Married Couples.	Children under 12 yrs.			
1. Left the ship to join their friends, or hire on their own account	38	74	.....	33	
2. Left the ship under engagements to proceed into the country	11	14	.....	23	
3. Forwarded at their own request into the country by railway and by steam-boat.	14	31	.....	34	
4. Received at the Immigration Depôt, widows and children included ... ..	...	...	105	...	*44 hired as domestic servants, at average rate of 9s. per week, equal to £23 8s. per annum.
5. Left the Depôt to join their friends ... ..	...	...	61	...	
6. Hired from the Depôt ... ..	...	...	*44	...	

Government Immigration Office,
Sydney, 30th January, 1880.

GEORGE F. WISE,
Agent for Immigration.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

IMMIGRATION.

(REPORTS FROM IMMIGRATION AGENT AND OTHERS—SHIP "NORVAL.")

Ordered by the Legislative Assembly to be printed, 31. March, 1880.

FURTHER RETURN to an *Address* adopted by the Honorable the Legislative Assembly of New South Wales on the 6th July, 1877, That, in the opinion of this House, there should be laid upon the Table of this House,—

- “ (1.) Copies of all Reports, since 1875 to date, from the Agent General, the Health Officer, and Agent for Immigration, to the Government, relative to the despatch of Emigrants from England or elsewhere, and after their inspection on arrival in the Colony by each ship.
- “ (2.) That similar Reports should henceforward be laid upon the Table of the House as soon as practicable after the arrival and inspection of the Immigrants by each ship.
- “ (3.) That the above Resolutions be communicated by Address to His Excellency the Governor.”

(*Mr. Macintosh.*)

IMMIGRATION.

The Agent General to The Colonial Secretary.

Sir,

3, Westminster Chambers, S.W., 21 November, 1879.

I have the honor to inform you that the ship "Norval" of 1,427 tons register, has been chartered for the conveyance of emigrants from Plymouth to Sydney, New South Wales, to be ready to embark passengers on the 8th December.

The rates are as follows, viz. :—If 275 and under 300, £17 5s. ; 300 and under 325, £16 12s. 6d. ; 325 and upwards, £16 2s.

I have, &c.,

WILLIAM FORSTER.

The Agent General to The Colonial Secretary.

Sir,

3, Westminster Chambers, S.W., 8 December, 1879.

With reference to my letter of the 21st ultimo, announcing the engagement of the "Norval" for the conveyance of the emigrants to Sydney, I have the honor to enclose herewith a copy of the charter-party of that vessel.

The ship will sail from Plymouth with the passengers described in the accompanying list.

The undermentioned gratuities have been promised, on condition that the several parties shall have performed their duties to the satisfaction of the Government, viz. :—To the Surgeon-Superintendent, Mr. Thomas Harrison, fourth voyage, 12s. on each emigrant landed alive ; the master, the first mate, the second mate, the third mate or person who served out the provisions, 4s. on each emigrant landed alive, to be divided as the Surgeon-Superintendent recommends, subject to the approval of the Government ; the schoolmaster, £5 ; the matron, £40 ; sub-matrons, £3 each ; the cook, £5 ; the cook's assistant, £3 ; the baker, £3 ; the men in charge of the distilling apparatus, £5 ; the hospital assistant, £3 ; the water-closet constable, £5 ; the ordinary and female mess constables, each £3.

I have, &c.,

WILLIAM FORSTER.

The Agent General to The Colonial Secretary.

Sir,

3, Westminster Chamber, S.W., 19 December, 1879.

Referring to my despatch of the 21st November last (No. 44 Emigration), reporting the chartering of the ship "Norval," I have now the honor to advise you of the sailing of that vessel on the 12th instant, with 386 emigrants on board, equal to 340 statute adults, and to enclose—

1st. Alphabetical list of emigrants, giving their names, ages, occupations, and the amount received by the Emigration Officer for passage and bedding, and paid into the Bank of New South Wales.

2nd. Return of the emigrants embarked, distinguishing the nominations made in the Colony, general assisted, English, Scotch, and Irish.

3rd. Certificate of Dr. Thomas Harrison of his examination of the emigrants before embarkation, as well as of the medicine chest, and provisions and stores supplied for the voyage.

I have, &c.,

WILLIAM FORSTER.

The Agent for Immigration to The Principal Under Secretary.

Sir,

Immigration Office, Sydney, 23 March, 1880.

I have the honor to report the arrival from Plymouth, on the 2nd instant, of the ship "Norval" with emigrants, having left that port on the 12th December, thus completing the voyage in 81 days.

The contract price as per charter-party is at the rate of £16 2s. per statute adult.

2. It having been reported that there were some cases of sickness amongst the immigrants, the vessel was placed in quarantine, and remained there until the 11th instant ; the ship was subsequently required for the use of the immigrants until the 16th instant, thereby incurring a charge for demurrage of six days.

3. The "Norval" on her arrival from quarantine was in a cleanly condition, the arrangements for the comfort of the immigrants appear to have been satisfactory, but the Surgeon-Superintendent reports that "the fittings of the ship were in part defective, not being strong enough or firmly put together ; the means of ventilation in the single women's department were insufficient, and the matron's cabin was badly placed" being in such a position that for want of sufficient light the matron was unable to write up her journal whilst in her cabin.

4. The immigrants by this vessel consisted of 45 married couples with their 86 children, 124 single women, and 86 single men.

Their nationality is noted in the margin.

In addition to the sum of £453, deposited by friends in the Colony, a further sum of £236 was paid to the Agent General in London, making a total of £689 paid by immigrants or by their friends towards their cost of passage to the Colony.

5. Herewith is annexed an abstract return of the disposal of the immigrants.

During the voyage there was neither a birth nor a death, but during the time that the vessel was in quarantine one of the single women died.

I have further to report that about seven or eight weeks previous to the arrival of the vessel in port one of the married men showed symptoms of insanity, daily becoming worse, until upon arrival he was declared to be a dangerous lunatic, and upon the certificate of two medical practitioners the man was temporarily placed in the Receiving House for Lunatics at Darlinghurst, and the wife and children were provided for at the Immigration Depôt.

6.

English	.....	175
Irish	.....	181
Scotch	.....	22
Other Countries	.....	86
		386

6. On examination by the Board of Immigration of the married people and of the single men on board the ship, and of the single women at the Dépôt, all declared themselves well satisfied with their treatment during the voyage.

7. The single women were as usual received at the Dépôt, from whence the larger proportion joined their friends, leaving only 36 for hire as domestic servants; these obtained engagements on the hiring day at an average rate of wages of nearly 9s. per week.

8. Free passes by steamers and by railway were provided for all who desired to proceed into the country districts; out of a total arrived of 386 immigrants there were forwarded to 37 different localities 23 married couples, with their 46 children, 42 single men, and 40 single women; the larger proportion of these individuals (namely 105) had been nominated by their friends in the Colony, who therefore were prepared to receive them; 3 married couples, 16 single men, and 5 single women, were hired previous to their departure from Sydney, leaving only 4 married couples and 4 single men who would require to seek for employment, on arrival at their destination.

9. The Surgeon-Superintendent, Thomas Harrison, Esq., appears to have given every satisfaction in the discharge of his duties, and is therefore entitled to receive the promised gratuity of 12s. per head on the immigrants landed alive, for this his fourth voyage in charge of immigrants to this Colony, also to receive the certificate entitling him to the sum of £60 towards the cost of his return passage to England.

A further claim of £6 6s. for continued attendance on board the ship, during the 6 days of demurrage, is also recommended to be paid.

10. The Surgeon-Superintendent reports of the matron, Miss Jones, "I cannot speak too highly of the manner in which her duties were discharged"; she is therefore recommended to receive the promised gratuity of £40; also to receive the further sum of £30 towards the cost of her return passage to England.

11. Dr. Harrison reports that every assistance was afforded to him by the master and officers of the ship, and recommends that the usual gratuity of 4s. per head, of the immigrants landed alive, should be thus distributed:—1s. 6d. to the master, 1s. to the chief officer, 1s. to the officer who issued the provisions, and 6d. per head to the second mate.

12. Other gratuities are recommended for payment as follows:—The sum of £5 each to the school-master, the cook, the man in charge of the distilling apparatus, and to the water-closet constable; of £3 each to the three sub-matrons, to the twelve ordinary constables, to the hospital assistant, to the cook's assistant, and to the baker, and on the special recommendation of the Surgeon-Superintendent the sum of £5 to each of the two men who for a period of seven weeks were required by day and by night to watch over the man who had become insane, also a gratuity of £2 to each of the two women who he found it requisite to appoint as nurses whilst at the Quarantine Station.

13. The Surgeon-Superintendent reports that no sickness could be said to have prevailed at any particular period of the voyage, and on arrival he reported that the general health was good excepting a few cases of chicken-pock.

I have, &c.,

GEORGE F. WISE,
Agent for Immigration.

Ship "Norval," arrived at Sydney, 2 March, 1880.

Number of Births on board:—Males, nil; Females, nil.

Nominal list of Deaths on board.

No.	Name.	Age.	Disease.
	Nil.	Nil.	Nil.

Disposal of the Immigrants.

How disposed of.	Married couples with their children under 12 years of age.		Single Females.	Single Males.	Remarks.
	Married Couples.	Children under 12 yrs.			
1. Left the ship to join their friends, or hire on their own account ...	22	40	.....	44	
2. Left the ship under engagements to proceed into the country ...	3	5	.....	16	
3. Forwarded at their own request into the country by railway and by steam-boat	20	41	.....	26	*36 hired as domestic
4. Received at the Immigration Dépôt, widows and children included ...	...	...	134	...	servants, at an
5. Left the Dépôt to join their friends ...	...	...	98	...	average rate of
6. Hired from the Dépôt ...	...	...	*36	...	wages of nearly 9s. per week.

Government Immigration Office,
Sydney, 23rd March, 1880.

GEORGE F. WISE,
Agent for Immigration.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

IMMIGRATION.

(REPORTS FROM IMMIGRATION AGENT AND OTHERS—SHIP "CLYDE.")

Ordered by the Legislative Assembly to be printed, 2 June, 1880.

FURTHER RETURN to an *Address* adopted by the Honorable the Legislative Assembly of New South Wales on the 6th July, 1877, That, in the opinion of this House, there should be laid upon the Table of this House,—

- “ (1.) Copies of all Reports, since 1875 to date, from the Agent General, the Health Officer, and Agent for Immigration, to the Government, relative to the despatch of Emigrants from England or elsewhere, and after their inspection on arrival in the Colony by each ship.
- “ (2.) That similar Reports should henceforward be laid upon the Table of the House as soon as practicable after the arrival and inspection of the Immigrants by each ship.
- “ (3.) That the above Resolutions be communicated by Address to His Excellency the Governor.”

(*Mr. Macintosh.*)

IMMIGRATION.

The Acting Agent General to The Colonial Secretary.

Sir,

3, Westminster Chambers, S.W., 1 January, 1880.

I have the honor to inform you that the ship "Clyde," of 1,140 tons register, has been chartered for the conveyance of emigrants from Plymouth to Sydney, New South Wales, to be ready to embark passengers on the 26th instant.

The rates are as follows, viz. :—If 275 and under 300, £16 18s. 9d.; if 300 and under 325, £16 13s. 9d.; if 325 and upwards, £16 8s. 9d.

I have, &c.,

DANIEL COOPER.

The Acting Agent General to The Colonial Secretary.

Sir,

3, Westminster Chambers, 26 January, 1880.

With reference to my letter of the 1st instant, announcing the engagement of the "Clyde" for the conveyance of the emigrants to Sydney, I have the honor to enclose herewith a copy of the charter-party of that vessel.

The ship will sail from Plymouth with the passengers described in accompanying list.

The undermentioned gratuities have been promised on condition that the several parties shall have performed their duties to the satisfaction of the Government, viz. :—To the Surgeon-Superintendent, Mr. James Smith (seventh voyage), 16s. on each emigrant landed alive; the master, the first mate, and the second or third mate, or person who serves out the provisions, 4s. on each emigrant landed alive, to be divided as the Surgeon-Superintendent recommends, subject to the approval of the Government; the schoolmaster, £5; the matron, £40; sub-matrons, £3 each; the cook, £5; the cook's assistant, £3; the baker, £3; the man in charge of the distilling apparatus, £5; hospital assistant, £3; the water-closet constable, £5; the ordinary and female mess constables, each £3.

I am, &c.,

DANIEL COOPER.

The Acting Agent General to The Colonial Secretary.

Sir,

3, Westminster Chambers, S.W., 13 February, 1880.

Referring to my despatch of the 1st January last (No. 1-80 Emigration) reporting the chartering of the ship "Clyde," I have now the honor to advise you of the sailing of that vessel on the 29th ultimo, with 384 emigrants on board, equal to 327 statute adults, and to enclose,—

1st. Alphabetical list of emigrants, giving their names, ages, occupations, and the amount received by the Emigration Officer for passage and bedding, and paid into the Bank of New South Wales.

2nd. Return of the emigrants embarked, distinguishing the nominations made in the Colony, general assisted, English, Scotch, and Irish.

3rd. Certificate of Dr. James Smith of his examination of the emigrants before embarkation, as well as of the medicine chest, and provisions and stores supplied for the voyage.

I am, &c.,

DANIEL COOPER.

The Agent for Immigration to The Principal Under Secretary.

Sir,

Immigration Office, Sydney, 28 May, 1880.

I have the honor to report the arrival from Plymouth, on the 13th instant, of the ship "Clyde" with immigrants, having left that port on the 29th January, thus completing the voyage in 105 days.

The contract price as per charter-party is at the rate of £16 8s. 9d. per statute adult.

2. The ship arrived in port in good order; all arrangements for the comfort and convenience of the immigrants were most satisfactory.

3. The immigrants by this vessel consisted of 35 married couples with their 115 children, 98 single men, and 107 single women.

Their nationality is noted in the margin.

English	....	172
Irish	.....	201
Scotch	.....	10
Other Countries	.....	7

In addition to the amount of £488, paid by depositors in the Colony, a further sum of £179 was paid to the Agent General in London, making a total of £667 paid by immigrants or by their friends towards their cost of passage to this Colony.

The very large proportion of 308 individuals out of 384 who left England were nominated by friends in this Colony.

4. Herewith is annexed an abstract Return of the disposal of the immigrants. During the voyage there occurred one death and seven births.

5. On examination by the Board of Immigration of the single women at the Dépôt, and of the married people and single men on board the ship, all expressed themselves well satisfied both in respect of the good quality and of the sufficient quantity of all provisions issued to them during the voyage.

6. The single women were received at the Dépôt on the day of the arrival of the ship, the greater number of whom were received by their friends, leaving only 31, who were willing to hire as domestic servants; these found immediate engagements, at an average rate of wages of 9s. 2d. per week.

7.

7. Free passes by railway and by coasting steamers were granted to 189 of the immigrants who wished to proceed into the country districts, as per follows :—

SUMMARY.

Why Proceeding.	Married.	Children.	Single Men.	Single Women.
Hired	1	3	15	2
To or with friends	16	48	39	26
Seeking employment in districts selected by themselves...	4	10	4	.....
General Total 189	21	61	58	28

These proceeded to 47 different localities in various parts of the country.

The remainder of the immigrants, making a total of 70, including children, left the ship within two days after arrival, without any notification as to their proposed destination.

8. The surgeon-superintendent, James Smith, Esq., appears to have given every satisfaction in the discharge of his duties; he is therefore recommended as entitled to receive the promised gratuity of 16s. per head for this his seventh voyage in charge of immigrants; also, to receive the certificate entitling him to the further sum of £60 towards the cost of his return passage to England.

9. The surgeon-superintendent reports of the matron, Miss Matley, that on the whole she performed her duties well. It is therefore recommended that she receive the promised gratuity of £40; also the usual certificate entitling her to the further sum of £30 towards the cost of her return passage to England.

10. Dr. Smith reports favourably of the master, and of the several officers of the ship; the usual gratuity of 4s. per head on the immigrants landed alive, it is recommended should be thus distributed :— To the master, 1s. 6d. per head; to the first mate and to the purser each 1s. per head; and 6d. per head to the second mate.

11. Other gratuities, as per letter of instructions from the Agent General, are recommended to be paid as follows :—To the schoolmaster, the cook, the man in charge of the distilling apparatus, and to the water-closet constable, the sum of £5 each; to each of the three sub-matrons, the ten constables, the hospital assistant, the baker, and the cook's assistant, the sum of £3 each; also £3 on the special recommendation of the surgeon-superintendent to the nurse.

12. The principal diseases as reported by the surgeon-superintendent to have occurred during the voyage were jaundice, acute rheumatism, and bronchitis.

I have, &c.,
GEORGE F. WISE,
 Agent for Immigration.

Ship "Clyde" arrived at Sydney, 13th May, 1880.
 Number of births on board :—Males, 4; females, 3.
 Nominal List of Deaths on Board.

No.	Name.	Age.	Disease.
1	Fowler, Margaret...	1 year	Capillary bronchitis.

Disposal of the Immigrants.

How disposed of.	Married couples with their children under 12 years of age.		Single Females.	Single Males.	Remarks.
	Married Couples.	Children under 12 yrs.			
1. Left the ship to join their friends, or hire on their own account	14	54	...	40	
2. Left the ship under engagements to proceed into the country	1	3	...	15	
3. Forwarded at their own request into the country by railway and by steam-boat	20	58	...	43	
4. Received at the Immigration Depôt, widows and children included...	...	...	131	...	*31 hired as domestic servants, at average rate of 9s. 2d. per week to £23 16s. 8d. per annum.
5. Left the Depôt to join their friends ... ..	...	...	100	...	
6. Hired from the Depôt ... ..	...	...	*31	...	

Government Immigration Office,
 Sydney, 28 May, 1880.

GEORGE F. WISE,
 Agent for Immigration.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

IMMIGRATION.

(PETITION AGAINST—INHABITANTS OF ILLAWARRA.)

Received by the Legislative Assembly, 17 March, 1880.

To the Honorable the Members of the Legislative Assembly of New South Wales, in Parliament assembled.

The humble Petition of the undersigned inhabitants of Illawarra,—

HUMBLY SHOWETH:—

That in consequence of the great number of men unsuccessfully seeking employment in this district, and the still larger number of unemployed in the Colony, your humble Petitioners are of opinion that further assisted immigration is unnecessary at the present time.

Your Petitioners therefore beseech your Honorable House to withdraw the £75,000 (seventy-five thousand pounds) placed on the Estimates for the above purposes.

Also that such immigration be suspended until the surplus labour of the Colony shall be absorbed in employment.

And your Petitioners, as in duty bound, will ever pray, &c., &c.

[Here follow 344 signatures.]

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

IMMIGRATION.

(PETITION AGAINST—MARTIN GUEST, CHAIRMAN OF WORKING MEN'S DEFENCE ASSOCIATION.)

Received by the Legislative Assembly, 31 March, 1880.

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

May it please your Honorable House,—

The humble Petition of the undersigned Labourers, Artisans, &c., Citizens of Sydney, and Members of the "Working Men's Defence Association,"—

RESPECTFULLY SHOWETH:—

That the voting of £75,000 for semi-pauper Immigration will be fraught with consequences the most disastrous to this Colony; the labour market being flooded to its utmost extent with persons, men and women, scouring the town in search of work and finding none.

Your Petitioners believe that the introduction of more immigrants would lead to more pauperism, crime, and immorality, and would only tend to crowd our already overcrowded gaols and asylums.

Your Petitioners would humbly pray your Honorable House to take the foregoing premises into your earnest consideration, and grant your Petitioners such relief as their case requires.

And your Petitioners, as in duty bound, will ever pray.

Signed on behalf of the Meeting,—

MARTIN GUEST,
Chairman.

1879-80.

NEW SOUTH WALES.

CHINESE IMMIGRATION.

(CORRESPONDENCE RESPECTING.)

Presented to Parliament by Command.

SCHEDULE.

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No. 1.

The Colonial Secretary, New South Wales, to The Chief Secretary, Victoria.

(Circular.)

Sir,

Colonial Secretary's Office, Sydney, 11 June, 1880.

I have the honor to invite your attention to a question of high concern to all the Australasian Colonies, which, it seems to me, cannot be allowed to remain without legislative interference, and in dealing with which the Colonies might most effectively act in concert.

2. The presence of large numbers of Chinese in our populations is objectionable from the conditions which have at all times marked their influx,—that the immigrants are all of one sex, and that they are for the most part bound to some unknown authority, and are not really free. But experience has shown that many social mischiefs attend their introduction, in whatever form it takes place, not the least of which is that their presence is a constant source of discontent and dissatisfaction to large classes of our own people.

3. There is a certain prospect of the evil being aggravated as time advances if sound remedial and preventive measures are not adopted. The facilities of communication between China and Australasia are daily increasing, and at the same time restrictive legislation and social obstacles are likely to drive the Chinese from the Pacific States of America and from other countries. It is probable that these Colonies will not only attract immigration in larger numbers direct from China, but become the receptacles for Chinese refugees from other parts of the world.

4. In this state of things, I shall be glad to learn the views of your Government on the subject. If you concur with me as to the desirability of the Colonies acting in concert, there are two courses which seem to suggest themselves:—

- (1.) The preparation of a measure to be sent round to the several Australasian Governments for approval, with a view to uniform legislation in all the Colonies; or, what would perhaps be better—
- (2.) A Conference of all the Colonies, with a view to the consideration of the question in all its phases, and to agreement upon a common basis for united action.

I have, &c.,

HENRY PARKES.

Similar letters addressed to The Chief Secretary, South Australia.

The Colonial Secretary, Tasmania.

Do. Queensland.

Do. Western Australia.

Do. New Zealand.

No. 2.

The Colonial Secretary, Tasmania, to The Colonial Secretary, New South Wales.

Sir, Colonial Secretary's Office, Hobart Town, 18 June, 1880.
I have the honor to acknowledge the receipt of your circular letter of the 11th instant, suggesting the desirability of the Australasian Colonies acting in concert to prevent the introduction of large numbers of Chinese into the Colonies.

I have, &c.,
J. W. AGNEW,
(For Colonial Secretary, absent).

No. 3.

The Colonial Secretary, Queensland, to The Colonial Secretary, New South Wales.

Sir, Colonial Secretary's Office, Brisbane, 22 June, 1880.
I do myself the honor to acknowledge the receipt of your letter of the 11th instant on the subject of Chinese Immigration, and, in forwarding to you a copy of the Act passed here during the Session of 1877, dealing with the question, to inform you that your proposal in favour of the preparation of a measure to be sent round to all the Australasian group for approval with a view to uniform legislation, appears to be a good one, and if you will prepare such a measure it will receive the careful consideration of this Government.

Neither my colleagues nor myself view with approval the proposal for a Conference; little, if any, good has resulted from previous Conferences, and we do not think the matter of such serious importance as to require one.

I have, &c.,
A. H. PALMER.

[Enclosure.]

[The Chinese Immigrants Regulation Act of 1877. 41 Victoria No. 8.]

No. 4.

The Chief Secretary, Victoria, to The Colonial Secretary, New South Wales.

Sir, Chief Secretary's Office, Melbourne, 23 June, 1880.
In reply to your letter of 11th instant, relative to the best means of checking the immigration of Chinese to the Australasian Colonies, I have the honor to inform you that the Government of Victoria is alive to the importance of the subject, as well as to the difficulties that stand in the way of dealing with a matter that involves, as it does, large questions of international law.

This Government concurs in the suggestion that united action on the part of all the Colonies is necessary in order to put an end to the evil, and it will be glad to co-operate with New South Wales in promoting such action; but, as regards the holding a Conference to deal with the question, it would prefer that a meeting were not held until a measure had been first drafted and circulated for general consideration; and if you cause such a Bill to be prepared it will be carefully discussed by this Cabinet. A Conference held after that stage is reached would be in a position to deal with the subject more effectually probably than at present.

I have, &c.,
ROBERT RAMSAY.

No. 5.

The Chief Secretary, South Australia, to The Colonial Secretary, New South Wales.

Sir, Chief Secretary's Office, Adelaide, 28 June, 1880.
I have the honor to acknowledge the receipt of your letter of the 11th instant, and in reply to inform you that this Government are fully alive to the importance of the subject therein referred to, viz., the necessity for united action on the part of all the Australasian Colonies with reference to the influx of Chinese, and that they will be happy to unite in any Conference you may be able to arrange for the consideration of the question in its several bearings.

I have, &c.,
WILLIAM MORGAN.

No. 6.

Telegram from Colonial Secretary, New South Wales, to Colonial Secretary, Hongkong.

Sydney, 17 June, 1880.
It is reported here that your Government is promoting some scheme for the deportation of Chinese convicted of criminal offences to Australia. Kindly inform what foundation there may be (if any) for this report.

No. 7.

Telegram from Colonial Secretary, Hongkong, to Colonial Secretary, New South Wales.

Hongkong, 18 June, 1880.
No such deportation is now allowed from Hongkong. Governor Hennessy stopped all deportation of Chinese criminals to Australia three years ago. I will write fully by mail.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CHINESE.

(PETITION FROM M. GUEST, CHAIRMAN OF THE WORKING MEN'S DEFENCE ASSOCIATION.)

Received by the Legislative Assembly, 8 April, 1880.

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

May it please your Honorable House.

The humble Petition of the undersigned Mechanics, Artisans, Labourers, &c., Members of the Working Men's Defence Association,—

RESPECTFULLY SHOWETH :—

That your Petitioners have heard with alarm and regret of the arrival on our shores of 260 Chinamen in one vessel, and regard it as the beginning of a Mongolian invasion, which, if continued, will lead to the most disastrous results.

To prevent all the horrors of an anti-Chinese war, your Petitioners would pray your Honorable House to take the foregoing premises into your earnest consideration, and grant such speedy relief as in your wisdom you may deem fit.

And your Petitioners, as in duty bound, will ever pray.

Signed, on behalf of Public Meeting held at Bathurst-street Column, April 5th, 1880,—

MARTIN GUEST,
Chairman.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CHINESE.

(PETITION FROM JOHN HARDS, CHAIRMAN OF A PUBLIC MEETING OF CITIZENS OF SYDNEY.)

Received by the Legislative Assembly, 9 April, 1880.

To the Honorable the Speaker and Members of the Legislative Assembly.

The humble Petition of the Citizens of Sydney,—

RESPECTFULLY SHOWETH:—

That your Petitioners now and ever have been opposed to the presence of Chinese in our midst, chiefly because—

1. Of their gross Asiatic immorality.
2. Their introduction of loathsome and incurable diseases among the people.
3. Their competition in the labour market tends to the ultimate degradation of our own poorer class of labourers.
4. Their not contributing to the support of the State in proportion to adult Europeans.
5. And lastly, because they fail to settle down as permanent colonists like persons of other nationalities.

That your Petitioners, lamenting the many abortive attempts at effective legislation in this particular, and feeling the direful necessity of resorting to what at first sight might be deemed un-English and unchristianlike measures (seeing that no other measures are adequate to the requirements of the case), humbly pray your Honorable House to bring in another Chinese Bill forthwith, which shall have for its objects—

1. The imposition of an annual tax of ten pounds a head on every individual of the Chinese race resident in New South Wales (whether from the mainland of China or from the British islands of the Straits Settlement (Singapore, Malacca, Penang, and Labuan), Hong Kong, or elsewhere (but nothing herein said shall be taken to refer to the children of Chinese parents born in New South Wales).
 2. The disabling of any vessel from bringing to these shores any more than thirteen Chinese at any one time; and
 3. The compelling the ship "Brisbane," now in Quarantine, with her 215 Chinamen, some of whom are infected with small-pox, to clear out with all her passengers, and not to land any of them in any part of this Colony under a penalty of twenty thousand pounds.
- And your Petitioners, as in duty bound, will ever pray, &c.

Signed, on behalf of a Public Meeting held at the top of Bathurst-street, Sydney, on the 7th April, 1880,—

JOHN HARDS,
Chairman.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CHINESE.

(PETITION FROM CHAIRMAN OF THE NATIONAL ANTI-CHINESE LEAGUE.)

Received by the Legislative Assembly, 17 June, 1880.

To the Honorable the Speaker and Members of the Legislative Assembly, in Parliament assembled.

The humble Petition of the Members of the National Anti-Chinese League, passed at a Public Meeting held at the Bathurst-street Column, on Wednesday, June 16th, 1880.

HUMBLY SHOWETH :—

Your Petitioners view with alarm the arrival of the steamship "Brisbane," on Sunday last, with 188 Chinese for Sydney, and the arrival this morning of the steamship "Java" with 185 more Chinamen for this port ; the latter vessel having a virulent case of small-pox on board .

Your Petitioners believing that this large influx of Chinese is the beginning of a great invasion of Mongolians to our shores, which, if not restricted by legislative enactment, will lead to great destitution amongst the working classes, and very dangerous results may follow ; more especially if that terrible disease the small-pox should be disseminated amongst us, the consequence would be most appalling.

And your Petitioners humbly pray your Honorable House will take the foregoing premises into your favourable consideration, and grant us relief by legislating on this question before you adjourn this Session.

And your Petitioners, as in duty bound, will ever pray.

Signed on behalf of the Meeting,—

FREDK. BRAINWOOD,
Chairman.

1879.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

GLEBE ISLAND ABATTOIR INQUIRY.

FINAL REPORT

WITH

MINUTES OF EVIDENCE

OF

THE BOARD

APPOINTED TO INQUIRE INTO AND REPORT UPON THE CONDITION
AND MANAGEMENT OF THE PUBLIC ABATTOIR, GLEBE ISLAND.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
28 October, 1879.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1879.

1—A

[45.]

The Chairman of the Board to The Honorable the Colonial Treasurer.

Sir,

Glebe Island Abattoir Inquiry, Sydney, 22 October, 1879.

I have the honor to forward to you herewith the Final Report, with Minutes of Evidence and Appendices, of the Board appointed to inquire into and report upon the condition and management of the public Abattoir at Glebe Island. A number of separate appendices, which consist of a drawing representing the Philadelphia Abattoir, and of diagrams explaining the system with regard to the slaughtering of cattle and the conveyance of meat in America, are not quite ready, but will be printed, I am informed, in time to be laid upon the Table of the House when Parliament meets.

I have, &c.,

GEO. THORNTON,
Chairman.

GLEBE ISLAND ABATTOIR INQUIRY.

FINAL REPORT.

THE BOARD appointed by the Honorable the Colonial Treasurer for the purpose of inquiring into and reporting upon the condition and management of the Public Abattoir, Glebe Island, had the honor of submitting, on the 23rd June last, for the information of the Minister, a Progress Report, with a printed copy of the evidence taken up to that time. Since that period the Board have held several meetings for the examination of witnesses, and otherwise in pursuance of their inquiry, and now beg to submit their final Report.

Considering it prudent to afford an opportunity for giving evidence on the subject of inquiry to those persons desirous of doing so, and who had not already been examined, the Board issued an invitation to such persons by advertisement in the public newspapers; and the Board are now of opinion that the inquiry may be safely closed, they having, as they believe, collected sufficient information to enable them to make a full report upon the whole subject, and one which they think will be found not only interesting but likely to produce useful and important results.

The Board have given much time and attention to the duty entrusted to them, have held many meetings, visited and inspected the various institutions associated with this matter, examined a great many witnesses, and taken voluminous evidence upon every part of the subject which appeared to be involved in the question, no less than 5,098 questions having been put by the members of the Board, and as many replies obtained.

The Board have also compiled a synopsis of the evidence, which will be found a useful and ready means of reference to any person desirous of being informed upon any point of the subject submitted to the Board for inquiry.

The Board have divided the subject into several parts, under separate headings, not only with the object of keeping the various points involved in the inquiry distinct, but also of stating them with as much order and clearness as it is possible to do.

The duties deputed to the Board were to inquire—

- 1st. As to the truth of certain allegations made in the *Sydney Morning Herald*, in recent articles under the head of "Butchers and Butchers' Meat," as to practices carried on at the Abattoir;
- 2nd. As to the best means of disposing of the blood and offal from the Abattoir, with a view to utilizing the same for the public benefit;
- 3rd. As to the present management of the Abattoir; and

4th.

- 4th. Whether the present position of the Abattoir is the most suitable for the purpose intended, having regard to the requirements of the trade, and the health of the community, and generally on matters relating to the present system as practised at the Abattoir, with a view to an improvement;

and although the language of these written instructions from the Honorable the Treasurer would imply that the inquiry should not extend beyond them, yet in order to make a full investigation and submit a complete Report the Board have thought it undesirable to confine themselves to any limited action, and have endeavoured to make the inquiry a comprehensive one.

GLEBE ISLAND AS A SUITABLE PLACE FOR PUBLIC ABATTOIRS.

The Board reiterate and confirm the statement made in their Progress Report, viz. :—“They have taken the evidence of several witnesses of intelligence and great experience, and have also the evidence of their own inspection of the Glebe Island Abattoir. All the witnesses concur in the opinion that the site is eminently suitable for the purposes of a public Abattoir; and that with necessary additions to the buildings, the paving throughout and perfect draining of the Abattoir, an abundant supply of hot and cold fresh water, and trolly appliances, the site will be found sufficient to meet the wants of the metropolis for many years to come.”

Suitability
of present
site for the
Abattoir.

Cattle-yards

The covering on all the yards attached to the killing-houses requires to be altered and extended so as to protect the animals from rain, and also from the effects of the sun and strong winds. Additional secure yards should also be erected for both cattle and sheep; and the existing yards should be altered to permit of easier drafting, which would result in less cruelty with boat-hooks or similar instruments. Proper provision should also be made for the feeding and watering of stock which remain over the prescribed time in the yards, and that should be reduced from 48 to 30 hours; and the Regulation which requires these yards to be kept clean should be strictly enforced.

Roads for
vehicle traffic.

The roads for the traffic of the vehicles used at the establishment require to be extended and increased in width so as to admit of the passage of at least two carts or drays at all times, and should be properly paved and drained. The present limited space for cart traffic admits of the passage of but one vehicle at a time, causing much delay and inconvenience, and seriously obstructing urgent work required to be done by the men.

Detached gut
and hide
houses.

Detached gut, hide, and skin houses, with trolly and tramway appliances, should be erected for the several killing-houses on sites where the butchers' drays could have free access to take away the hides, skins, fat, and boiling offal without interfering, as they now do, with the removal of the blood and offal from the killing-houses.

Sheep, pig,
and calf
killing-houses

The sheep, pig, and calf killing-houses are too small and inconvenient, and consequently cannot be kept clean. New and properly constructed pig-houses should be erected on another site, and the space now occupied by them thrown into the sheep-houses, which should be altered and enlarged.

Steam
appliances for
hot water.

Steam power appliances for the supply of an abundance of hot, clean water, with large tubs, pans, &c., should be provided for the pig dressing as well as for general purposes.

An

An abundant constant supply of clean, cold water all through the buildings, with hydrants and hose fixed where necessary, is also urgently required; and to secure this the reservoir now in course of construction should be completed.

Abundance of clean, cold water with hydrants and hose.

The whole surface of the establishment should be paved with Caithness flagging or best asphalt, so formed as to constantly drain itself; and the under-ground drains should be enlarged and relaid with proper fall.

Paving of the establishment.

The whole of the establishment should be lighted with gas.

Gas.

Better accommodation should be provided for the Government employes on sites less subject to nuisances than these quarters now are.

Accommodation for employes.

A commodious building, fitted with large open and shower baths, lavatories, and closets, should be erected in a convenient spot, where the men engaged in slaughtering, &c., could take their meals and exchange their clothes as required, and have ever facility for personal cleanliness.

Baths and lavatories.

The Board are of opinion that a chilling-house in close proximity to the slaughtering-houses, with proper and adequate scientific appliances for removing the bodies of meat there from the killing-rooms, and with proper means for suspending and keeping the meat, is absolutely necessary as a part of the Abattoir requirements; and that such a chilling-house, with every requisite appliance, should be erected without any delay. There is abundant evidence to show that, especially in the summer months, meat for consumption is delivered before it can possibly cool, with the muscular action going on and in fact while the meat is in a state which is most unwholesome and such as to render it unfit for food. The meat when dressed, should be taken by machinery to the chilling-house, and there allowed to set before being delivered for consumption. This would improve the flavour and general quality of the meat, and cause it to keep good for at least one or two days longer than it would otherwise do. It would also do away with the starving of the stock in the waiting paddocks, and many other disagreeable things unavoidable under the present system.

Chilling-house.

Necessity for setting the meat.

The Board have obtained and append scientific evidence as to plans and cost of machinery and other material for reducing the atmosphere of a chilling-house to the degree of cold necessary for such purposes, and as to the cost of chilling and setting the meat, which shows that this can be done at an expense at which every one in the trade will gladly patronize the chilling-house.

Cooling machinery.

The Board have also obtained much valuable information, evidence, plans, &c., as to the mode of killing and dressing animals in the United States of America, the utilization of the blood and offal, the transit of live and dead meat, and also as to the refrigerator cars used for such purposes. This information the Board strongly recommend for careful perusal and consideration, and they are of opinion that where practicable the system followed in the United States should be adopted in this Colony.

The system in the United States.

THE TRANSIT OF STOCK TO HOMEBUSH BY THE ROAD AND BY RAIL.

1. *By Road.*

In order to carry out the duty with which the Board were entrusted, they have found it necessary to commence their inquiry with the treatment which the stock receive from the time they leave their pastures, and to follow them till they are delivered in the shape of meat to the consumer.

Extent of inquiry.

This was necessary not only for the sake of ascertaining the treatment to which the stock are subjected during all that time, but it was absolutely necessary in order that the Board might know how the stock had fared for food and water prior to reaching the Abattoir.

Treatment of travelling stock.

The

Effect of
treatment on
meat.

The Board thought it necessary also to take this course in order that the public might be made aware of the hard treatment to which the fat stock have usually been subjected in reaching Sydney and other markets; and to let it be clearly understood why the meat with which they have generally been supplied has been so unpalatable and innutritious.

Treatment of
stock on road.

Going, then, into the heart of the pastoral country, *i.e.*, the districts known as the Bogan, Lower Macquarie, Castlereagh, and Lower Namoi, and following the stock on foot from thence—say from Walgett to Sydney,—the Board find on evidence that for the first hundred miles the stock are not subjected to very great hardship, though every year, through the sale and selection of the land along the road, they are faring worse and worse; and that on that portion of the journey they will lose but little condition if they are carefully driven. After that, however, with almost every stage they approach Sydney their hardships increase; the feeding ground becomes less; the Reserves are in many instances stripped of pasture; the roads begin to be fenced in on both sides, and are frequently metalled; the traffic increases; and the stock are roused and knocked about by teams, coaches, and people on foot and on horseback.

Hardships
travelling
stock undergo.

This is very bad for the stock, but nothing to the hardships which they have to undergo when they reach the mountains forming the Coast Range—say Wallerawang on the one road, and the Bulga on the other. They have then to encounter what to them is absolute torture, for, bred and reared as they have been on plain country, their hoofs are naturally soft and their feet by that time tender from travelling; and when they come to these mountains they are hurried and hustled along the narrow broken stony tracks, weary and foot sore, at about twice the rate they ought to travel, as they can get little or nothing to eat by the way. This state of things is of course aggravated in every case where the drover is not very careful, and continues until the cattle reach the foot of the mountains, on the Sydney side of the Range; and so beat out and tired are the stock by the journey that they will, if allowed, lie for 12 or 15 hours at a stretch at the foot of the mountains, only getting up to drink and lie down again, and not even looking for grass, although they have had little or none for 3 or 4 days previously.

Want of feed
on road.

Although the stock on their journey from thence into Homebush are not punished as they are on the mountains, they are subjected to severe privations and suffering for want of grass. As a rule they do not get a good feed all the way from Kurrajong to Homebush, while they are a good deal knocked about in narrow lanes and on hard roads.

The waste in
meat.

The result of all this is the infliction of a great deal of cruelty on the stock, great waste of meat, and very great deterioration in its quality. On such a journey as the Board have sketched, one gentleman of large experience in these matters puts the waste at an average, all the season through, of 120lbs. a head; another at 200; and a third at 100lbs. Taking the average of the three we have a waste of 140lbs. per head; and the Board themselves are of opinion that this is rather under than over the actual loss on the journey in ordinary seasons and with ordinary drovers. Even at 140lbs. per head this waste is a very serious matter, and especially so when it is borne in mind that it is all the best and most nutritious part of the meat which goes first, and still more serious, as the effect of this hard treatment does not end with the loss in weight and flavour and nutriment of the meat, but fevers the animal and renders its flesh to a large extent unhealthy.

While

While the only real remedy for the evils here pointed at is the extension of our railways to the far interior, it is possible to do a good deal towards alleviating these evils by the proclamation of ample Reserves on all the main droving roads, and protecting these reserves for the sole use of travelling stock, and the Board would recommend that this course be adopted as soon as possible, and a special staff, if necessary, appointed for the work. In some districts ample provision has already been made in the shape of driftways and reserves for the stock traffic; but in others very little has been done in this way, and the stock suffer very much for the want of feeding grounds.

It will, of course, be evident that whenever an owner can avail himself of the railway he ought never to send his fat stock to market by the road; and that this is especially true as regards the travelling of fat stock over the Blue Mountains. Anyone who does so is not only very short-sighted and wasteful but guilty of unnecessary cruelty.

2. By Rail.

We find on evidence that the accommodation for the stock traffic prior to 1876-7 was so very defective that owners were deterred from using the railway. Since then considerable improvements have been made in these respects, but very much still requires to be done in the selection of more suitable sites for trucking and discharging the stock, the erection of larger and better-shaped yards, and the use of more convenient and safer trucks, while the time stock are now on the train without food or water requires to be shortened by at least one-half. The stock trains should be special, and should run through, and be subjected to far less stopping and shunting.

Evidence has also been adduced that considerable losses have occurred through over-crowding the trucks; and the Board would recommend, as some check on this practice, that the regular load of a cattle-truck should be fixed at (say) 8 head of fat cattle, and of half a sheep truck, at (say) 40 unshorn and 45 newly-shorn fat sheep; and that all cattle and sheep put into trucks in excess of these numbers respectively should be charged at (say) from 20 to 50 per cent. higher a rate than that paid per head for the regular numbers, according as the Railway Department may find it necessary.

CATTLE SALE-YARDS.

The site of the present cattle sale-yards at Homebush is too far from the metropolis and the Abattoir. The more such matters are concentrated the better for all concerned. Moreover the sale-yards as they have existed for years past, and are now carried on, are in all respects unsuitable—too small—filthy—unhealthy—the cattle often for many hours up to their bellies in mud and slush;—and the arrangements for the delivery from the railway trucks are defective, wild cattle at times breaking away and getting on the line, endangering life and property.

The Board are of opinion and recommend that the cattle sale-yards should be constructed on Glebe Island, and that all cattle brought by train should be delivered at Glebe Island by a branch railway line. Although the Board are aware that some objections to this course may be raised, yet they think these objections could

Advantages
of Glebe
Island.

could be easily removed, and everything regulated and made to work conveniently and advantageously for the general public. There would be an avoidance of the abominations connected with the present system of having the yards at Homebush; the cruelty and injury to the cattle by their being kept in paddocks several days without food, and then driven furiously, goaded by men, whips, and dogs, to the Abattoir; where they are now killed in a state of fever, would cease; the meat would be greatly improved in quality, whereas under the present system it becomes greatly deteriorated; and the roads along which the cattle are now driven would no longer be dangerous to the public. The nearer and more convenient the yards are to the city the better would it be for the smaller butchers, who could without difficulty attend and purchase their stock at the yards; and while the buyers from Campbelltown, Liverpool, Penrith, Richmond, Windsor, and the Southern Districts would have to come a somewhat longer distance to purchase their cattle, there need be no inconvenience if the cattle are sent from the yards to their destination by train. It is more than probable that there will gradually be a considerable increase in the number of stock killed in the country, and a consequent decrease in the number sent to Sydney, and therefore it is unnecessary, and would be very unwise, to incur the cost of erecting large new yards of a very expensive description. A chilling-house at Glebe Island, in which meat could be stored for as long as a fortnight, would enable purchasers to overcome the difficulties arising from a glutted market, or the stock, if unsold or waiting for slaughter, might remain in the yards at the Island and be fed with hay. No nuisance need occur from having the sale-yards near the Abattoir, and that Glebe Island is a suitable site for the yards is shown by the facts that the Island contains 33 acres of land, which is hard, dry, and easily drained, that the site is isolated and at the same time very convenient, that it has deep water frontage, and that it is a very short distance from the railway, with which it could be connected by a branch line.

Best site for sale-yards.

To recapitulate—the question as to the best site for central sale-yards, shortly stated, stands thus:—

- (1.) That, as the trade is now conducted, a very great deal of cruelty is being continually perpetrated on the stock after they leave the Homebush yards both on the road and while in the waiting paddocks, where they are starved sometimes for a whole week.
- (2.) That this state of things ought not to continue for a day longer than the change can be made.
- (3.) That as it is simply impossible to find grass for a tithe of the stock within 20 miles of Sydney, the only effectual remedy for these evils is to erect the sale-yards at Glebe Island, and give the stock hay while in the yards waiting for sale or slaughter.
- (4.) That an outlay of from 4d. to 5d. a head per day would provide sufficient food for horned cattle, and 1d. to 1½d. for each sheep, and that this would be immeasurably better for the stock than as they now are—very much better for the producer and butcher, and a great deal better for the consumer.

Sale-yards for small stock.

The establishment of central sale-yards on Glebe Island would also meet another very urgent want. It would provide a general metropolitan market for small stock which arrive by steamer and rail, and which are now treated in the worst possible manner for the want of such a market, to the great injury of both the producer and consumer.

DEAD

DEAD MEAT FROM THE COUNTRY.

There can be no doubt that the meat trade is now in a state of transition, and that the interests of the producers, dealers, and consumers are deeply concerned in the recent and advantageous changes brought about by having cattle slaughtered in the interior of the Colony, and conveyed as dead meat to the metropolis. It is self-evident that such a system has immense advantages. A constant supply of meat, better flavoured, of primer quality, and cheaper than hitherto, can be offered to the consumer, and the producer will obtain better prices for his stock—saving the hide, horns, hoofs, bones, tallow, &c., &c., and avoiding the expenses of droving as well as the loss of weight and quality in the animals. This dead meat trade is also a certain means of greatly increased traffic and revenue for the Railway Department, not only in the carriage of the meat but also in the conveyance of the hides, horns, bones, tallow, &c., &c.

Advantage of having cattle killed in the country.

Increased railway revenue.

But to carry out these arrangements effectually there would require to be a number of cool or "non-conducting" trucks, constructed upon the most modern and improved plans. The Board think every facility should be afforded by the Railway Department for the reception, conveyance, and delivery of dead meat from the interior of the Colony, and desire to call the attention of the Railway authorities to the anomaly disclosed in Mr. Dawson's evidence—that the charge for the conveyance of dead meat is 50 per cent. higher than for live stock, while it would seem to the Board that the charge per truck for dead meat should be much less than for live stock; for in the case of dead meat the trucks could always be used to take goods up the country, whereas the sheep trucks could never be used in that way and the cattle trucks very seldom, thereby entailing the expense on the railway of taking them back empty.

Refrigerator cars.

Railway Department.

The Board are of opinion and strongly recommend, that special trains for the conveyance of dead meat, and especially for live stock, should be run through to the metropolis, without stoppages, and at a speed of not less than 20 miles an hour.

Special trains for live and dead stock.

But to make such a system as proposed above perfect it is absolutely necessary that a dead meat market should be erected in a convenient part of the city, for the storing and keeping wholesome, and the sale of meat brought down by railway. The atmosphere of the meat store-rooms should be maintained at a degree of cold not exceeding 50° Fahrenheit, and this can be easily accomplished by the erection of proper machinery for the purpose. [*Vide Appendices, plans, &c., and scientific evidence of Captain Farquhar, Mr. Nicolle, and others.*] A small charge upon the meat would produce a sum which would more than pay good interest upon the cost.

Dead meat market.

Cold store-rooms.

It is necessary only to point to the difference between the quality and general condition of the meat supplied at the present time and for years past to the public, and what it would be if the meat were set by cold appliances in refrigerated stores, to recognise the great advantages of a dead meat market such as the Board suggest. Under the present system the meat delivered in the summer months for consumption is almost alive—hot, unset, and unwholesome; the animals often killed in a state of fever, and many of them cows about to calve or that have just calved;—a state of things that urgently requires a remedy.

Comparison between meat now supplied and meat set in refrigerated stores.

But there is far more involved in the improvement of the general quality and condition of the meat delivered in Sydney than this. The export of preserved meat from Sydney and Melbourne has, on the whole, been carried on at considerable loss. This has arisen almost entirely from the deteriorated condition of the beef

Improvement in meat export trade.

and mutton which have been put up; and if the meat can be laid down at the water's edge, as there is no doubt it now can be, in as good quality as it is in the paddocks in which the stock have fattened, our preserved meats will fetch a different price in the European and other markets; and if only 1d. per lb. more is realized, that would be about 40s. per bullock—a rise which would place our cattle-owners in a very different position from that in which they now are, while it would not affect the consumer here.

UTILIZATION OF THE BLOOD AND OFFAL, AND THE AVOIDANCE OF NUISANCES ARISING THEREFROM.

Present system costly and ineffectual.

The evidence taken by the Board on this portion of the subject of inquiry goes to prove that the present system with regard to the blood and the offal is very costly, defective, and quite ineffectual. It will be seen by the evidence that many nuisances still exist from the present drainage deposit and manner of conveying the blood and offal away from the Abattoir. These have often been allowed to accumulate and become very offensive, and this has arisen largely through mismanagement.

Discharge of blood and offal by punts defective and dangerous.

The system of delivering the blood and offal to the punts and the conveyance and discharge outside the harbour is very defective. The stuff itself becomes exposed and offensive; the men employed in the punts have to discharge some of the worst of the filth with their hands; the offal and filth have sometimes been allowed to return into and float over the harbour and some of the beaches, thereby not only creating an intolerable nuisance, but attracting voracious and dangerous fish, a state of things which of course increase the risks to people engaged on the waters in the harbour.

Punt should be hermetically sealed, and another provided.

For the avoidance of all offensive smells from the punt it should be so constructed as to be hermetically sealed, and as the Board are of opinion that the cheapest and most effectual way of dealing at the present time with the whole of the blood and offal is to have it conveyed outside the Heads, another punt should be provided.

Blood manure manufacture.

Then again, the system of blood coagulating and drying has been a failure in all respects, for while the process has not removed the nuisance arising from bad smells, the drying of the blood for manure and sale is a signal failure. The fact of its costing from 17s. 7d. to £2 12s. 6d. per ton to produce, and that it is sold at 2s. 6d. per ton, needs no comment.

The United States system

The Board are of opinion that the system pursued in the United States of America—not only in relation to the slaughtering of cattle, but also with reference to the utilization of the blood and offal, as shown by the important and valuable evidence of Dr. Williams, Mr. Alex. Stuart, and others—is well worthy of the consideration of the Government; and the Board recommend, as far as can be made practicable, its adoption in this colony.

Offal dealt with at once.

It should be a rule, and the rule should be strictly acted on, that the whole of the blood and offal is dealt with as they come from the animal, or at any rate before decomposition sets in.

MANAGEMENT OF THE ABATTOIR.

Management of the Abattoir.

The Board have taken evidence from various persons connected with the Abattoir, and have also given some personal attention and observation as to the general management of the Establishment; and they have come to the conclusion that

that it does not come up to its requirements with regard to inspection and cleanliness. The hours of attendance by the Chief Inspector are from 9 a.m. to 4 p.m.; but he does not strictly keep this time, having to attend to other duties which require his presence at the Treasury, the Police Courts, &c. Inspection.

The Assistant Inspector is supposed to commence his duties at 6 a.m. and to cease work at from 4 to 5 p.m. There are no other officers but the Inspector and his assistant, and though by far the most important part of their duty is to inspect the killed meat before allowing it to be delivered for consumption, so as to prevent diseased meat from being used for food, yet, as abundant evidence shows, most of the cattle slaughtered for consumption during the summer months are killed, dressed, and delivered to the retail establishments between the hours of 1 and 5 a.m. Consequently for such period of the year as that mentioned there has not been, nor is there now, any sufficient inspection of the cattle or meat—practically no inspection at all during at least one-half of the year. Assistant Inspector.
Inspection of meat.
Cattle slaughtered between 1 and 5 a.m.

It is stated that the spleens of all cattle slaughtered at the Abattoir are examined, to ascertain if any disease has existed in the animals; but that cannot be any sufficient test, inasmuch as it is impossible for a spleen found defective or diseased to be identified as having belonged to a beast which has been many hours before cut up into joints and much of it delivered, and perhaps consumed. Inspection of spleena.

The Board considers the inspection as carried out at the Abattoir a perfect failure. There can be no sufficient inspection where the supervision is not constant and strict; and to be in a position to perform their work thoroughly the Inspectors should reside on the Island, and one of them should be in attendance whenever any work is going on. The gate-keeper should admit no stock nor any article whatever on the premises without a delivery-note, and should see that all the meat leaving the Abattoir bore the Inspector's stamp. He should also see that the conveyance containing the meat, the cloth covering it, the driver and his clothes, were clean as provided for by Regulations. The Abattoir Regulations require to be revised, so as to give the Inspectors such additional powers as the evidence proves to be necessary, more especially for the detection and complete destruction of diseased and unfit meat, and the prevention of cruelty to animals; and with the view to the better suppression of the last-mentioned offence the Board would recommend that the Inspectors on the Island be appointed Inspectors under the Prevention of Cruelty to Animals Act. Inspection a failure.
Revision of Abattoir Regulations.

The whole premises should be white-washed every three months, and the walls of the killing-houses every month. There should be three or four additional labourers and another horse and cart employed at the Island. These are much required, and would be able to keep down and to prevent many of the evils and inconveniences now existing, and the rules laid down for the cleanliness of the Abattoir should be rigidly enforced. Additional labourers and horse and cart.

The Board would also recommend that the powers of the City Inspector of Nuisances and of the City Health Officer should be extended to Glebe Island, so that the Abattoir might come under their supervision. Extension of powers of City Inspector of Nuisances and City Health Officer.

ARTICLES IN THE "SYDNEY MORNING HERALD" UNDER THE HEADING OF
"BUTCHERS AND BUTCHERS' MEAT."

Statements
not over-
drawn.

In their Progress Report the Board briefly referred to that part of the subject of their inquiry which related to the statements contained in the articles published in the *Sydney Morning Herald*. A perusal of the evidence referring to the allegations in those articles will show that the statements of the writer were not over-drawn, and that they fairly described the practices then carried on at the Abattoir, and the condition of some of the retail butchers' shops in Sydney. Amongst other evidence upon this point is that of Mr. Richard Seymour, Inspector of Nuisances, and Dr. Dansey, City Health Officer, whose description of the state of affairs existing in the meat trade generally shows the necessity for immediate and thorough reform. Since public attention was aroused by the *Herald* to the objectionable practices in the trade considerable improvement has been introduced in some directions at the Abattoir and in other places concerned, but much requires yet to be done before the meat supply of the metropolis can be freed from the great abuses which have for so long a period characterised it, and which the Board consider are largely attributable to the lax supervision and want of management at the Abattoir.

Necessity for
immediate
and thorough
reform.

GENERAL.

Registration
of butchers'
shops.

The butchers' shops in the city and suburbs should be licensed and registered—the registration fee being a nominal one; and no unsuitable premises should be registered.

Inspection of
outside killing-
houses.

Inspectors should be appointed for outside slaughter-houses, and the inspection duly carried out.

Knackers'
establishments
registered.

No diseased stock should be allowed to be slaughtered on Glebe Island. They should be disposed of at the knackers' establishments, which should all be registered, and subjected to proper inspection.

Shipping-yards.

The necessary yards, forcing yards, and wharf should be erected at Glebe Island for the shipping of cattle, and a fair charge made for their use.

GEO. THORNTON,
CHAIRMAN.

JOHN STEWART.

ALEX. BRUCE.

EXTRACTS FROM THE MINUTES OF PROCEEDINGS.

WEDNESDAY, 25 JUNE, 1879.

MEMBERS PRESENT:—

The Hon. George Thornton, Esq., M.L.C., Chairman.
John Stewart, Esq., | Alexander Bruce, Esq.

John Wetherill, Esq., examined.
Samuel Dickinson, Esq., examined.

THURSDAY, 3 JULY, 1879.

MEMBERS PRESENT:—

The Hon. George Thornton, Esq., M.L.C., Chairman.
John Stewart, Esq., | Alexander Bruce, Esq.

Minutes of the previous meeting read and confirmed.
Letter read from Mr. E. D. Nicolle as follows:—

To the Hon. George Thornton,—
Sir,

Whiteheath, near Wollongong, 28 June, 1879.

In reply to your letter of the 23rd instant, I beg to inform you that I am willing to give evidence before your Board of Inquiry in reference to the application of artificial refrigeration for the purpose of preserving meat during the hot weather, placed in a reception-house in connection with the Abattoir, and will give you the probable cost for building such establishment; also the expenses to be incurred for maintaining the same in effectual operation. My time will be of short duration in the colony, as I am making arrangements for returning to Europe in February next, but during my stay here I will give you every information in my power in this new and special application of science, which has been the object of my study for many years. I thank you for your kind offer to defray my expenses in coming to Sydney, but I could not accept any remuneration as I shall consider myself well rewarded if the little mite I may be able to give may lead to the improved welfare of this great country, which has been my home during a quarter of a century.

Should you require my evidence immediately please to communicate the time it is to be received, and I will endeavour to come to Sydney. I have, &c.,

E. D. NICOLLE.

Daniel Holborow, Esq., J.P., examined.
Thomas Dawson, Esq., examined.

TUESDAY, 8 JULY, 1879.

MEMBERS PRESENT:—

The Hon. George Thornton, Esq., M.L.C., Chairman.
John Stewart, Esq., | Alexander Bruce, Esq.

Minutes of the previous meeting read and confirmed.

The Board having remained sitting half an hour, waiting for Mr. E. D. Nicolle, who was expected to attend for the purpose of giving evidence, and Mr. Nicolle not appearing the Board adjourned, but first deciding to call a special meeting to examine him if he should arrive in Sydney before the day to which the Board considered it advisable to adjourn.

THURSDAY, 10 JULY, 1879.

MEMBERS PRESENT:—

The Hon. George Thornton, Esq., M.L.C., Chairman.
John Stewart, Esq., | Alexander Bruce, Esq.

Minutes of the previous meeting read and confirmed.
Thomas Dawson, Esq., further examined.
Mr. Frederick Penny examined.
Mr. Henry Woolfe examined.

THURSDAY, 17 JULY, 1879.

MEMBERS PRESENT:—

The Hon. George Thornton, Esq., M.L.C., Chairman.
John Stewart, Esq., | Alexander Bruce, Esq.

Minutes of the previous meeting read and confirmed.

Letter read from Mr. E. D. Nicolle, informing the Board of his inability to attend for examination before the first week in August, but offering to reply to any questions forwarded to him in writing.

The Secretary was instructed to endeavour to obtain from the City Council plans in their possession of the Melbourne Cattle Sale-yards, and to acknowledge the receipt of the letters and documents received from America.

George Maiden, Esq., examined.

MONDAY,

MONDAY, 21 JULY, 1879.

The Board met at the Abattoir, Glebe Island.

MEMBERS PRESENT:—

The Hon. George Thornton, Esq., M.L.C., Chairman.
John Stewart, Esq., | Alexander Bruce, Esq.

Minutes of the previous meeting read and confirmed.

The Secretary read a letter from Mr. Frederick Oatley, the Inspector of the Abattoir, forwarding a report of statements made by Joseph Burrell and Josiah Wickham during an examination of these men by the Inspector, in his office, relative to certain evidence previously given before the Board.

On the motion of Mr. Stewart the Board decided to postpone the consideration of the letter till their next meeting.

Messrs. Joseph Burrell, Constable Carroll, Henry Brisbane Swan, Frederick Oatley, and Joseph Jager, re-examined.

Messrs. Francis Fagan and William Luckett examined.

THURSDAY, 24 JULY, 1879.

MEMBERS PRESENT:—

The Hon. George Thornton, Esq., M.L.C., Chairman.
John Stewart, Esq., | Alexander Bruce, Esq.

Minutes of the previous meeting read and confirmed.

The Board considered the letter and report received from the Inspector of the Abattoir, respecting certain statements in the evidence of Joseph Burrell and Josiah Wickham.

The Secretary was instructed to write to the Inspector, informing him that the Board had received his letter with the statement appended, but that they were not aware by what authority he had made such inquiry, and that they entirely disapproved of his having done so.

Alexander B. Farquhar, Esq., examined.

WEDNESDAY, 30 JULY, 1879.

MEMBERS PRESENT:—

The Hon. George Thornton, Esq., M.L.C., Chairman.
John Stewart, Esq., | Alexander Bruce, Esq.

The Board visited the works of the Fresh Food and Ice Company, Darling Harbour, and carefully inspected one of the refrigerator cars or meat trucks used by the company for the conveyance of meat and milk from the country to Sydney in a chilled condition,—being accompanied by Captain Farquhar, the Superintendent of the works, who elaborately explained everything to the Board.

THURSDAY, 7 AUGUST, 1879.

MEMBERS PRESENT:—

The Hon. George Thornton, Esq., M.L.C.; Chairman.
John Stewart, Esq., | Alexander Bruce, Esq.

Minutes of the two previous meetings read and confirmed.

The Secretary reported that he had written to the Inspector of the Abattoir, in accordance with the instructions at the meeting of the 24th July, and that the Inspector had replied, acknowledging the receipt of the letter, regretting that he should have incurred the Board's displeasure, and intimating that the course he had taken in holding the inquiry seemed to him only common justice to himself.

A letter was read from the Under Secretary for Finance and Trade, enclosing a Treasury Minute having reference to the allegations which had appeared in the public Press as to the intimidation of witnesses, and holding "harmless from blame, or from any ulterior consequences, so far as this department is concerned, any officer employed at the Abattoir who may be called on to give evidence" before the Board, and enclosing also a letter of date 25th instant, wherein the Inspector of the Abattoir reported that in accordance with instructions the minute had been read to the officers and men under him and duly initialled.

The Chairman reported that he had caused an advertisement to be inserted in the *Herald*, and also a paragraph, inviting anyone desirous of giving evidence before the Board to communicate with him, and that up to the present there had been but one response.

Mr. Reuben Woodham examined.

TUESDAY, 12 AUGUST, 1879.

MEMBERS PRESENT:—

The Hon. George Thornton, Esq., M.L.C., Chairman.
John Stewart, Esq., | Alexander Bruce, Esq.

Minutes of the previous meeting read and confirmed.

Letter read from Mr. John Walsh, submitting the names of certain master butchers and salesmen as those of persons it was desirable to examine as witnesses before the Board.

Letter

Letter read from the Inspectors of the Abattoir in further reference to the evidence given before the Board respecting two carcasses said to have been condemned by the Assistant-Inspector and afterwards passed by the Inspector.

Mr. Timothy O'Connor examined.

John Stewart, Esq., examined.

TUESDAY, 2 SEPTEMBER, 1879.

MEMBERS PRESENT:—

The Hon. George Thornton, Esq., M.L.C., Chairman.

John Stewart, Esq., | Alexander Bruce, Esq.

Minutes of the previous meeting read and confirmed.

Letter read from Mr. E. D. Nicholle, conveying to the Board further information respecting the preservation of meat by means of ice and cold air.

John Rennie, Esq., examined.

Mr. Frederick Oatley, re-examined.

TUESDAY, 9 SEPTEMBER, 1879.

MEMBERS PRESENT:—

The Hon. George Thornton, Esq., M.L.C., Chairman.

John Stewart, Esq., | Alexander Bruce, Esq.

Minutes of the previous meeting were read and confirmed.

Alexander Bruce, Esq., examined.

John Walsh, Esq., examined.

Thomas Elliott, Esq., examined.

The Board decided to close the inquiry with this meeting, so far as the taking of evidence, and to meet on an early day for the purpose of considering and agreeing upon their final Report.

TUESDAY, 30 SEPTEMBER, 1879.

MEMBERS PRESENT:—

The Hon. George Thornton, Esq., M.L.C., Chairman.

John Stewart, Esq., | Alexander Bruce, Esq.

Minutes of the previous meeting read and confirmed.

Letter read from Mr. E. D. Nicolle, confirming his previous estimate of the cost of refrigerating works in connection with the Sydney meat supply. The Board decided to publish the letter in the Appendix to the evidence.

The Board considered and adopted with some additions the draft of their Report as prepared by the Chairman.

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SUMMARY OF THE EVIDENCE.

I.—TRANSIT OF STOCK BY ROAD.

1.—*Treatment of stock on road.*

About half the stock come to market by road, and half by rail. Fewer would come by the road if the train were available. Mr. Devlin, 2782, 2787.

Cattle suffer excessively coming over the mountains through want of feed and bad, steep, and rugged roads. They are liable to meet with losses coming over the mountains.

Fat stock on foot travel 8 or 10 miles a day.

Cattle from Bourke or from that direction do not begin to suffer till they get to Orange. The cattle are cruelly treated crossing the mountains, and get little or no feed up to Homebush. Mr. Dawson, 177, 188.

2.—*Want of grass by the way and waste on stock.*

Very little grass on the Mountain Road and what there is very rough.

Cattle on a journey of 300 miles will each waste from 100lbs. to 140lbs. on an average trip and in an average season. Mr. Devlin, 2788, 2800, 2795, 2797.

Sufficient attention has not been paid to provide reserves and grass and water for travelling stock.

The wants of travelling stock are not nearly provided for. Sufficient reserves should be made, and then they should be protected. Mr. Malden, 508, to 516.

The waste on cattle would be 200lbs. a head.

This waste would be over 100lbs. each. Taking the average on journey of 300 miles at 130, that, at only 2d. per lb., would make a loss of £1 1s. 8d. per head. Mr. Dawson, 271, 278.
Mr. Malden, 669 to 661.

II.—TRANSIT BY RAIL.

1.—*Accommodation for trucking.*

There has been very great improvement of late in the accommodation for loading stock.

Thinks the trucking accommodation cannot now be surpassed—was at one time very defective.

People were for a long time deterred from trucking stock through defective accommodation.

Everything in connection with this traffic was very defective. There were too few trucking stations, the sites exceedingly ill chosen, the yards, gates, crushes, &c., were badly shaped and badly constructed, the trucks inconvenient and liable to damage, the stock and the arrangements for discharging were as bad as those for loading. Mr. Simpson, 2090,
Mr. Devlin, 2816, 2818,
Mr. Malden, 517, to 558,
Mr. Bruce, 1636, 1648.

There has of late years been considerable improvement in the trucking accommodation, but there is room still for a great deal more.

The providing of proper accommodation for this traffic should be left to the Commissioner for Railways and his staff, not to the engineers.

An Inspector of stock traffic should be appointed under the Commissioner, to supervise and cultivate this branch of railway business.

2.—*Shape, construction, and cleanliness of trucks.*

The cattle-cars in America are 30 feet long and 7 feet wide. They have grated doors, a wooden frame and iron grating, and work with slides, hanging at the top and running in a groove at the bottom, like the doors on N. S. Wales sheep trucks, but hung at the top. Dr. Williams, 247, 250.

The new trucks are boarded round, and the cattle are not now bruised as they were in the old trucks. The old trucks are not used except when there is a rush for trucks. Mr. Simpson, 2085, 2084.

The trucks are now being constructed so as to allow the drippings to fall through and keep truck clean.

He thinks the folding down doors necessary to keep the feet of the cattle from getting in between the truck and the siding, in entering and clearing the truck.

Screw couplings would be an improvement on chains.

Is afraid that the folding down doors could not be dispensed with, as the feet of the cattle might get down. 2130, 2140.
Mr. Devlin, 2819, 2825.

If sliding doors were adopted they should be hung. The doors of new trucks should be made on the sliding principle to try it. 2931, 2936.

The couplings should be screws.

The trucks are now all boarded round.

Thinks the door in the side of the truck should be at one end and not in the middle.

In this way cattle would not be so likely to turn round and come out again, nor so likely to be bruised coming out. Mr. Malden, 625, 661.

The door ought to be a sliding one.

There are not sufficient trucks—though the requirements have been fairly met—of late.

3.—*Loading the trucks.*

Is of opinion that the losses in transit by rail are mainly due to overcrowding and to stock having been over-driven. Mr. Simpson, 2076.

Losses of sheep greatest in wet weather.

Railway officials have no power to stop overcrowding. The shipper engages trucks and loads as he likes. 2125, 2137.

Does

Does not think it would tend to safety of stock to put in a division after the truck is loaded. Eight cattle are quite a sufficient load for a truck ; and 90 to 100 sheep. With proper appliances the wildest cattle can be trucked.

Mr. Maiden, 634,
85.

4.—*Time stock are in train.*

Mr. Simpson,
2112, 2119.

Stock from Wagga Wagga are about 26½ hours on the journey and from Orange 16 to 18 hours. They are carried at about 15 to 16 miles an hour.

Mr. Devlin, 2830,
2831.

Stock are now carried at a rate of about 12 miles an hour. This is much too slow. They should travel at least 20 miles directly through.

Mr. Maiden, 558,
560, 593.

All stock trains should be special trains. There should be as little shunting and stopping as possible. It is that which throws the stock down. It is shunting and delay that causes destruction of stock.

Mr. Bruce.

The trains are too slow. There is too much shunting and stopping, which bruises and throws stock down.

1642.

Stock trains should be run through at 20 to 25 miles an hour.

5.—*Feeding and watering stock.*

Dr. Williams,
188, 217.

On long journeys in America the stock are turned out of the trucks and watered and fed.

Mr. Simpson,
2156, 2158.

Stock on train are never watered nor fed.

Mr. Devlin, 2832,
2833.

If stock are watered before being trucked and the train runs through direct and at proper speed, stock do not require feeding or watering.

6.—*State in which stock reach Homebush.*

Mr. Simpson,
2021, 2124.

Cattle now generally arrive in fair condition. They are sometimes bruised ; not many deaths—only two in last three months. There are more deaths in sheep. These are principally caused by over-crowding and over-driving.

Mr. Devlin, 2821,
2835.

Cattle latterly, especially since drovers have got passes with them, seldom get hurt. Formerly a good many did.

Mr. Dawson, 196
198.

Quicker transit, less shunting, and judicious loading would lessen damage to stock.

Cattle are roused and irritated in loading, and frightened while in the trucks ; and in this way bruise and knock themselves about.

7.—*Convenience for discharging.*

Mr. Simpson,
2097, 2147.

The arrangements at Homebush for discharging are not what they ought to be ; but in view of expected change they answer the purpose with judicious management.

Mr. Devlin, 2837,
2846.

Stock could at one time break away and get on the line, but need not do so now.

The arrangements at Homebush need much improvement. Sheep are made to jump from the upper floor. Stock should not be unloaded at a passenger station.

The fencing is not secure.

It would be very dangerous if stock were to break away and get on the line.

Mr. Maiden, 582,
593.

The accommodation at Homebush is miserably defective ; and there is not room there to do the work. Last Thursday a truck-load of cattle broke on to the line. Another time two truck-loads did so.

The accommodation at Homebush is not only in a very defective but highly dangerous state.

Mr. Bruce, 1645,
1648.

The accommodation is still very defective, and nowhere more so than at Wallerawang and Homebush.

8.—*Charge for live animals and carcasses.*

Mr. Simpson,
2077, 2084,
2148, 2149.

The average charge per bullock from Orange is about 10s. Could not say what the charge per carcass is. Trucks of live cattle are charged less than trucks of dead meat.

Mr. Dawson, 243,
252.

The charge for carcass is about 50 per cent. higher than for live animals, although the Commissioner has always expressed a desire to encourage dead meat trade.

The proportion of offal in a bullock is one-third and one-fourth. (*See statement in appendix.*) The railway in carrying the live animal is thus carrying 220 to 250 lbs. offal that is worse than useless ; for it is an expense and often a nuisance in Sydney.

Mr. Bruce, 1043.

If a low scale of charges had been fixed at first, and if there had been proper accommodation for trucking, owners would seven or ten years ago have been induced to use the train.

9.—*Advantages of rail over road.*

Mr. Devlin, 2806,
2815.

Owners who have seen their cattle in the yards have always said they would truck in future. Travelling knocks the goodness out of them.

Mr. R. Hill, 2601,
2,693.

Trucking cattle is also a great blessing to the consumer.

Mr. Devlin, 2,847,
2848.

If there were proper facilities for trucking all stock-owners would avail themselves of the railway.

Trucking saves time, and risk of loss, gives quicker returns, and saves condition and prime qualities of meat.

Mr. Maiden, 568,
678.

If there were proper accommodation, all the stock that could do so would come by rail and none by the road, meat would be fresh from the pasture, owners would get better prices, and consumers better meat.

It costs less to drove cattle, but the waste in condition far more than counterbalances the saving.

Mr. Bruce, 1643,
1644.

Owners did not find out the advantages of trucking until the drought in 1877 and '78 forced their stock on the line, and compelled the Railway Department to improve the accommodation for stock traffic.

10.—*Revenue from stock traffic.*

Mr. Simpson,
2095.

The live stock has been a considerable and paying traffic to the Department.

Mr. Devlin, 2813,
2814.

The stock traffic could be made a large source of revenue to the Government.

Mr. Maiden,
630, 683.

Mr. Bruce, 1638,
1639.

The Stock Branch of the Railway Traffic has been neglected, and revenue to the extent of £20,000 a year was, for the six years from 1869 to 1876, lost to the Department through the want of proper accommodation, and, although now perhaps nearly £40,000 a year, it might still, with proper management, be much farther increased.

III.—SALE-YARDS.

1.—Yards at Homebush.

The yards are disgraceful. Utterly unfit. Dirty, dusty, muddy, and even boggy in wet weather.

Mr. Playfair,
1951, 2016.
Mr. Hill, 2094,
2737, 2739.
Mr. Devlin, 2849,
2853.
Mr. Dawson, 203,
205.
Mr. Maiden, 590,
601.
Mr. Walsh, 1710,
1711.

They are a disgrace to the Colony.

2.—New site for Yards.

Haslem Creek.

Homebush.

Glebe Island, or near to it.

Mr. Playfair,
2017, 2029.
Mr. Devlin, 2368,
2388.
Mr. Hill, 2740,
2746.
Mr. Flood, 2604
to 2609.
Mr. Maiden, 624,
633.
Mr. Dawson,
206, 254, and
Mr. Woolfe, 477,
496.
Mr. Woodham,
1294, 1266, 1323,
1335.
Mr. Stewart,
1461, 1473, 1474.

Glebe Island is too near.

If cattle were trucked to Glebe Island, and fed when there, it would suit as a site for sale-yards.

Smithfield Market, which covered an area of 6 acres 15 roods, and held 4,000 or 5,000 cattle and 30,000 sheep, has been suppressed; and new yards are erected at Islington, where there are 15 acres within the walls and 12 or 14 outside which can accommodate 7,000 cattle and 40,000 sheep. See also Encyclopedia Britannica, and Sir Francis Head's "Faggot of Sticks" and Reports of Select Committees of the House of Commons, 1828, 1834, 1835, 1847, 1849, 1850, and 1856, on "Transit of Stock by Rail, Markets, and Abattoirs."

Thinks Glebe Island would not do at all for sale-yards, and that the new yards should be somewhere between Homebush and Parramatta Junction.

Thinks it would be the act of a mad man to have sale-yards at Glebe Island. Yards should be where the cattle could get paddocks and water. Cattle require rest, and meat would be bad if cattle were killed without resting in paddocks.

There could be no more convenient site than Homebush for sale-yards.

Glebe Island would not suit as a site unless there were daily sales; any other arrangement would make it necessary to have paddocks.

Mr. Rennie,
1554, 1556.
Mr. Walsh, 1759,
1763.
Mr. Elliott,
1364, 1370.

3.—Tar-marking very objectionable.

It inflames and irritates the skin and damages the hide in hot weather.

Mr. Dempster,
113, 117.
Mr. Oatley, 760,
768.
Mr. Devlin,
2856, 2850.

IV.—ILLTREATMENT OF STOCK IN TRANSIT TO ABATTOIRS.

1.—Illtreatment on road.

The stock are over-driven, dogged, whipped, frightened, maddened, and knocked about on the metalled road. This is more especially the case since the cattle have been prevented by Municipal authorities from travelling between 6 a.m. and 6 p.m.

Mr. Dempster,
80, 89.
Mr. Playfair,
2022, 2028.
Mr. Oatley, 747,
753.
Mr. Carrer, 2591,
2596.
Mr. Devlin, 2360,
2364.
Mr. Wetherill,
1, 49.
Mr. Dickinson,
68, 91.
Mr. Holborow,
92, 127.
Mr. Maiden.

His cattle are not badly treated on the road. They are sent to paddocks containing 200 or 300 acres where there is grass and scrub, and then taken to the Abattoirs as required.

The law which compels the driving of cattle at night is an iniquitous one.

The meat of cattle which have been over-driven is deteriorated, and shows the effects of the bad treatment. In the opinion of medical men of the highest standing, such as the celebrated Professor Owen, meat treated in this manner is unwholesome, less nourishing, and likely to occasion illness; and if it does this in England much more would it do so here.

His stock are not over-driven. He would not keep a stockman an hour who would over-drive his stock.

Mr. Rennie,
1557, 1558, to
1564.

Mr. Stewart,
1457, 1459.

He has his own drover, and so has several other butchers. He does not generally buy cattle at Homebush, but brings them from his own paddocks as required.

Mr. Walsh, 1712,
1714.

1.—Danger to inhabitants.

The driving of the cattle is a source of serious danger, and a very great nuisance to inhabitants of Burwood, Ashfield, and Petersham; several accidents have lately occurred.

Mr. Carnes.
Mr. Wetherill,
38, 49.
Mr. Dickson, 68,
91.
Mr. Holborow,
92, 104.

Mr. Dempster,
106, 110
Mr. Hill, 2769,
2774.
Mr. Wetherell,
17, 131.
Mr. Penny, 391,
395.
Mr. Carnes.
Mr. Devlin, 2365,
2367.
Mr. Dawson, 143,
144, 285, 294.
Mr. Maiden, 662,
665.
Mr. Stewart,
1460, 1461.

Mr. Rennie,
1565, 1582.

Mr. Walsh,
1703, 1709, 1769,
1788.

Mr. Walsh,
1769, 1788.

Mr. Elliott,
1871, 1875.

2.—Treatment of stock in waiting-paddocks.

Stock are starved in these paddocks. No grass in any of them, and in some not even water—while stock are kept in them sometimes a week—never less than two or three days.

Says that the want of water has a very deteriorating effect on the meat. It spoils its appearance. The meat does not keep well, and it will not "take" salt.

Kills about 150 cattle a week. His paddocks contain about 200 acres, and there is good feed in them; but this is not the case with waiting-paddocks generally.

He says there is plenty of land in the Colony where in a good season 1 acre would keep four bullocks, while there is some that 80 acres would not keep one bullock.

He says if cattle were to get 4d. or 5d. worth of hay a day each in a yard on Glebe Island they would be twenty times better than they now are in the paddocks.

The stock would eat the hay if they got it.

He gives hay to cattle which are left over on Saturdays at Glebe Island.

He has large paddocks at Duck River and at Concord for keeping his cattle. Other butchers have also paddocks.

It is not true that his cattle are cruelly treated.

Thinks there are on an average about 200 cattle always in paddocks between Homebush and the Abattoirs. There is not much grass in them.

Would not believe that cattle could be kept for a week in any of the small paddocks at Petersham. There are small paddocks near the Abattoirs with forty or fifty cattle at a time in which there is nothing to eat, but they belong to twenty different owners.

It may be the practice to keep a week's supply on hand, but he likes to kill out.

The cattle eat hay sometimes, and it would be better for them to get 10 or 12 lbs. of hay a day each in the yards at Glebe Island than be as they now are in the waiting-paddocks.

Has a run for his sheep near Canterbury, where they get plenty of grass and scrub.

The cattle paddocks are very bare.

V.—SMALL STOCK IN TRANSIT TO ABATTOIRS.

1.—Arriving by steamer.

Mr. Dempster,
111, 112.
Mr. Seymour,
3112, 3114.
Mr. Dansey,
3202, 3203.

The accommodation for small stock at wharfs is quite unfit. They are starved and otherwise illused.

2.—Central Sale-yards in City for these stock.

Mr. Seymour,
3115 to 3118.

Would be a very great benefit to all concerned,—the producer, the consumer, and the Corporation, and very much better for the stock.

VI.—GLEBE ISLAND AS A SITE FOR ABATTOIRS.

1.—Requisites of proper site.

Mr. Dempster,
159, 143.
Dr. Williams,
161, 170, 252, 255.

Thinks Abattoirs should be up the line.

Gives evidence that Abattoirs in even the centre of large cities can, with proper management, be conducted without creating the least nuisance, as in the case of New York, Philadelphia, and Chicago.

2.—Advantages of Glebe Island as a site for Abattoirs.

Mr. Oatley, 580,
583, 629, 631.
Mr. Flood, 2603,
2605, 2608, 2609.
Mr. Hill, 2709,
2728, 2729.
Mr. Maiden, 717,
718.
Mr. Stewart,
1873, 1874.
Mr. Rennie, 1421,
1424.
Mr. Walsh, 1716,
1722.
Mr. Elliot, 1851,
1856.
Mr. Stewart,
1471.

Every way most suitable; none better. Easily drained, isolated, near to Sydney, very accessible, and with extensive deep water frontage.

Thinks it has both advantages and disadvantages.

Could not find a better site for Abattoirs than Glebe Island.

It is eminently well situated.

It is both convenient and isolated.

In 1849 there were 148 slaughter-houses in London, all registered. The blood was sold at 3d. per bullock, and collected and carried away by purchasers.

3.—Disadvantages.

Mr. Dempster,
122, 131.
Mr. Oatley, 765,
773.
Mr. Dawson, 138,
142.

Thinks it too near the city; causes cruelty to stock and a source of danger to inhabitants.

Sees the inconvenience where stock have to be turned out.

Does not think the site suitable. Thinks slaughtering should be done up the country.

4.—Form and state of buildings.

Mr. Oatley, 553,
569, 632.
Mr. Playfair,
2033, 2040.
Mr. Flood, 2607,
2646.
Mr. Woolfe, 400,
415.
Mr. Gilchrist,
1535, 1593.
Mr. Hill.

They stand on too confined a neck of land, and the room there is has not been turned to the best account.

Buildings though several times enlarged are still too small and badly ventilated. They were badly constructed at first.

Yard-room insufficient and yards insecure.

The yards, sheds, and killing-houses should be altered and enlarged.
The buildings at the Abattoirs are very much superior to those at Melbourne.
The cattle portion—if the yards were better covered—is all that could be desired.

Mr. O'Connor,
1421, 1424.

Mr. Rennie,
1481, 1483.
Mr. Walsh, 1658,
1664.

Is of the same opinion as Mr. Rennie, and adds that there are not, so far as the trade is concerned, in Australia abattoirs better provided or better kept than ours; and he has had a large experience both in these colonies and in America.

5.—Roads, lanes, and drainage.

The lane between the beef and mutton houses is too narrow.

Mr. Maiden, 713,
716.
Mr. Rennie, 1563.
Mr. Walsh, 1726,
1731.

The drainage is defective, and the roads and lanes are not kept clean; while the lane between the houses is too narrow and not well drained.

VII.—STAFF AT ABATTOIRS, POWERS, DUTIES, &c.

1.—Acts, Regulations, and instructions.

The Abattoir Act of 1850.

Mr. Oatley—

Cattle Slaughtering Acts and the Regulations of December, 1877, issued under the Abattoirs Act.

The Inspector's powers are too limited, especially as regards the enforcement of the destruction of condemned meat and the condemnation of stock unfit through poverty for slaughter for meat; as also for enforcing cleanliness and suitable conveyances for meat.

Mr. Jager.

2.—Staff—inspecting, and duties.

Mr. Oatley, Inspector, and Mr. Jager, Assistant-Inspector. Mr. Gilchrist also at times, although not appointed, does duty as Inspector.

Mr. Oatley has been 30 years in the service—non-resident.

Mr. Oatley, 279,
685.

Mr. Jager, 12 years in the service. Assistant Inspector collects all moneys, takes brands, inspects stock, and keeps accounts.

Mr. Jager, 888,
903.

Engineer, acts as Assistant Inspector, collects fees, has charge of labourers, and charge of the water and punt; and sees to cleanliness of abattoirs.

Mr. Gilchrist,
1429, 1433.

Mr. Swan deals with the blood, and sees to the removal of offal.

Mr. Swan.

Complains of obstructions by Mr. Oatley and others on the Island; says that staff is not sufficient to keep abattoirs clean, and deal with blood; two more labourers, and horse and dray are required.

Says more labourers are required, and another horse and dray.

J. Burrell.

Thinks another horse and dray necessary, and two more men.

J. McGall.

Is engaged in removing and preparing blood, and sometimes offal; says that more help is wanted.

W. Johnston.

There are five hands employed at blood constantly.

3.—Accommodation for Government employés.

Is badly lodged, house too small, and out of repair.

Constable Car-
roll, 1654, 1662.
J. Wickham,
1680, 1840.

His house badly placed. It is soaked with drainage from pig yard, and infested with rats.

4.—Attendance of employés.

His office-hours are from 9 to 4. He attends regularly, except when duty takes him to Treasury.

Mr. Oatley, 286,
390.

Does not leave at times till 5, 6, and even 7 p.m.

If not there, assistant always is, except when called to Police Office.

Attends from 6 a.m. in summer, and 7 a.m., in winter, to 8, sometimes 9, and sometimes 9.30. Is away an hour and a-half. There is no one in charge during meal-hours; and matters may be carried on in the absence of Inspectors.

Mr. Jager, 831,
952.

He leaves at 4, while business goes on to 6, and sometimes 7.

He says Mr. Oatley generally leaves at 4, or shortly after it.

Arrives at 6 a.m., and leaves at 5, 5.30, and 6 p.m., and on Saturdays sometimes as late as 11 p.m.

Mr. Swan, 1356.

Says Mr. Oatley arrives from 9 to 11, and sometimes later, and leaves about 4.

Constable Car-
roll, 1776, 1778.

Butchers, employés, and others.

1.—Their habits.

Butchers not so tidy as they should be. They are very dirty.

Mr. Oatley, 871,
877.

They have conveniences for washing, but not for bathing.

They won't make use of rooms for meals.

Washing-room not suitable, and never used.

Mr. Gilchrist,
1640, 1648.

Butchers wash in buckets that they use for washing-down meat.

Would recommend shower-baths and hot water for them.

Proper baths ought to be erected. Hot water should be provided. Cleanliness ought to be enforced.

Mr. Hill, 2720,
2723.

2.—Their conduct.

Very bad in some cases. The Inspector has not the influence he ought.

Mr. Dempster,
79, 82.

Conduct at one time very bad—much gambling—but now better.

Mr. Oatley, 876,
879.

Gambling was bad, but now very rare.

Mr. Gilchrist,
1635, 1639.

Not much trouble with employés now.

Constable
Carroll, 1663,
1667.

3.—*Their accommodation.*

- Dr. Williams, 223, 227. Butchers at Philadelphia have bath-rooms and waiting-rooms; come to work in clean clothes; keep working suits on premises.
- Mr. Shultz, 2363, 2366. The men have to go into empty slaughter-houses alongside pigs to have their meals. Dining-room holds only 14, while there are nearly 100 men at the abattoirs.
- J. M'Call, 2533, 2534. Mr. Swan's men have a room, and keep it tidy. Butchers' men have a room, which he thinks is kept clean.
- Mr. Hill, 2710, 2778. Closet accommodation totally insufficient—only 6—and there are sometimes 500 people on the Island.
- Mr. Maiden, 707, 713. Dining-room for 12 men, when there ought to be room for 100 to 150. Baths cannot be used, and disgraceful. There ought to be shower-baths. The accommodation a disgrace to civilization.
- Mr. Walsh, 1798, 1799. The men have accommodation for washing. Shower-baths would be a great advantage to them.
- Mr. Woodham, 1249, 1250. Some men will not keep themselves clean; but more accommodation is required.

4.—*Inoculation with Cumberland and other disease.*

- Mr. Jager, 1022. Directions for treatment in such cases, recommended by Mr. Stewart:—Washing and free use of lunar caustic, a supply of which should always be kept on the premises.
- F. Fagan, 802, 831. Had been inoculated with Cumberland disease, but not in Sydney.

VIII.—THE CATTLE-YARDS AND BEEF-HOUSES.

(1.) *The Yards.*1.—*Their form, size, construction, and drainage.*

- Mr. Oatley, 774, 788, and Mr. Jager, 1169, 1171. Additional yards would be a great convenience.
- Mr. Maiden, 719, 721. No facilities for drafting. Cattle have to be run backwards and forwards; butchers cannot get particular beast out without knocking others about. There is very insufficient accommodation at back of slaughter-pens, and no room for offal and hides.
- Mr. T. O'Connor, 1425, 1439. The yards should be extended; it would then be possible to go into the yard and drive the cattle into the killing-house. As yards now are this would be dangerous. If yards were altered and crush constructed, the boat-hook could be dispensed with in yarding.
- Mr. Walsh, 17, 22, 1735. Cattle-yards should be enlarged. Now a difficulty in getting a day's supply into them.

2.—*Time cattle remain in yards.*

- Mr. Dempster, 1, 6. Cattle at times look very much tucked up, and as if they were kept too long.
- Mr. Oatley, 784, 791; and Mr. Jager, 1181, 1183. yards. Cattle kept 48 hours. If not killed when time is up they are sent back to paddocks, or get food in yards. They are generally sent back.
- J. Burrell, 2473, 2479. The longest time cattle have been kept in yards is three or four days. The regulations as to forty-eight hours are not always adhered to. In one case a calf was kept five days.
- Mr. Flood, 2045. He is not aware that cattle are frequently sent back to paddocks.
- Mr. Oatley, 971, 978; and Mr. Jager, 1036, 1042. Stock ought not to remain more than twenty-four hours at Abattoirs without food.
- The cow and calf alluded to was kept forty-eight hours and then taken away.

3.—*Food and water to stock, and shelter.*

- Mr. Dempster, 17, 17. Cattle are now supplied with water.
- Mr. Oatley, 444, 563, 569, 746, 747, 784, 786, 979, 989. No food ever given them; never allowed to remain over forty-eight hours; and seldom that time.
- Mr. Jager, 1043, 1048. They are sheltered by roof over yards; but roof would have been better lower.
- Mr. Woodham, 1371, 1380. All cattle kept in yards on Saturday get food. They always eat lucerne hay when it is given them.
- Mr. T. O'Connor, 1426, 1429. If food is good the cattle always eat it.
- Mr. Rennie, 1549, 1550; and Mr. Walsh, 1789, 1790. Thinks the cattle would not eat hay in the yards.
- Thinks the cattle should be provided with lucerne both in paddocks and yards.
- The covering over the cattle-yards should be enlarged and lowered.

4.—*Cleanliness of the yards.*

- Mr. Dempster, 7, 10. Sometimes filthy; can't clean them while occupied by cattle.
- Mr. Oatley, 447, 451, 796, 800. Yards cleaned every other day; drainage might be improved.
- Mr. Jager, 1184, 1185. Men are constantly cleaning yards.
- Mr. Maiden, 721. The floors of the yards should be either flags or asphalt.
- Mr. Walsh, 1791. As the yards are paved with freestone the paving wears, and offensive matter collects in the holes, as also in the lanes. Bluestone paving would be better.
- Mr. Rennie, 1549, 1552. The lanes at the back of the yards, and that between them, should be kept cleaner, and a hose should be provided for washing them out.

5.—*Housing cattle in pithing-house.*

- Mr. Dempster, 18, 37, 144, 153. Great cruelty in housing with boat-hook. Truck for running cattle would be an improvement, but there is not room to work it.
- Mr. Oatley, 792, 807. No facility for drafting; particular beast, and same cattle are driven over and over again into killing-house; sometimes takes 10, sometimes 15 minutes to put in a "fall."
- Mr. Jager, 1172, 1175. It would be a great advantage if plan for drafting out single beast could be got.
- J. M'Call, 2520, 2532. The present yards are not of best shape.
- Could not house with plain poles. Must use boat-hook.

Does

Does not know better plan than present ; sometimes too severe with boat-hook.	Mr. R. Hill, 2702, 2706, 2775, 2776.
Be better, if practicable, to put up convenience for drafting—two ways.	
Would be handy to draft two ways ; as it now is have sometimes to put the same cattle ten times into killing-house.	Mr. Fagan, 852, 863.
Not possible to house without using boat-hook—without losing time.	
If a race were constructed the men could get close to the cattle, and "house" them without using boat-hooks.	T. O'Connor, 14, 39.
In their yards there is no difficulty in housing cattle but there is so where the butchers kill by contract. It would be a great convenience in their case if the yards were enlarged and arranged for drafting two ways.	Mr. Walsh, 1792, 1794, & Mr. Rennie. Mr. Rennie.
The capping of the yards is rotten in several places and dangerous.	

(2.) *The beef-houses.*1.—*The killing-houses.*

There now is ample accommodation for cattle ; could kill 600 more than at present.	Mr. Oatley, 493.
The buildings are suitable enough.	Mr. Penny, 309, 313.
The buildings are very suitable,	Mr. Walsh, 1723, 1725.
The beef-houses should be enlarged.	Mr. Woodham, 1243.

2.—*The cattle gut-houses.*

If running of guts was done at a distance from the killing-house in a separate shed behind the slaughter-house it would be a great improvement.	Mr. Oatley, 812, 824, & Mr. Jager, 1180, 1192
It would be an excellent principle to lay down that everything in the shape of offal should be removed from the killing-house as soon as it comes from the beast. This might be done if trollies were used and detached guts and hide-houses erected as suggested.	Mr. Rennie, 1589, 1593
It would be an improvement to remove the whole of the offal at once on trollies, and to deal with it in some place other than the killing-house. He says however that it is removed now without very much delay.	
If a plan could be devised for removing the offal on a trolley a great good would be done. It would prevent the block between skin and offal drays, and the places would be very much cleaner.	Mr. Walsh, 1795, 1796.

3.—*Killing, pithing, and dressing.*

Considers the practice of "fiddling" a very cruel one.	Mr. Dempster, 61, 64.
Describes the mode of killing at Philadelphia by pithing. Hoisting and catching blood in large pan and conveying it to receptacle in trucks. Not allowing it to run on the floor. "Fiddling" is not practised in America.	Dr. Williams, 202, 207, 272.
"Fiddling" is they say necessary to extinguish life quickly and save the butcher from being hurt by nervous movements of cattle when stuck.	Mr. Oatley, 425, 437, 803, 809, & Mr. Hill, 2695, 2697.
Does not think the plan of killing at Glebe Island could be improved upon.	Mr. Walsh, 1665, 1680.
The sooner a beast is dressed after being pithed the longer the meat will keep ; and the meat of the first beast hung up is worth $\frac{1}{4}$ d. per lb. more than the last.	
Does not think the skinning on the floor among the blood affects the meat, but considers that the hoisting the beast, as in America, immediately when pithed, is an improvement.	
Thinks the Abattoirs comparatively clean. Slaughter-houses are washed down after every fall. Does not think the American plan of slaughtering cattle and catching the blood can be so well carried out as represented.	Mr. T. O'Connor, 1434, 1437.
Does not know of any improvement which can be made on present mode of slaughtering. Has had a great deal of experience in Scotland, England, and Canada. Has not seen or heard of new mode of killing in America.	Mr. Rennie, 1520, 1548.

4.—*Cleanliness of slaughtering.*

The slaughter-houses at Glebe Island are not, as a rule, in a state of cleanliness, but not worse than slaughter-houses generally are.	Mr. Dempster, 31, 35.
Does not see present practice of skinning in blood can be avoided ; slaughter-house cleaned after every "fall."	Mr. Oatley, 294, 308, 810, 813.
Present system does not affect the meat ; there might perhaps be a better system.	Mr. Jager, 982, 983.
Pretty clean. Washing water sometimes dirty. Floors sometimes swept after "fall" and sometimes not.	Constable Carroll, 1683, 1705.
Thinks present the proper mode of killing ; knows of no other.	Mr. Hill, 2099, 2701.
Has seen dirty water, and men in filthy state washing their hands in water with which they washed the meat.	Mr. Seymour, 2963, 2965.
Houses are swept after a "fall."	J. McGill, 2502, 2503.
Houses are washed after each "fall."	Mr. Walsh, 1070.

IX.—SHEEP-YARDS AND MUTTON-HOUSES.

(1.) *The yards.*1.—*Their number, form, and construction.*

Not sufficient yards. Yards not secure. Good sheep changed for bad. There is no watchman.	Mr. Playfair, 1954, 1962.
There are not sufficient yards, but he has recently been provided with one.	Mr. Elliott, 1876, 1879.

(2.)

(2.) *The mutton-houses.*1.—*Size, &c., of killing-houses.*

Mr. Oatley, 494, 849.
Mr. Jager, 1092, 1098.
Mr. Playfair, 1962, 1963.
Mr. Schultz, 2264, 2302.
Mr. R. Hill, 2718.
Mr. Maiden, 700, 702.
Mr. Elliott, 1810, 8834.
Mr. Walsh, 1736, 1768.
Mr. Woodham, 1216, 1223.

Although the mutton-houses are better than they were they are still small, badly lighted, badly shaped, too low in the roof, and not large enough to hang half the sheep when slaughtered. Three houses should be thrown into two and better ventilation provided.

The mutton-houses should be larger and loftier, more airy, more convenient, and better paved.

There is not now sufficient room to do the work. The roof also admits the rain, the houses are unavoidably very dirty, the dressed sheep have to be hung one over the other and the buildings are altogether unfit.

Three houses should be thrown into two, the roof should be raised, the ventilation improved, and the drainage seen to.

2.—*Convenience for running guts.*

Mr. Oatley, 849, 853.
Mr. Jager, 975, 970.

The mutton-houses are now very filthy through being so small and inconveniently shaped, and through the skin drays blocking the lanes and preventing the removal of offal. They would be far cleaner if detached guts and skin houses were provided.

A better arrangement should be made for removing the offal and skins.

Mr. Walsh, 1758.
Mr. Woodham, 1223.

3.—*Cleanliness of mutton-houses.*

Mr. Oatley, 804, 312, and Mr. Jager, 977, 981.

The mutton-houses are very dirty and offensive, but cannot be helped with present system of running guts and the offal left over night.

Uncleanliness occasioned mainly through "jam" between offal and skin drays.

The men used to complain; do not do so now. Heard Schultz complain.

If offal be left over night it is impossible to keep the place clean.

The place should be flagged and have a hydrant and hose, and be cleaned, as in London.

The principal cause of filth is the non-removal of offal.

No killing should be allowed, except between 6 and 6.

Thinks sheep-killing cleanly.

Mr. Playfair, 1964, 1968.
Mr. Schultz, 2266, 2280.

Mr. Hill, 2710, 2711.

X.—CALF AND LAMB HOUSES AND YARDS.

(1.) *Yards.*1.—*Food, water, and shelter.*

Mr. Dempster, 39, 44.

The yards are not clean, and stock are without sufficient shelter, or food.

Calves and lambs are kept too long starving.

Mr. Oatley, 322, 473, and Mr. Jager, 985, 987.

The water in troughs was dirty, through Gilchrist's neglect. The troughs are too high for small calves to reach. When very young the calves are not allowed longer in the yards than forty-eight hours.

Constable Carroll, 1712, 1742.

Calves are very much neglected and starved; sometimes kept seven or eight days without food. They have sometimes died of starvation. Often too young to eat lucerne hay. The calf-sheds are very dirty in wet weather—have little or no protection.

J. Wickham, 1808, 1841, and J. Burrell, 2465, 2478.

Calves and lambs were at one time without proper shelter, but now better treated.

Some calves are too small to reach water-troughs, and get no drink.

XI.—PIG-YARDS AND PORK-HOUSES.

(1.) *Pig Yards.*I.—*Their form, construction, and drainage.*

Mr. Gilchrist, 1578, 1683.
Mr. Schultz, 2347.

The drainage is very defective, and overflows, making the lane dirty and offensive. It could be improved by open gutter and silt-pits.

Constable Carroll, 1753.

2.—*Food, water, and shelter.*

Mr. Jager, 988, 989.

Pigs are fed on corn, potatoes, and offal. They get lots of offal.

Constable Carroll, 1727, 1754.

They get offal and rotten potatoes. Offal is often brought from Sydney for pigs, but not so much recently.

Mr. Woodham, 1251, 1255, 1225, 1226, 1238.

The covering of the pig-pens is badly carried out. The roof is too high, and gives no shelter.

The floors should be asphalted.

He has never fed his pigs on offal.

3.—*Cleanliness of yards.*

Mr. Dempster, 51, 55, 119, 120.

Pig-yards generally filthy and offensive.

Constable Carroll, 1755, 1756.

Pig-yards generally filthy. Pigs never cleaned except when butchers do so. So offensive are they that people passing complain.

J. Wickham, 1826, 1839.

Complained of this to Mr. Oatley, but without effect.

Pig-yards are badly arranged, and so are drains.

Mr. Schultz, 2347, 2348.

The yards badly constructed and dirty. The pigs-yards should be on battens with asphalt underneath.

Mr. Flood, 2644.

The pigs are allowed to remain too long on Island.

They are a great nuisance. Ought to be kept elsewhere and only brought there for slaughter.

The pig-houses should be removed to another site.

(2.) *Pork-houses.*1.—*The killing-houses.*

The accommodation for slaughtering pigs is sufficient, but not a sufficient supply of hot water.

Mr. Woodham,
1224.

2.—*Supply of hot water.*

He thinks it would be better to heat water by steam ; appliances now decidedly defective.

A proper supply of hot water would be a great improvement.

There should be a steam boiler and pipes to each slaughter-house.

The water for scalding the pigs is never changed because there are not sufficient means for obtaining a fresh supply.

There are about 650 pigs killed weekly on Glebe Island.

A considerable number of pigs are sent to Sydney dead in winter.

Mr. Oatley,
315, 316.
Mr. Schultz,
2347, 2351.
Mr. Woolfe,
419, 433.
Mr. Woodham,
1229, 1242.

3.—*Housing and felling pigs.*

Thinks mode of felling and killing pigs cruel. If men miss their blow they only hurt the pig.

Think present system very good.

Mr. Dempster,
56, 57, 59
Mr. Oatley, 313,
314, and Mr. R.
Hill, 2712, 2713.

4.—*Scalding and cleaning.*

Describes American system, where sometimes as many as 15,000 pigs are killed in one day ; but ordinarily only 3,000.

Dr. Williams,
179, and 208, 210.

5.—*Cleanliness of pork-houses.*

If pigs are scalded in dirty water it is the fault of the butchers themselves. Inspectors have no power to prevent the use of dirty water ; but thinks it does not matter much, as the pigs are afterwards washed in clean water.

Mr. Oatley, 409,
416, and Mr.
Jager, 934.

Water dirty sometimes, but could not do it better. Pigs are at times washed with dirty water, and butchers wash the pigs with the same water as they wash their feet in.

The pork-houses are dirty through want of water.

The pigs are sometimes brown through being scalded in dirty water.

The killing is expeditious and cleanly, and the pigs white and clean.

Has been killing 130 or 140 every week, and keeps his slaughter-house quite clean.

The pork-houses were very dirty when he saw them.

Constable
Carroll, 1723,
1740.
Mr. Playfair,
1942.
Mr. Schultz,
2350.
Mr. R. Hill, 2713,
2717.
Mr. Woolfe, 418.
Mr. Maiden, 705
707.

6.—*Removal of pork-houses.*

It would be a great improvement to turn present pork-houses into sheep-houses, and re-erect pork-houses on a proper site and in a proper shape.

Mr. Oatley, 360.
Mr. Gilchrist,
1546, 1584.
Mr. Schultz,
2349.
Mr. Maiden, 705,
706, 707.
Mr. Woodham
1242.

Would not remove the pork-houses. A better site for them could not be found on the Island.

XII.—THE WATER SUPPLY.

1.—*Present supply.*

Cannot speak as to whether there has been waste of water.

There was a waste of water one night, but only for a very short time.

The beef was at one time washed with salt water.

Thinks there is now plenty of water on Island.

There is an abundant supply of water.

American slaughter-houses have an unlimited supply of water.

There should be an unlimited supply of water always available.

Mr. Jager, 1072,
1081.
Mr. Gilchrist,
1547, 1570.
Mr. Schultz,
2294, 2299.
Mr. Burrell,
2416, 2418.
J. M'Gill, 2498,
2501.
Mr. A. Stuart,
1888, 1889.
Mr. Walsh, 1803,
1804.
Mr. Elliott, 1832,
1836.

2.—*Completion of reservoir.*

Strongly urge completion. It would hold 1,000,000 gallons, and provide a supply should anything happen to pipes or works, and give necessary force to the hydrants.

Mr. Oatley, 368,
375.
Mr. Gilchrist,
549, 557, 1547,
1548.

3.—*Hydrant and hose for each house.*

Urge this.

Mr. Playfair,
1969, 1972.
Mr. Schultz,
2346.
J. Burrell, 2419,
2420.
Mr. Walsh, 1804.
Mr. Elliott, 1832,
1836.

XIII.—LIGHTS ON ISLAND.

1.—*Lights now in use.*

All American abattoirs are well lighted, some with gas, one with electric light.

Slush-lamps now used smoke, and give bad light. Gas would be a great improvement, and should be in all the houses.

Thinks there should be no killing after dark, and no occasion for lights.

The slush-lamps make the hands sick ; and work is sometimes carried on all through the night.

Dr. Williams,
228, 230.
Mr. Oatley, 350,
358, 417, 419.
Mr. Schultz, 2274
2293.
Mr. Jager, 1099.

1—D

The Mr. Woodham,
1127, 1228.

- Mr. Walsh, 1805, 1809. The fat used in the slush-lamps costs about four times as much as gas would. Gas is very much wanted all over the buildings.
- Mr. Elliott, 1826, 1831. Now uses kerosene, but would prefer gas.

XIV.—STATE OF ABATTOIRS AS TO CLEANLINESS.

1.—*Generally.*

- Mr. Oatley, 359, 360. The Abattoirs are in want of better drainage.
- Mr. Jager, 969, 981. The Abattoirs are better than they were some years back ; but there is room still for improvement. Complaints are still being made as to non-removal of offal.
- Mr. Swan, 1344, 1340. The buildings have been only once in two years whitewashed. Pig-pens and lambs are not cleaned every day.
- Mr. Gilchrist, 1449. Not so clean as they ought ; but there are too few hands.
- Constable Carroll, 1700, 1705. The houses are very dirty, especially the walls. They were not whitewashed for two years.
- Mr. Playfair, 1941, 1943, 1964, 1908. There are not sufficient scavengers, only four men to keep the whole place clean. It is not properly flagged and drained.
- Mr. Schultz, 2220, 2246, 2303, 2305. Some years ago he lost his health through noxious vapours arising from dirt and filth. The drains were foul, and sheep were up to their bellies in filth. The management was bad, and the lanes, floors, and houses were in a terrible state till the *Herald* articles appeared. Water-troughs not cleaned.
- J. M'Gall, 2430, 2437. Three years ago the state of the Island was very bad. Offal sometimes 48 hours not moved. It has been better since Mr. Swan came.
- J. Burrell, 2380, 2391, 2459, 2408. The Abattoirs are not nearly so bad as they were ; but still not first-rate. Preserved blood smells in wet weather, and there are bad smells from the punt and reservoir.
- Mr. R. Hill, 2724, 2732. The drains in front of beef and mutton houses are very filthy and not fall enough on them. The paunches a terrible nuisance. A stage should be erected for loading. The lane by pig-yard at times very dirty.
- Mr. Seymour, 2951, 2962, 3119, 3124, 2939, 2950, and Dr. Dansey, 3129, 3145. In 1878 the Abattoirs generally were very dirty, and especially where paunches were lying. There was something wrong with the punt. The place was in a frightful state. The blood ran into the bay, and was exposed at low water.
- Mr. Woolfe, 416. The Island is now generally as clean as could be kept.
- Mr. O'Connor, 1340, 1344. Does not think the Abattoirs well managed, but much better than formerly. Would make considerable alterations in the slaughter-houses.
- Mr. Rennie, 1595, 1599. Thinks Mr. Oatley performs his duty well as Inspector, but does not know as regards Mr. Jager.
- Mr. Elliott, 1843. The Abattoirs were never badly managed. Mr. Oatley has had too few labouring men under him—too many "officers" and too few "men."
- Thinks that latterly the place is better kept and that there are more men employed, who seem to try their best to keep it clean.

2.—*On special occasions.*

- Mr. Oatley, 716, 727. Whitewashed about a month ago, and the year before.
- Mr. Gilchrist, 1469, 1461. The men whitewashing worked on Sunday. The buildings were whitewashed about a month ago, and thirteen or fourteen months before, or perhaps two years.
- J. Burrell, 2399, 2435. One month ago, and also two years ago. Special preparation was made for visit of some gentleman some short time since.
- J. M'Gall, 2508, 2525. Twice—once one month ago, and once two years back. No special preparations were made for gentlemen a little time ago.
- W. Johnston, 2557, 2559. Overseers are now more strict in seeing that the place is clean.

3.—*As compared with other Abattoirs.*

- Dr. Williams, 230, 244. The Abattoirs are very good in Paris ; in Russia very crude ; in Paris well lighted, ventilated, and floored ; but better in America.
- Mr. Stuart, 1888, 1839. In Chicago, Abattoirs scrupulously clean ; there is there a full and constant supply of water.
- Mr. Schultz, 2307, 2378. In Tasmania slaughter-houses are better than here.

4.—*Correctness of "Herald's" reports.*

- Mr. Dawson, 160, 169. Consider the statements made in the articles in the *Herald* correct, and free from exaggeration.
- Constable Carroll, 1762, 1773. Mr. Schultz, 2361, 2362. J. Burrell, 2392, 2407. Mr. M'Gall, 2438, 2490. W. Johnston, 2555, 2556. Mr. Seymour, 3012, 3314. Dr. Dansey, 3156, 3164. Mr. Rennie, 1596, 1599.
- The place has been kept cleaner since articles appeared in papers. Houses should be limewashed every three months. The drains should be laid with better fall, and there should be an abundant supply of water.

XV.—INSPECTION.

1.—*Inspection of live animals.*

- Mr. Dempster, 16, 17. Says cattle so poor as to be unfit for food are slaughtered at Abattoirs.
- Dr. Williams, 218, 222. States that inspection is rigidly enforced in America.

Stock always inspected before being slaughtered. If cattle are slaughtered very early in the morning, they have been inspected on the previous day. Never knew of a cow calving in the yards, and being afterwards slaughtered; such cows invariably turned out. Cattle suspected of being diseased are slaughtered at once for inspection. Mr. Oatley, 391, 395, 405, 408, 441, 464, 634, 638.

Have condemned thousands, or rather hundreds, of cattle, which were found to be diseased when killed.

Did not see a very poor cow on a certain Sunday; but his assistant would have done so.

If cattle are killed, say at 2 and 3 in morning, his assistant inspects them.

If cattle are killed after 4 then the lungs and spleens are kept for inspection.

Has known instance of cow which had slipped calf being condemned. 391, 638

It is very rare that the carcase of a cow slipping her calf would go into consumption.

Sows littering in pens would not be slaughtered but sent away. Sows under such circumstances are never slaughtered.

Animals affected with Cumberland or pluro easily detected. Mr. Jager, 904, 907, 1112, 1124.

Cows which calved or slipped calves in yards have been slaughtered and sold for food.

Calves dropped at Abattoirs have been smuggled away to Sydney for slaughter.

Sows littering not interfered with. No clear understanding that there should always be some one in charge at Abattoirs.

Does not make poverty a cause for condemning meat.

His impression is that there is no inspection of cattle killed before 5 o'clock, unless of those that were in the yards the previous day. Mr. Swan, 1323, 1355.

Does not know of his own knowledge of a recently-calved cow, or a sow recently pigged, being killed for food. Mr. Gilchrist, 1517, 1521.

Has seen some very poor cattle killed at Abattoirs.

Has seen Mr. Jager taking the brands in the morning and in the evening and examining the melts.

Does not know of cows which have calved in the yards being slaughtered. Constable Carroll, 708, 710, 1668, 1682, 1732, 1736, 1769.

Has seen cows with very young calves brought in.

Diseased pork might be killed and taken away without inspection for food, as Mr. Oatley seldom goes into pig-houses.

Sows which have pigged are supposed to be killed for food.

Has seen a very wretched cow in the yard for slaughter.

Cannot say what becomes of cows which calve in the yard, but never saw them taken out; have no doubt they would be slaughtered for food; and sows littering in yards are slaughtered for food. J. Wickham, 1810, 1825.

Kills 2,000 sheep a week and Mr. Oatley never comes once to look at them. Mr. Schultz, 2247, 2263.

Has seen dead bullocks brought to Abattoirs.

One beast 4 hours without being dressed. Condemned by Mr. Jager, and afterwards passed by Mr. Oatley, about 2 years ago. 2357, 2318.

Dead animals have been brought, skinned, and taken away, about 18 months ago.

Quite impossible for one Inspector to do all inspection necessary.

Has known old boar pigs killed for pork and sold as sausage-meat.

Cattle are not condemned on account of poverty.

Sows which have had young in pens are slaughtered. J. Burrell, 2451, 2458.

Does not know what becomes of calves dropped in yards.

An Inspector with professional knowledge should be appointed, who would be competent to give proper opinion. Mr. Flood, 2616, 2619.

Questions who examines stock killed early. Chief Inspector should reside on Island. Mr. Hill, 2730, 2731.

Diseased and doubtful animals are kept back till Sunday night and killed on Monday mornings. F. Fagan, 864, 873.

Has to skin diseased animals or leave. One man lost his finger by disease.

Confirms all he formerly stated. A new case of cow with calf in yard with bullocks. Did not call either Mr. Oatley's or Mr. Jager's attention to this cow. Has no instructions to do so. J. Burrell, recalled, 743, 768.

Confirms former evidence. Cow recently in yard with calf. Calf taken away, and calf killed and sent to Sydney for veal. The cow was turned out to paddock, but died. Constable Carroll, recalled, 769, 781.

Saw a very poor cow in yards; but could not stop her slaughter. Had no power to do so. Mr. Oatley, 290, 294.

Saw the poor old cow brought for slaughter and boiling. Mr. Jager, 1017, 1026, 1031, 1035.

Saw cow calving, and Mr. Oatley told owner if she was killed she would be condemned.

Pigs which are too poor to kill are sold as stores. Thinks an Inspector should be appointed for the sale-yards. Mr. Woodham, 1283, 1287, 1366, 1388.

Thinks cattle should be inspected at sale-yards. Suggests that Mr. Bruce or Mr. Yeo should do the duty. Cannot see anything the matter with carcasses of newly-calved cows. Does not think fluke in the liver affects the mutton. Has never seen the carcase of an animal affected with Cumberland, or any other disease, at Abattoirs, fluke in sheep excepted. Has seen cattle apparently diseased sold in the yards. Mr. O'Connor, 1405, 1414, 1456.

2.—Of the carcase.

Has seen signs of pleuro in carcasses in shops in Sydney. Mr. Dempste 60, 63.

Inspection of carcase is rigidly enforced in United States. Dr. Williams, 219, 221.

Judges as to soundness by lungs and spleens, and general character of carcase. Mr. Oatley, 309, 321, 396, 405, 686, 693, 856, 859

Every pig is examined alive and dead by his assistant.

Frequently finds unfit pigs, and sends them away in offal-cart.

No diseased pig could be taken away for food.

Carcasses are sometimes removed on Monday morning without inspection, but lungs and spleens are kept.

It has never happened that his assistant condemned cattle that he has passed, nor that he condemned cattle passed by assistant; but Mr. Oatley has condemned cattle Mr. Jager was in doubts about.

Never knew a dead beast brought in and skinned, except cattle killed at Railway, or in paddock through having broken its leg. Impossible

- Mr. Oatley, 309, 859. Impossible for dead beast which had died of disease to be brought in without his knowledge. He examines lungs and spleens, and would know if they were affected with disease.
- Mr. Jager, 908, 928. He would detect Cumberland or pleuro from spleen and lungs. He would generally also have noticed animal in yard.
- 997, 1009, 1136, 1163. Incipient Cumberland would show in enlarged or rather engorged spleen. It is possible for the carcase of an animal in an incipient stage of Cumberland to pass without detection.
- 908, 1168. Does not think that a beast in the incipient stage of Cumberland would make bad meat. Cumberland disease is detected in carcase through the fat being high coloured and dirty, and the veins engorged with gummy dark blood.
- It is possible by washing and dressing to remove these appearances to a great extent. There was one instance of an animal which had died having been brought in and skinned and dressed for food, but only one. When opened it smelled very badly.
- Condemned and scored two carcasses, and left a third for Mr. Oatley's judgment, but when Mr. Oatley came the third body had been removed.
- Left Mr. Oatley with owners, and afterwards learned that out of the three carcasses two whole ones and the hind quarters of the third were sent to Sydney.
- The fore-quarters of the third animal were in a terrible state. They went to the pots.
- The animal from which a man died was stuck on the road and brought up and skinned. It was badly affected with Cumberland disease.
- He is not certain that the carcase of every animal slaughtered is examined.
- There never was any division of the work of inspection made between him and Mr. Oatley.
- Has seen dead cattle brought in and dressed. Does not know whether they were sold for food.
- Does not know whether every carcase is inspected.
- The carcasses of a few pigs may be taken away without inspection. Also a few calves and lambs but they have been seen before being slaughtered.
- The carcasses of cattle are not often taken away between 4 and 6 a.m., only a few.
- Mr. Oatley comes between 9 and 10 a.m.
- Assistant Inspector comes at 6 a.m. Sometimes carcasses of cattle are taken away before either Inspector or assistant is on the ground, without inspection at all.
- Has recommended to Mr. Oatley to appoint him (Gilchrist) as an Assistant Inspector.
- Pigs are killed at 2 in the morning and no one there to inspect them.
- Has seen bruised meat at Abattoirs—three or four carcasses greatly bruised—recently—and taken to town.
- Thinks the Inspectors saw this meat.
- Very little meat went to pots prior to articles in the "*Herald*."
- The very poor cow alluded to did not go to the pots.
- It would be quite possible to kill and take away carcasses both in the afternoon, after the Inspectors leave, and before they come in the morning—without inspection; as a matter of fact this is done.
- Often has seen cattle come in dead in carts; three came from Homebush. Mr. Jager condemned two which Mr. Oatley afterwards passed. These cattle afterwards went to Sydney for consumption. They were in a terribly bruised state and stank badly. Considered them unfit for food.
- Killed 2,000 sheep a week, and Mr. Oatley did not come near once a week. The Assistant Inspector dare not open his mouth.
- Dead sheep have been brought to Abattoirs as offal; and dead animals have been brought in and skinned and their carcasses taken away without inspection.
- Impossible for Assistant Inspector to take brands and inspect both cattle and sheep.
- Tumours and ulcers have been and are now cut out of stock without being detected by Inspectors, and meat sold for food.
- A few weeks back some very old cows were condemned.
- Sometimes very unfit sheep are sold for food: Bought by retail butchers, who look for cheap mutton.
- Has seen three dead cattle brought in and two of them condemned by Mr. Jager, and he believes they were all passed afterwards. Does not know whether animals brought in had been slaughtered or had died.
- Some cows dropped their calves in yards, and he supposes they were slaughtered like the rest for food.
- Has no orders to report cows or sows slipping young to Mr. Oatley or Mr. Jager.
- Has seen dead animals (those which had been shot) brought in, and Inspectors generally sent for.
- Has seen no diseased meat offered for sale at Abattoirs.
- Says the same; but has seen bruised meat offered for sale.
- Has seen two years ago bullocks badly affected with Cumberland dressed at Abattoirs. Mr. Jager condemned cow affected with Cumberland.
- Condemned carcasses generally sent to pots ten years ago; sometimes went to the shops.
- The meat of cattle slightly affected with pleuro is not injurious, and is sent to market.
- Cattle in last stage are unfit, and has seen Mr. Oatley cut such down.
- Has seen no case of Cumberland of late years; could not pass carcase affected with Cumberland; it is as black as your boots.
- Has seen dead pigs brought in to be dressed.
- The animal referred to had been slaughtered at Homebush, and brought to the Abattoirs to be dressed.
- Told Mr. Oatley it was a great mistake allowing meat he had condemned to pass,—i.e., the two carcasses and two hind quarters alluded to.
- Has seen very few diseased pigs in this Colony, and the ailment was only observable on opening them.
- Mr. Oatley is generally about in and out of the slaughter-houses.
- Has never seen measly pork in the Colony, but has at Home. The flesh has a kind of blotches on it—dark bloody spots. Has never seen typhus fever in pigs. Never heard of people becoming diseased by eating pork.

About the boar pig mentioned by Schultz, sausages could not be made from such a pig. What he said about smelling the boar is nonsense. Mr. Woodham
1288, 1382.

Has known Mr. Jager to take blood in the chest for liver, and Mr. Oatley pointed out his mistake. Has seen and assisted in killing a very great number of pigs. Never saw boar pigs killed and treated as stated by Schultz. The meat could not be chopped up. Mr. T. O'Connor
1389, 1441.

Does not believe the meat of a pregnant cow is unwholesome, and in some countries newly-born calves are used without bad results. Neither does he think ulcers or tumours in the throat affect the flesh. Knows of no disease, except Cumberland, which renders the flesh of stock in this Colony poisonous or dangerous, and is not certain that Cumberland is so when cooked. Mr. Stewart,
1462, 1467.

It is almost universally held in Europe that roasting and boiling destroy poisonous properties in diseased meat; but in Africa Dr. Livingstone found that cooking did not have this effect in cattle affected with peri-pneumonia.

Does not consider it likely that the flesh affected with Cumberland disease would be sold for food, as its appearance would prevent this. But the meat of an animal in an early stage of that disease may have some effect in producing carbuncle which was not known in human subjects in the colony till after Cumberland had spread among our stock.

Experiments should be made on dogs with such meat to test this question.

Desired to be re-examined by the Board in regard to carcasses said by some witnesses to have been passed by him after they were condemned by Mr. Jager, and stated he could prove they were condemned by him and did not pass into consumption. Mr. Oatley, 1600,
1609.

3.—Action in regard to unfit meat.

Unfit meat is scored and slashed. Has condemned thousands or at least hundreds, but kept no record. Three weeks ago condemned fourteen head. Mr. Oatley, 31)
321, 452, 4 8.

Says the same. Does not know what becomes of meat after scoring. Supposes it goes to the offal-cart. Authorities have no power to see it destroyed. It might go into consumption as sausages. Mr. Jager, 920,
1025.

4.—Inspectors' power to prevent cruelty.

Thinks the Inspectors at Abattoirs have power to prevent cruelty; but they do not exercise it. Mr. Dempster,
29, 30.

5.—Appointment of professional inspector.

Thinks a professional Inspector should be appointed. Mr. Jager,
1214, 1225, and
Mr. Flood,
2016, 2019.

XVI.—KEEPING, SETTING, AND DELIVERING MEAT.

1.—Meat stores.

It would be a great improvement if hides, hearts, &c., were taken away and nothing but meat left in meat stores. Mr. Oatley,
825, 827, and
Mr. Jager,
1197, 1198.

2.—Chilling and setting meat.

Meat is always set either naturally or artificially in America. Dr. Williams,
256, 258.

Meat now in summer-time leaves Abattoirs before it is set. It is in some cases even cooked with animal heat in it. It would be an immense benefit to all concerned if it could be set before it leaves the Abattoirs. Mr. Oatley,
829, 840.
Mr. Jager,
1199, 1204.

He believes it would be worth $\frac{1}{4}$ d. per lb. more if set.

Thinks that a room to chill and set the meat would be a grand improvement. Mr. Oatley,
840.
Mr. Swan,
1406, 1409.
Mr. Playfair,
2047, 2058.

Meat set and chilled would keep two days in hot weather.

The trade would all adopt chilling and setting, if done at a reasonable price.

Meat is now sold quite warm on Monday morning—say two hours after animal is killed.

Thinks meat will set better in butchers' shops in the city than at the Abattoirs during the night.

If proper appliances were had, meat could be chilled on Glebe Island better than anywhere else.

Considers a chilling-house should be added to Abattoirs.

Better for all—for wholesale and retail butchers, and also for the public.

If meat were set before being put into the truck it would keep very much longer.

Meat now sent to retail shops is unset, and therefore unwholesome.

If there were proper appliances for chilling and storing meat, cattle might be killed instead of being kept starving and wasting in paddocks. Mr. Shultz,
2328, 2341.
Mr. Flood,
2610.
Mr. Hill,
2707, 2706,
2708.
Mr. Dawson,
236, 242.
Mr. Penny,
320, 323.
Mr. Woolfe
458, 602.

Meat now leaves Abattoirs quite warm, often not more than 10 minutes after it is killed and dressed.

Chilling store at Abattoirs would be a great benefit to the trade.

Meat chilled and set would keep one and a half or 2 days longer.

If meat were chilled and set before being placed in the trucks, and the trucks built on the non-conducting principle, it could be landed in Sydney from Dubbo or Wagga Wagga without any ice even in summer-time; and the temperature of the truck would be only 5° or 6° higher when it reached Sydney than when it left either of these places, if it left late in the afternoon and arrived early in the morning. Mr. Farquhar,
1052, 1169.

The cost of setting and chilling to 48° or 50° would be about 3 $\frac{1}{4}$ d. per 100lbs.

When brought to Sydney, the meat in hot summer weather would keep two days; and if reduced to and kept at 35° or 36° in a cold store it would keep 14 days.

Thinks chilling the meat would increase the price very much but it would be much better if there were a chilling-house to kill stock and store them there than to keep them starving in paddocks; and that if it could be done it would be a great improvement to set all the meat before sending it from Abattoirs. Mr. Woodham,
1267, 1362,
1367.

Slaughters about 140 cattle a week. Has now to send away the meat in summer-time quite warm. Can't help himself. Mr. Rennie
1493 1510.

Thinks the meat would require too much handling to chill it; but if it could be done at slaughter-house it would be an improvement. It would then keep longer and better. Kills

- Mr. Walsh, 1681,
1698. Kills 200 a-week. Has sometimes to send the meat away warm, especially on Monday mornings. In hot weather it never gets cold, and hot meat never cuts up well, nor is it liked by the public. Chilling is not an actual necessity, but it would be a great improvement. If meat could be chilled and set at 3½d. per 100 lbs. he and every other butcher would patronise the chilling-house. In warm weather it would pay to give six times that price.
- 1801.
- Mr. Elliott, 1844,
1850. Does not think a chilling-house would be much advantage unless it could contain a week's supply. He has now at times, and particularly on Monday mornings, to send his meat away quite warm.

3.—*Delivering meat.*

- Dr. Williams,
260, 261.
Mr. Oatley, 841,
846. Meat in America, while being delivered, is hung in waggons. Rennie and Williams have provided waggons of a greatly improved sort, in which the meat is hung. He sees to the cleanliness of carts now used. Has no power to compel butchers to use conveyances of proper sort. Formerly both carts and men were very dirty. They are now greatly improved. Men and carts very dirty. Clothes never changed; the same they have been killing in. Does not exactly approve of delivery, but thinks carts in most cases more convenient than waggons, on account of smallness of orders. The carts not too clean; but they are not so filthy as the clothes of the men and the covering. Rennie and Williams' waggon is a great improvement. Both carts and rags filthy. Has called attention of Town Council to this. Now as bad as ever, except Rennie and Williams. Present mode of packing warm meat into cart, the one piece on top of other, must make meat bad. Thinks there ought to be a reform in the mode of delivering the meat. Their firm have introduced proper waggons, and with the exception of Mr. Richards', theirs is the only proper conveyance in the city for meat. Considers waggons such as used by Messrs. Rennie and Williams the proper conveyances for meat, but there is no room for them at the Island, the lane between the meat-houses being too narrow. Thinks the van introduced by Messrs. Rennie and Williams not so convenient nor so likely to protect meat from dust and dirt on the road as the carts now in use.
- Mr. Gilchrist,
1649, 1653.
Constable Carroll
1717, 1719.
Mr. Playfair,
1841.
- Mr. Hill, 2733,
2736.
- Mr. Seymour,
2966, 3016.
- Mr. Woolfe, 471,
490.
- Mr. Woodham,
1381, 1382.
Mr. Rennie,
1484, 1490.
- Mr. Walsh, 1752,
1766.
- Mr. Elliott, 1857,
1863.

XVII.—DEAD MEAT TRADE.

1.—*Advantages.*

- Mr. Dawson, 170,
263. The great reform would be to kill the meat up the country and send it to a dead meat market. The Corporation or Government should erect a large dead meat market in a central position, say near the Haymarket. Glebe Island would be out of the way as a site. If meat were killed up the country it would be suitable for salting, which now it is not.
- Mr. Maiden, 634,
677. The dead meat trade is likely to increase, and with refrigerating cars could be carried on all summer. This trade will have to contend against old establishments. Butchers will not buy country meat if they can get cheaper at Homebush. Thinks a dead meat market, with proper appliances, would be a very great advantage. It is a necessity—all classes would be benefited. Thinks there should be slaughtering places up the country. That the city should be principally supplied with country-killed meat. That meat as now killed and dealt with is unwholesome. The best beef in Philadelphia market is farmers' beef—country-killed and sent 240 miles. This beef is very much in request. Meat brought 1,500 miles is better than that killed in Philadelphia, but not so good as farmers' beef. No special carriage is required for conveyance of meat 100 or 150 miles; but it is for such long distances as Chicago, 1,000; St. Louis, 1,200; Arkansas City, 1,700. In these cases special carriages with ice are necessary. The temperature is kept at say 30 degrees, or as near it as possible. The air is kept cool and dry. These cars are not very expensive. Large quantities of chilled meat, fruit, &c., are sent regularly to England from America every week by the same means. There is no dead meat market in Sydney, but it would be of great advantage. Would be a great advantage, but might throw the trade into hands of big butchers. Is in favour of dead meat market. Sale-yards should be near the metropolis, and close to Abattoirs. As the sale-yards and Abattoirs now are there is a monopoly, and has been for years. He would send his cattle to Abattoirs for slaughter if there were a dead meat market and proper appliances. He would thus obtain good returns for his meat, and also for hides, tallow, &c. The Abattoirs should of course be connected with the railway. From what he saw at Chicago he would recommend this course. A dead meat market would be an immense advantage. There is nothing so much required. Thinks a dead meat market ought to be a matter for private enterprise more than Government. Glebe Island would make an excellent dead meat market. Thinks a dead meat market would be a very great benefit and convenience. Glebe Island is too far distant as a site for a meat market,—except for wholesale. Arrangements for chilling and keeping meat would be a very great improvement, for it would save the condition and prevent the starving of the stock. Does not think Glebe Island would be a good site for sale-yards, as the butchers would be able to cause a "knock out."
- Mr. Dempster,
132, 133.
- Dr. Williams,
180, 200.
- Mr. Oatley,
584, 680.
Mr. Stuart,
1875, 1876.
Mr. Flood, 2613,
2633.
- Mr. R. Hill,
2768, 2780.
- Mr. Devlin,
2389, 2920.
- Mr. Seymour,
2993, 3081.
- Dead meat market would be most advantageous to all classes, especially with appliances for chilling, setting, and keeping meat. Has no difficulty with fish market, and meat market might be managed the same way.

The fat stock trade is fast coming to be a dead meat one.

Mr. Dawson
132, 297.

When it does the meat will be far superior,—and this trade would also tend to increase railway traffic. The dead meat will some day be the most important branch of the railway traffic. As it now is the stock are very much deteriorated through coming by road and killed while fevered.

Every class would profit by slaughtering up country. The meat would be infinitely better, waste in weight would be saved, and the sending back empty trucks would cease as goods could be carried in meat trucks.

The treatment cattle now get between Homebush and Abattoirs deteriorates the meat very much. Hardly knows stock again after they have been in bare paddocks; and when killed the meat is quite black.

Mr. Punny, 318
375.

Wishes he could always get country-killed meat—must be the best every way.

Thinks that a system of killing up the country would be much the best, and suit retail trade best.

Glebe Island meat will not bear comparison with Orange or Bathurst beef.

Mr. Woolfe, 424,
457.

The reasons are the stock are killed near where they are fed; they are killed cool and are allowed to cool and set.

He thinks that the trade will have to come to a wholesale dead meat market,—which, with cooling appliances, would be a vast benefit to everyone.

Now gets all his meat from Orange; used to buy cattle at Homebush, and slaughter. Present wholesale dead meat market is on Glebe Island.

A dead meat market would work quite a revolution in the trade. Considers such a market absolutely necessary. It would be a great benefit to producer and to consumer.

Mr. Farquhar,
1055, 1115.

It would be cheaper to consumer to pay even 1d. per lb. more for such meat than that he now gets.

Glebe Island is a convenient place for a wholesale dead meat market.

Mr. Woodham,
1336, 1330.

Mr. Walsh, 1704,
1763.

2.—Disadvantages.

Is afraid that the slaughtering up the country would lead to a monopoly. Then there would be the hides and skins also to bring down.

Mr. Stuart, 1875,
1885.

Killing up the country is the best so far as meat is concerned; but thinks it would not be the most economical.

Doubtful also of certainty of cold appliances being always available; and upon that depends practicability of scheme. Large cold storehouses in Sydney also necessary.

A dead meat market would bring the whole trade into one or two people's hands. Everyone would not have refrigerating machines.

Mr. Playfair,
1944, 1950.

Such a market would be an inconvenience for small butchers. It would lead to monopoly.

Mr. R. Hill,
2708, 2730.

Does not think a dead meat market would answer in the summer-time, unless cold appliances were available. If they were it would be a success.

Mr. Rennie,
1511, 1528.

He does not think country-killed meat better than meat killed in Sydney. The report that it is better is only a cry; and unless cattle were killed and chilled at every station the meat would be no better than Sydney meat.

Does not want to see a dead meat market. He would decidedly oppose it. The present supply of country-killed meat is a good thing for the retail butcher, but bad for the wholesale—while the public get no benefit.

Mr. Walsh, 1699,
1707.

The meat will not be cheaper; for although the retail butcher gets his meat cheap that does not oblige him to sell it cheap to consumers.

Country meat is not better; for it is impossible now to find enough of stock at any one station to supply Sydney. If railways were extended from Sydney to Liverpool Plains then a supply might be obtained.

3.—Refrigerating cars.

The American refrigerating waggons are 8½ feet wide, 30 feet long, and 9 feet high, built double, with some non-conductor between, and double doors. Raised box on top along the whole length, 2½ feet wide and 1¼ feet deep as an ice-box. Air goes into box, passes over ice, and only escapes at bottom. Temperature aimed at 35°; meat carried in ordinary goods train; taken from railway cars in waggons lowered in temperature by ice; delivered in stores, looking as if it had only been killed the night before, after coming 1,000 or 1,200 miles.

Dr. Williams
193, 271.

In America there is abundance of natural ice, but ice is made where natural ice cannot be obtained.

The "Tiffany," the newest refrigerating car—a car cooled (by evaporation), *i.e.*, by discharging water over it—the water being raised and distributed over the car by a pump, driven by a fan in front of car—is in use in England, but that plan only reduces the temperature some 8° below the normal temperature of the day.

If cars could be made to carry meat sweet in summer from Orange and Wagga to Sydney it would be a very great benefit.

Mr. Playfair,
1948, 1950.

But he thinks that cattle brought by rail would make as good meat as those killed up the country.

If meat could be conveyed in refrigerating vans in summer it would be a tremendous advantage.

Mr. Hill, 2730

It would be expensive to cool and set meat in refrigerating cars; but that is not necessary, for if the meat were chilled and set at up-country stations where killed, and put into a non-conducting (a double-sided) car, it could be carried in the summer-time from Wagga or Dubbo to Sydney without any ice.

Mr. Farquhar,
1065, 1177.

Carcases have been conveyed in that way from Bowenfells in the hot summer months, and when the truck arrived in Sydney there were only a few degrees difference in the temperature at which it arrived in Sydney from that at which it left Bowenfells.

4.—Cold storage.

In America each Company engaged in the dead meat trade has its own cold stores, and railway-cars are drawn there on tracks, *i.e.*, rails, by mules.

Dr. Williams
273, 274.

It would be very much better to kill cattle and put bodies in cold stores than keep them in starving paddocks. It is not done because there are no such stores, at any rate not open to the public.

Mr. Playfair,
1930 2000.

Wishes the Government would erect such a store on Glebe Island. It would be a great benefit to the trade. Not likely that a private Company would start cold or ice making.

Any

- Mr. Flood, 2634, 2635. Any mode of keeping meat cool would be an immense advantage.
- Mr. Dawson, 255, 256. Thinks it an essential part of railway plant to have refrigerating cars and cold store.
- Mr. R. Hill, 2,708, 2765. Thinks this more a matter for private enterprise than for Government.
- Mr. Seymour, 3044, 3084. A cold room attached to the fish market would be very useful.
- Mr. Farquhar, 1101, 1110. It would be necessary for this trade to have refrigerating power at the central depôt. The meat must either be disposed of instantly or have cold storage.
- It would be necessary to have sufficient chilling power to keep a supply in hand lest anything should interrupt regular supply.
- If meat is kept at a temperature of from 40° to 50° it would be good for eight days, and beyond that if it is subjected to lower temperature, *i.e.*, fourteen days, at 35°.

XVIII.—BUTCHERS' SHOPS.

1.—*Their suitability.*

- Mr. Seymour, 2974, 2979. The shops are as a rule unfit for the business. There are not more than 30 or 40 out of 156 that are suitable.
- Some are exceedingly unsuitable, and their back premises by far too small.
- Mr. Dawson, 173. Butchers' shops are not properly built. The meat is now exposed to dust. It should be hung in a back room.
- Mr. Penny, 298, 298. The shop he then had does not afford the convenience he requires. He is building one on an improved plan, with cool chamber for meat, 26 feet by 23 feet.

2.—*Cleanliness.*

- Mr. Schultz, 2281, 2283. There are some butchers' shops in Sydney which are not fit for a human being to go into.
- Mr. Seymour, 3011, 3043. The butchers' shops are much improved in cleanliness since *Herald's* articles.
- They are now comparatively cleanly. One man has been repeatedly fined for dirty premises.
- Dr. Dansey, 3170. The butchers' back premises in some cases are filthy and dirty, and their sausage-machines in the same state.

3.—*Their Inspection.*

- Mr. Seymour, 2981, 3041. An inspection of these premises is kept up. Has found more than one butcher with unfit meat on his premises—particularly where sausages are made. Meat too poor, thin, and yellow, and unfit for human food is used at these places. There should be an Inspector of Food appointed, with power to enter premises at any time. Inferior and unfit meat is slaughtered illicitly on premises by some town butchers, and veal is blown by others.
- Dr. Dansey, 3045, 3198. Has inspected butchers' shops, and often found blown veal and lamb and stock too poor for food, also sheep with flukes in liver, and with tubercular disease.

4.—*Hawking meat.*

- Mr. Seymour, 3125, 3128. Found the conveyance for carriage and hawking of meat suitable, and meat good, clean, and in nice order.

XIX.—ILLICIT SLAUGHTERING IN THE CITY.

1.—*Its extent and necessity.*

- Mr. Flood, 2636, 2638. A very great deal of this in the city—for 1 calf killed at Abattoirs 100 killed in the city.
- Mr. R. Hill, 2754. A return of calves sold and of those slaughtered at Abattoirs would prove this.
- Mr. Seymour, 3020, 3036. Believes it is carried on all over the city.
- Mr. Penny, 335, 390. Is sure there is much of it—perhaps 1,200 head killed a year. Cannot as the law stands prevent this. The existing law is almost wholly useless. Cannot say that there is any actual necessity to kill in town.
- Admits that lots of calves and lambs are killed in the city.
- It suits better to kill on premises.
- If allowed in the city greater inspection of premises would be necessary.

2.—*Advantages of slaughtering in City.*

- Mr. Playfair, 2059, 2070. Glebe Island too far away to slaughter calves and lambs at it. Butchers could not afford to send there to kill a single lamb or calf, and people do not give their orders for lamb or veal till the last moment.
- Would not advocate licensing places in city unless the premises were suitable—not unless the premises were properly flagged and drained.
- It is not the slaughtering that makes the nuisance, but because butchers now stow away offal somehow.
- Where the butchers have proper places they might be licensed or some central places in the city might be licensed where small stock might be slaughtered.
- In London places are licensed.
- In Melbourne, where nearly ten times as many are killed, some three or four butchers have the whole trade, and small stock are killed at the Abattoirs; but trade differs here. Whichever way is adopted here the places must be fit and the supervision very strict, or we shall have outbreaks of fever.
- Mr. Seymour, 3001, 3091. Giving permission to slaughter on premises would do away with much of the evils of the present system.
- With proper supervision, and the premises being fit, he would allow the slaughter of small stock on premises.
- Would take away a butcher's license, *i.e.* the license for the premises, if he were convicted three times.
- The premises should be open at all hours for inspection.
- Dr. Dansey, 3184, 3204. In one of his reports he spoke of the difficulty of finding room at Abattoirs, and pointed out that if places were to be established for killing in the city they must be under strict supervision.
- There would be no harm in having killing-houses in the city for small stock, but there would be considerable difficulty in keeping them clean.
- If

If proper places were erected, and there were proper supervision, small stock might be slaughtered in the city. Mr. Penny, 337, 373.

This would tend to supply veal and lamb of the best quality. He says that the carrying and handling of meat is prejudicial to it.

Says the same as Mr. Penny. Half the butchers in Sydney have unfit premises. Mr. Woolfe, 445, 505.

Lamb brought over in carts from Abattoirs looks unfit to eat.

Thinks that slaughtering of small stock might be allowed in the city on suitable premises. Mr. Woodham, 1346, 1861.

3.—Disadvantages of killing in city.

Better not to allow killing in city. There is a great risk that the premises would not be kept clean—difficult to enforce the law. Mr. Flood, 2039, 2053.

Would rather refuse to sanction such a law.

The best way to prevent illicit slaughtering would be to prevent stock from being on the premises.

There being a difficulty in supervising such places, killing in the city should be prohibited altogether.

Would keep all killing out of the city, especially as there is so suitable a place at the Abattoirs. Mr. R. Hill, 2755, 2760.

No occasion for killing in the city. Might be done in city if Inspectors did their duty. If they did the Abattoirs might be as clean as this building.

Is sure that, with proper appliances at Abattoirs, and means of cooling and setting the meat, small stock might be killed there, and the veal and lamb would in that case be more wholesome than if killed in the city. Mr. Seymour, 3023, 3111.

The only necessity for killing in town is that the small stock cannot be brought from Abattoirs as wanted. He believes small stock could be brought (without damage) in proper carts from Abattoirs.

He submitted regulations to Town Council, prohibiting the keeping of small stock in city, with a view to stop killing in the city.

If the law prohibited keeping stock on butchers' premises illicit slaughtering could easily be put down.

There is danger of small stock kept on premises being starved; for there is only one butcher's premises (Mr. Playfair's) where proper provision is made for feeding small stock.

Is sure that the practice of killing small stock in the city is detrimental to public health. Proof in case of fever at Croydon, in England. Blood attaches itself to sides of drains and does not wash away. Mr. Danscy, 3182, 3212.

There would be far greater difficulty in getting rid of blood and offal in the city than at the Abattoirs.

More Inspectors would be required. The only difficulty in killing small stock at Abattoirs is that there is not sufficient room.

The butchers say the meat would be deteriorated by being conveyed from Abattoirs; but he is of opinion it would take no harm if properly carried and hung as in the new vans.

Illicit slaughtering could be prevented by prohibiting stock from being kept on premises, and giving Inspectors power of entry. Mr. Dawson, 264, 270.

As it is difficult to enforce inspection, as drainage is bad, and as butchers' premises are in most cases unfit, killing in town should not be allowed.

It would be a great inconvenience to have to go to Glebe Island to kill a calf or lamb. But putting the inconvenience out of view there is nothing to prevent their being slaughtered there and conveyed to the city. Mr. Woolfe, 503, 504.

XX.—DISPOSAL OF BLOOD AND OFFAL.

(1.) *The Blood.*

1. *Former modes of disposing of it.*

1st. Run into Harbour.

2nd. Sent to Callan Park

3rd. Sent to Botany

} very costly.

Mr. Oatley, 475, 489, 495, 644.
Mr. Moore, 1226, 1289.

2. *The present mode of disposing of it.*

The present system of coagulating the blood with caustic soda and lime is a perfect failure and a source of nuisance. He and his assistants have furthered the process as far as possible. It is prepared in two ways, soft and dry; most valued dry; 10s. per ton has been offered for it dry. It is now sold at 2s. 6d. per load, whether one or two horses, while it costs £2 12s.; about one-half of the blood is dealt with in this way; the other half is sent away in the punt. Mr. Oatley, 347, 353.

He suggested to the Treasurer that it should be all sent to sea in a punt, as it would cost only about 1s. per ton to take the quantity now coagulated out to sea, with the rest and offal.

No analysis was ever made of blood manure as prepared by Mr. Swan, so far as he knows.

The only test is the price it brings; could not get 5s. per load, and had to reduce the price to 2s. 6d.

Part of the blood is dealt with by Mr. Swan with lime and chemicals, which in a few hours makes it into a coagulum, manageable with a shovel. Mr. Jager, 1049, 1070.

Portion of this is dried on rocks. If weather is wet this smells badly. The preparation costs about 27s. per ton, and sells for 2s. 6d. The rest of the blood passes into drains and thence to the punt, and is taken to sea at 1s. per ton.

Before the punt came he prepared from 22 to 28 tons per week; since then 16 or 17 tons, at a cost of about 17s. 6d. per ton. The chemicals used are caustic soda and lime. Has tried alum, but that spoils it for manure. Mr. Swan, 1290, 1422.

The lime and caustic soda mixture has been tested and makes the grass grow well.

He had an analysis of blood preparation, but lost it.

The present system of coagulating blood and selling it is attended with considerable loss.

When Treasurer he approved of Mr. Swan's mode of dealing with the blood after full inquiry.

Considers that the caustic soda is prejudicial to the manurial qualities of the blood. But does not consider any evidence he can give of much value. A. Gilchrist, 1597, 1605.
Mr. Stuart, 1858, 1865.
Mr. Elliot, 2225, 2229.

In wet weather the preparation of blood drying on the rocks smells a little.

The blood operated upon by Mr. Swan was offensive, and his preparation did not seem to have the desired effect. J. Burrell, 2459, 2460.
Mr. Danscy, 3165, 3169.

Evidence shows blood could be taken outside the Heads at 1s., while at lowest calculation the coagulum now costs 17s. per ton.

(2.) *The Offal.*1.—*Removal from killing-house.*Mr. Oatley,
345, 309.

There is frequently a block between the offal, and butchers' hide and skin drays. Butchers' drays keep the men from removing the offal. The consequence is the offal is allowed to accumulate and become offensive.

Mr. Jager,
991, 995.

The offal, as a rule, is removed daily—sometimes small portions are not; but always on the following morning.

Mr. Swan,
1317, 1419.
Mr. Schultz,
2209, 2352.

Offal is removed twice a day. What is made after 3 remains until following morning.

It takes skin drays a couple of hours to put on a load of skins, and while the dray is there the men cannot take away the offal.

Mr. Hill,
2777.

The use of trollies for removing offal would obviate the difficulty which now occurs with respect to skin and offal drays, and enable the place to be kept clean.

Mr. Maiden,
713, 716.

There are very bad arrangements at sheep houses for drays to take offal away, and a waste of time.

2.—*Removal by gardeners and others.*Mr. Dempster,
69, 74.

Has seen offal going away in carts to feed pigs—principally paunches.

Mr. Oatley,
808, 870.

Paunches and other offal are taken away principally for feeding pigs. The paunches sometimes accumulate in bad weather and become offensive.

Mr. Carnes,
2578, 2599.

A great quantity of offal is carried through the Municipality of Leichhardt for feeding pigs, and is a very great nuisance.

It is also used for feeding poultry and ducks.

Mr. Hill,
2727 and 2770.
Mr. Flood,
2647.

The paunches are thrown into a very inconvenient place for the gardeners to load—should be put on a stage; if it were, gardeners would take it all away daily.

Mr. Oatley,
1000, 1002.

Very bad smells at times from piggeries and boiling-down establishment at head of bay, to which paunches and offal are largely taken.

Mr. Oatley,
1634, 1635.

Suggests that a receptacle higher up on the hill be made for paunches and offal, to admit of gardeners and others carting away more easily.

(3.) *Both blood and offal.*1.—*Removal by punt.*Mr. Oatley,
528, 865.

Both blood and offal are now sent away by punt. The whole of the blood could be sent away at a very trifling cost. Punt towage and men employed on punt cost about £700 a year.

Offal is carted to a shoot, from there it passes into a truck, and thence into a punt.

He recommended building the punt—the punt should be taken 4 miles outside the Heads before being emptied. There have been complaints made that the contractor did not go proper distance. He does not think offal is allowed to remain so long as to become offensive before sending it away in the punt. Complaints have been made about stench from punt in harbour. The punt goes out four or five times a week. He has made application for a second punt.

The washing water and blood not dealt with by Mr. Swan passes by pipes into a large reservoir, and thence by shoot into the punt.

Mr. Jager,
990, 1001.

Thinks the punt an admirable way of getting rid of offal and blood; but that the arrangements for putting the offal on board are inconvenient. They were made by Harbour and Rivers Department. As a rule the offal is removed daily to the punt. The punt carries offal and blood at about 1s. per ton. It would cost about 20s. a week more to send the whole of the blood to sea.

Mr. Swan,
1357, 1412.
Mr. Gilchrist,
1462, 1609.

Says duties connected with punt are improperly divided between him and Gilchrist.

Sometimes through bad weather the punt cannot be taken outside the Heads. This does not happen often. It has done so half-a-dozen times since punt began to work. When it does, offal and blood are stored on Island.

Mr. Gilchrist,
1462, 1609.

When punt cannot go outside the men are instructed to take it to Watson's Bay or Middle Harbour, or to bring it back to Island.

Although men denied having discharged offal to westward of Sow and Pigs, he had found some of it about Manly.

The mode of discharging offal is not good; but as there is only one punt it cannot be laid up for alterations.

One punt not sufficient.

Have not sufficient towage power; system of towage defective.

The towage of blood and offal now costs about 7s. per ton.

Have only had three complaints about nuisance arising from punt or offal-boxes. These were occasioned by accidents to punt or offal-boxes.

The whole of the blood and offal might be sent out to sea for a trifling additional cost.

Constable Car-
roll, 1743, 1761.

Has known offal kept three days at shoot till it fermented and became a terrible nuisance. On two occasions this happened, and the men had to handle it in this state.

The punt is badly managed; Mr. Swan cannot get it when wanted. He should have charge of it.

When punt is delayed the blood remains in reservoir and becomes very offensive.

The defect in offal-box could be easily remedied.

Mr. Skimmer,
1916, 1917.
Mr. J. Burrell,
2465, 2400.
Mr. H. B. Swan,
943, 946.

The reservoir for blood smelt fearfully lately through not being properly emptied and cleaned out. The nuisance lasted from Thursday to Monday; this was through neglect on the part of Swan or Gilchrist.

Says it costs 1s. 4d. per ton to take blood and offal to sea.

2.—*Desiccation and utilization of blood and offal.*

The Harbour and Rivers Department is preparing a plant for desiccation on a plan submitted by Mr. Swan. It will be ready in about three months. Mr. Oatley, 698, 812, 713, 730, 868, 867.

Thinks the plant he is getting prepared will deal successfully with both blood and offal, and make a valuable manure to sell at about £4 per ton. The price is for dried blood only. £2,000 has been voted for its completion. Mr. Swan 1301, 1427.

He gets, latterly, every assistance in the performance of his duties. Formerly there was jealousy and obstruction.

He thinks the Government would get £8 a ton in the country for the manure he is going to prepare. It is worth £10 or £12 in the North of England.

He described the principle on which his proposed plant is to work. The Harbour and Rivers Department prepared plan of plant under his directions. All his own invention. He has never seen plan of plant used in America.

When plant is prepared he will be able to take all the blood and offal—say 9 or 10 tons weekly. The cost of desiccation will be about £1,000, and the return about £2,500.

Thinks the blood and offal could be more economically dealt with by taking it out to sea than drying it for manure. He approves of plan of drying *blood*, but thinks *offal* can never be dealt with. Has tried drying offal in a small way in his own engine-house without success. Mr. Gilchrist, 1497, 1610, 1618.

£2,000 having been voted, he was then making experiments with the view of carrying out Mr. Swan's suggestion; but had previously suggested sending blood and offal to sea by punt as a temporary means of removing the nuisance. Mr. Skinner, 1904, 1920.

The plant which is preparing is only on a small scale. If successful it can be utilized on a larger. Will be ready in a month or so.

Cannot say if Mr. Swan's plan will succeed. Thinks blood will be dealt with successfully, but is doubtful as to offal.

Complains of obstruction in carrying out his work, and a desire on part of persons on Island to filch credit belonging to him. Mr. Swan, 2569, 2573.

Promised to send in written statement of obstruction.

Submitted plan and specification of plant, which he had laid before Sir John Robertson nearly two years ago. Produced sample of dried blood in powder. Mr. Harrison, 2672, 2681.

Thinks he could deal in the way he proposes with both blood and offal at Abattoirs, and make a profit of £30 a week.

The plant would cost from £1,500 to £2,000.

Plant is self-acting, and requires but little labour.

There did not seem to be sufficient accommodation being erected for Mr. Swan's plant and the storing of prepared blood when desiccated. Mr. Hill, 2700, 2731.

Thinks the Government should long ago have sent to Europe or America and obtained information for suitable plant for desiccating blood and offal. Mr. Flood, 2609.

Thinks Mr. Swan's plan—if his statements be correct—should be carried out, and should have been so before. Mr. Maiden, 680, 699.

The plant now in course of erection is only small, but will make the experiment.

Expects to get £4 per ton for manure, when prepared.

The cost of preparation will be about 19s. 6d.

Will send in statement to Board showing this.

The offal will be conveyed to desiccator by horse and cart.

Expects Mr. Swan's new machinery to be ready for trial to-morrow.

It would deal with about $\frac{1}{3}$ of the whole of the offal and blood.

Mr. Oatley,
1631, 1634.

3.—*System of desiccation followed in America.*

Both at Chicago and Philadelphia blood and offal are removed,—the former in waggons, and the latter in boats—to places to be dealt with, in tight-fitting receptacles. Dr. Williams, 171, 201.

He submitted copy of Mr. A. Morris' report as to this system from Philadelphia Exhibition of 1876.

At Chicago the blood is dried, while the offal is triturated—pulverised—in a mill, dried, and then mixed with dried blood, bagged, and sold to go all over the States. All sorts of offal are treated in this way, even swines'—the hardest to deal with of any; and the Abattoirs are kept thoroughly clean. Mr. A. Stuart, 1890, 1903.

If the same plan were followed here, Government would easily find a market for exportation; but it ought to be retained in the Colony, to help to recuperate land—such as the worked-out soil of the county Cumberland.

Plans and specifications could be got of plant in use in America for dealing with blood and offal.

The result of his inquiries confirmed him in the belief that our blood and offal can be profitably utilized.

It would be best to get plans in America, though in Paris something of the same kind has been successfully carried out.

In Chicago the sale of desiccated blood and offal pays expense of Abattoirs, sold at about £3 3s. per ton.

4.—*Mr. Elliott's statement.*

Dried blood worth here from £6 to £7 per ton.

He cannot say as to value of offal. Offal is difficult to pulverize. If it were pulverized it is worth as much as blood. Mr. Elliott, 2170, 2224.

It is hard to get farmers to purchase and use manure.

His firm tried to dry blood, and did not succeed in a way to pay; but with proper plant and a certainty of tenure and supply of blood he thinks the thing would pay.

There is about 80 per cent. of water in the blood, and the preserved blood would be about $\frac{1}{3}$ th.

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A ton of dried blood would occupy about the same space as a ton of wheat.
If Government were to guarantee occupation and supply of blood it would pay to erect works.

XXI.—SHIPPING WHARF AND YARD.

Accommodation for shipping cattle from Island to be put on board mail-steamer is urgently required. Cattle now thrown down, tied, and carried on board, and are almost always injured and sometimes

Mr. Playfair,
1921, 1940, 2041,
2043.

killed.

There should be a proper wharf with convenient yards—forcing-yard and crush—from which the cattle could be slung on board the small steamer, tied up, and taken to mail-steamer. Owners would willingly pay a fee for the convenience.

Mr. Flood, 2624,
2628.

Was the first to ship cattle in this way and found it answer.

Mr. Jager, 1049.

Thinks near the old ferry would be a very suitable place for shipping cattle.

XXII.—THE RECEIPTS AND EXPENSES.

1.—*The receipts.*

Mr. Oatley, 570,
648, 886, 887.

Thinks the amounts received for rental of beef-houses £200, and mutton-houses £125, good rentals. Submitted a statement of receipts and expenditure.

His assistants collect money for manure and fees for stock.

Mr. Jager, 1125,
1135.

head.

The receipts of Abattoirs, £3,100. They would be increased 50 per cent. if fees were charged at per

The regulations do not allow credit to be given.

Mr. Swan, 1358,
1366.

It is Mr. Gilchrist's duty to receive price of prepared blood. He called attention to a few cases in which he had doubts as to whether the price was paid for blood.

Mr. Gilchrist,
1434, 1446.

Receives fees for blood, pigs, calves, lambs, and manure.

He counts animals as they come in, and, with two exceptions, received fees as the stock come in there and then. He is strict in enforcing payment of fees.

Has seen pigs brought in of which there was no account, as he found on inquiry afterwards.

Constable Car-
roll, 1724, 1726.

2.—*Expenses.*

Mr. Jager, 1210,
1214.

Statement of annual cost of Abattoirs to be prepared.

XXIII.—OFFENCES, PROSECUTIONS, AND CONVICTIONS.

1.—*Breaches of sanitary laws.*

Mr. Oatley, 332,
342, 621, 622.

Has had from fifty to one hundred prosecutions, but has kept no record of them.

2.—*Starving stock.*

Mr. Oatley, 325,
465, 473.

Has no power to compel owners to feed their stock; can only summon if stock remain more than forty-eight hours.

The rule is to keep stock only forty-eight hours at Abattoirs, but they may be kept longer if they get food. Calves have been kept too long, and their owners fined.

Constable Car-
roll, 1672, 1676.

Has seen stock kept on the Island for three or four days without food.

3.—*Cruelty to stock.*

Mr. Oatley, 295,
296, 438, 440.

Has known instances of cruelty and has prosecuted offenders. Does not think butchers in killing are unnecessarily cruel.

Mr. Jager, 953,
963.
Mr. Gilchrist,
1619, 1634.

Has known cases of great cruelty with boat-hook. It has been driven in some cases into the rectum.

Has seen cases of cruelty and checked the butchers.

Has had to prosecute butcher for illtreating bullock and driving boat-hook into eye; but that form of boat-hook has since been prohibited. Has also prosecuted in other cases for cruelty.

Constable Car-
roll, 1676, 1680.

Has seen men illtreat cattle by thrusting boat-hook into the eye and in other ways.

4.—*Bringing unfit stock and offal to Island.*

Mr. Oatley, 474
Constable Car-
roll, 1754.
Mr. Schultz,
2358, 2360.

Offal is brought on to Island from town; and in some cases given to pigs.

Bruised and unfit sheep have been brought on to Island from steamers.

5.—*Difficulty in securing conviction.*

Mr. Dempster,
45, 160.
Mr. Oatley, 341,
344, 756, 760.

Has had great difficulty at Abattoirs in proving ownership and making out cases.

In his cases never had any difficulty in fixing ownership.

XXIV.—INTIMIDATION OF WITNESSES.

Mr. J. Burrell,
723, 742.

Mr. Oatley called and cross-questioned him before a witness in regard to his evidence before the Board. Mr. Oatley also went to Mrs. Burrell and read the evidence to her, and upbraided us with ingratitude. Has nothing to withdraw in his evidence, but confirms all he said.

Mr. Luckett,
888, 899.

Schultz was discharged for telling the truth. M'Namara did not wish to lose his connection, and retail butchers said they would not deal with him if he kept Schultz.

Mr. Swan, 907,
920.

Has heard that Burrell was to be dismissed, first chance, on account of his evidence. Some of the men were cross-questioned by Mr. Oatley, and one of them has left in consequence.

MISCELLANEOUS.

1.—*Reason of high price (retail) of meat.*

Mr. Penny,
405.

High price only charged for hind-quarter and prime parts, lower price for fore-quarter and inferior cuts.

Dr. Williams,
275, 278.

The retail price of beef in Philadelphia is from 6d. to 7½d.; in Chicago, 3d. to 3½d.

2.—*Island infested with rats.*

Mr. Schultz,
2324, 2326.
Mr. Burrell,
2412, 2417.
Mr. Johnston
2560, 2564.

Rats in very great numbers on Island, nothing done to get rid of them.

GLEBE ISLAND ABATTOIR INQUIRY.

MINUTES OF EVIDENCE.

WEDNESDAY, 25 JUNE, 1879.

Present:—

THE HON. GEORGE THORNTON, Esq., M.L.C., CHAIRMAN.

JOHN STEWART, Esq.,

ALEXANDER BRUCE, Esq.

John Wetherill, Esq., examined:—

J. Wetherill,
Esq.

25 June, 1879.

1. *Chairman.*] You reside at Petersham? Yes, Elswick-street, Petersham.
2. Have you resided there long? A little over twelve years.
3. I suppose you are aware of the object of this Board,—it is to inquire into the condition of the Glebe Island Abattoir, and all matters connected with it? I know nothing about Glebe Island itself; it is only the surroundings that I am acquainted with.
4. I only want to ask if you know why this Board has been constituted? Yes.
5. Can you give us any information as to the mode of bringing cattle from the sale-yards to Glebe Island for slaughter? Yes. We find, as residents, that the cattle-driving is a great nuisance. They come down wild, in mobs, and are driven by dogs and by men on horseback; it is really a great nuisance to the inhabitants, and very dangerous to people passing. About a fortnight ago I had to jump over a fence to get out of the way. It being dark, you merely hear what is coming.
6. At what time are the cattle driven along the road? This must have been between 6 and 7 o'clock.
7. About the time people are returning to their homes? They do not always keep to that time; they drive at different times, earlier and later; it is very uncertain.
8. *Mr. Stewart.*] Never in daylight? Yes, in the morning I have seen them frequently.
9. During the day-time? Yes, particularly when they have been taking them from one paddock to another in the neighbourhood of Petersham.
10. *Chairman.*] Will you describe, for the information of the Board, the objections you have in regard to the driving of the cattle to slaughter from the yards? It is most dangerous; you are often obliged to jump over fences and that sort of thing in order to get out of the way, and if you speak to any of the drovers about coming down the wrong roads—there are certain roads they ought to come down—you get most disgusting language from them, cursing and swearing, and you do not wish to speak to them a second time.
11. You say it is dangerous to life? Very dangerous indeed.
12. Particularly to those persons whose residences are in the district and who have to come to town and return home every day? Yes. There is a bullock road for the drovers to come along, but they use Norton and Elswick-streets frequently so as to get a little nearer cut. There are houses all about there, and in a few years there will be ten houses where there is one now. Most of the paddocks that were used for cattle have been cut up into allotments and sold.
13. There is a road called the bullock road, appropriated for the purpose of driving cattle, but the drovers, instead of keeping to that, drive through other streets—Norton-street and Elswick-street you mentioned—to the danger of people's lives? Yes. Sometimes they use the Balmain Road; that is another street. Those three streets are a little nearer than the bullock road. They are not particular, if they can get the cattle along; they take the first road they come to.
14. As a resident there, you think it a very objectionable and dangerous practice? Very much so indeed. There is another thing which creates a nuisance in the neighbourhood, and that is the bone crushing and boiling-down establishments, which a slaughter-house always gives rise to. We have the flavour of them almost every night, and it is enough to poison you.
15. The Abattoir being so near the city creates boiling-down and other establishments which become a nuisance? Yes, at times we have to shut our doors and windows, particularly on a Sunday.
16. Through the foul smell? Yes, it is a terrible smell. There is another nuisance, and that is the offal which is carted for feeding pigs. They are looking after that a little smarter now. The offal is left to decay, and we have the stink.
17. The offal is carted from the Abattoir to feed pigs, and it is left to putrefy, and becomes a great nuisance? A great nuisance indeed. I have known cattle to be from six to ten days in the paddocks, with scarcely a bit of grass to eat; that is opposite my own place.
18. You have known cattle intended for slaughter to be six and ten days without a particle of food? Without a bit of anything to eat; in fact the cattle actually pull up the roots of grass to eat, and nine-tenths of the paddock will be as bare as that.
19. *Mr. Stewart.*] Whose paddock are you referring to? It is a paddock near my own place, owned by Thomas Stewart.
20. *Chairman.*] Is there any water for the cattle there? Yes. Other paddocks round about near Balmain—from my place to Balmain—are quite as bad, and worse, and we have noticed when there has been a glut that cattle have been kept as long as I say.
21. Kept as long as ten days without food? Yes. I believe they shot two or three that were so weak they were unable to move.

- J. Wetherill, Esq.
25 June, 1879.
22. Had become so weak from starvation that they were unable to move? That I know to be a fact; I think it was within the last two months.
23. *Mr. Stewart.*] Perhaps they were sick? Oh dear no. The poor things walked about the place looking for something to eat. You can easily tell by their appearance. You have no idea of the change that takes place in them in the course of one week; they are reduced to nothing almost.
24. *Chairman.*] The cattle get rapidly thin? Terribly thin.
25. Do you think it would be an advantage, instead of leaving the cattle at Homebush as at present, to have a branch railway to the island, and take the whole lot to the island at once? That would answer for those that travel by rail, but not for those that come by the road. The majority come by road.
26. We are told by people well able to judge that about one half come by road? No doubt there is a larger quantity coming by rail now than there used to be.
27. And the quantity is increasing weekly? Yes.
28. Well, as far as those that come by rail is concerned, do you think it would be an advantage to convey them right on to the island by a railway, instead of leaving them at Homebush, and then driving them? The cattle would be all right if they got something to eat.
29. Would it not avoid the evil you have complained of, namely, the danger to human life by driving them along the roads? It would stop all that, but I am afraid it would not do away with the other evils, the nuisances round the neighbourhood.
30. That is another part of the question? Yes; we suffer very much from the bad smells created by the boiling down; that is our chief complaint.
31. You have a municipality there, have you not? Yes.
32. And they have by-laws for sanitary purposes? Yes.
33. And they have an inspector of nuisances? Yes, but they have been defied, until lately, to do their best, and the butchers hang together very much. If you enter an action against them through the Council they will hang together, and subscribe.
34. But with proper regulations, and those properly carried out, do you not think those nuisances could be kept down? I do not think you could ever keep them down; you are watched too much. We have got a very good man now as Mayor—and that is John Young—he is determined to do his best to put these nuisances down.
35. What municipality is it? Leichhardt—Petersham divided into two.
36. *Mr. Stewart.*] Have you a regulation about driving cattle through your municipality? I believe so.
37. What is the nature of it? I could not tell you, I am sure; I am not very well acquainted with the regulations; I am not an alderman.
38. Do you not think cattle would be less dangerous if driven during daylight? I do not know I am sure; there would be more traffic you see.
39. That is not the question;—is there more danger during daylight or not? I myself would rather meet them by daylight. If you see a mob of wild cattle you can get away in the day-time.
40. You know the direction they are coming, and have more chance of avoiding them, especially if you are driving? Yes.
41. It would be more dangerous to meet them, if you were driving a buggy, at night than in the daylight? Yes. When we meet flocks of sheep we have to pull up and wait 5 minutes sometimes.
42. What is your opinion as to whether it is wise to prevent cattle being removed in the day-time? I, myself, would certainly prefer to have them come by daylight.
43. You complain of the boiling down, the pig-feeding, and other things associated with the Abattoir, as being more or less a nuisance? They are a great nuisance.
44. Has no one taken steps to abate the nuisance? Yes, the Council have just got beaten in another case.
45. The Council prosecuted? Yes; I cannot tell you the ins and the outs of it; I only know that they were beaten. The inspector summoned them, and they went to considerable trouble and expense.
46. What was the nature of the prosecution—for boiling down? I think it was for boiling down fat and causing a nuisance. Sometimes they are a great nuisance—at other times they are as clean as it is possible to be. They are cleaner now than they used to be.
47. *Chairman.*] And they can be clean if they like? Yes.
48. *Mr. Stewart.*] And the Council failed to get a conviction? Yes.
49. Do you know the reason? No, I only know that they entered an action, and lost it.
50. Are there many paddocks such as you describe, in the neighbourhood of the Abattoir, to receive cattle? Very few now; they have mostly been cut into allotments, and people are building houses there, and in a short time the houses will be as thick as they are in Sydney. I myself have sold four blocks behind my own property.
51. There is no Government land there, I suppose? Not a bit that I am aware of.
52. You say that you have seen cattle remain from six to ten days? Yes.
53. That would be two or three cattle? More than that. Sometimes there may be twenty or thirty brought down. They drive them away in the morning, taking perhaps ten at a time, but these particular ones that I spoke of, being more difficult to get out, there were left from time to time; in fact the men would not take the trouble to get them out, and they at last got so weak that the men were compelled to shoot them.
54. They were the dregs of a mob? Weakly ones; they were weak when brought in first.
55. What ground is now occupied as cattle paddocks—what acreage? I could not tell you that. There must be four or five paddocks I should think, and the largest would not be more than 7 or 8 acres; and in wet weather like this they are quite muddy.
56. That is about 30 acres for the whole lot? I should think so, about that, but I have not been there for a long time. I very seldom go to that locality. I should think there is not more than 30 or 40 acres in all; of course there were more before some of the paddocks were cut up.
57. Are there always cattle there? Almost always.
58. What is the largest quantity you have seen at one time? I never took such particular notice as to count them, perhaps ten or twenty in one, and so on, and perhaps there might be a smaller number in another.
59. Have they any stock-yards in those paddocks? I never saw one; they are simply open paddocks.
60. So that they have first of all to drive the cattle in, and then to drive them out? The men go on horseback

horseback with dogs, and drive out what they consider the best, and leave the worst,—just what will go the quickest. That is the usual system. J. Wetherill, Esq.

61. That is because they do not want more than two or three perhaps? They very seldom take two or three; it is generally ten or a dozen. 25 June, 1879.

62. They do not take the whole because they do not want the whole for present supply? Just so, they take them as they want them.

63. If they wanted them they could take them all? I dare say.

64. Suppose they had a cool chamber to put the carcasses in until the market demanded them, would not that be a great improvement? I do not understand how that would be.

65. You are not sufficiently acquainted with the subject to form an opinion? No, I know nothing about it.

66. *Chairman.*] You said something about the cattle paddocks being full of mud? Yes.

67. In a state of bog? Yes, you may say that one half or three-fourths is as muddy as that street.

Samuel Dickinson, Esq., examined:—

68. *Chairman.*] You are a merchant of Sydney, one of the firm of "Learmonth, Dickinson, and Co."? Yes. S. Dickinson, Esq.

69. Where do you reside? At the Hall, Ashfield.

70. Have you resided there long? About 5 years.

71. How long have you resided in that district, about there, altogether? At Annandale about 8 years; and Ashfield 5 years or so. 25 June, 1879.

72. Then you have had good opportunities of noticing the mode of travelling stock intended for slaughter, from the Homebush yards to the Glebe Island Abattoir? Yes, for some years past.

73. Will you kindly inform us as to the result of your observations of that practice, and your opinion on the whole subject? Do you speak of recent date?

74. We will not dictate to you; you can put it in any way you please? I have noticed within the last six months that mobs of cattle have been driven at a furious rate, and, on inquiry, I found that by-laws had been passed to prevent them from going through certain districts or certain municipalities. To avoid that I have constantly seen them driving at a furious rate over the Underwood paddocks—they were then the Underwood paddocks, but they have been recently sold—and on to the Parramatta Road, crossing the Liverpool Road. I am not speaking from hearsay, but what I know of my own knowledge.

75. *Mr. Stewart.*] Was that during the day? Between 5 and 6 in the afternoon, and as I always drive home it is of course attended sometimes with danger. The animals are driven as hard as they can be, panting and groaning, and they scarcely know which way to turn, being chased by the dogs and two or three drovers, following in quick succession. I have frequently remonstrated with the men, and also given orders to the police officer to be on the look out. For the last month it has been better. I think they have been afraid of something like punishment. It was becoming a perfect nuisance, and a great danger.

76. You do not know for what reason they drive so furiously? I believe—I am speaking from hearsay now—that it is because they wish to get the cattle to the Abattoir before dark. I think, as a rule, the sales at Homebush are not over till 3 or 4 o'clock; then there is the branding to be done, and then they have to get the cattle to the Abattoir yards, a distance of 6 or 7 miles. They have been in the habit of congregating at Five Dock until 6 o'clock—I think it is from 6 to 6 that they are debarred from travelling through certain Municipalities—and then they start along the road. But the more daring drovers will not wait. They hurry through Ashfield, along the Parramatta Road, across the Underwood paddocks and the Liverpool Road, and by the time they get to Norton's or Taverner's Hill, they will probably be safe. I believe that is the reason for the furious driving. About five weeks ago as I was driving into town I saw two butchers—one with a cleaver—cutting up a bullock that had been driven into a cutting at the bottom of Taverner's Hill. The mud and wash from the cutting, the soakage and sewerage and other things washed over the beast, which, I suppose, was used for human food. Only last week I saw a sheep lying dead in one of the gutters at Taverner's Hill. The mode of driving is not only dangerous but it is highly injurious to the meat.

77. *Chairman.*] Do you think, from your experience of this matter, that it would be better to allow the cattle to be driven in the daylight, when people could protect themselves? I see great danger in both. In summer-time it is light in the evening when they drive, and the men, being anxious to get through their work, drive rapidly, and if you meet a mob of fifty or 100 bullocks, it is a difficult thing to steer past. They take up the whole of the road and they push and crowd so, and if you have a restive horse there is great danger in getting in the midst of them. Hitherto I have escaped but others have come to grief.

78. What is your opinion as to the position of the Abattoir as a public slaughtering-place for the metropolis? It is a subject I have not given very great thought to; but, considering the growth of Sydney within the last three or four years, it seems to me that the provision is totally inadequate to the wants of the city.

79. In what way? In the accommodation there and paddocks around; in the slaughtering; in removing the offal and getting rid of the blood—the blood is deodorized now—and also in the driving of cattle there and in taking the meat away.

80. Do you not think it would be a great advantage if the cattle which are brought down by rail, instead of being put out at Homebush, were conveyed on by rail to Glebe Island, and there delivered from the trucks, or what is your opinion on that subject? It would certainly be an improvement on the present system, but how far the appliances and the space afforded at the Abattoir would be sufficient I do not know.

81. That is another question? It would certainly be an improvement.

82. Do you not think, to say nothing of the danger you have described and the many nuisances arising from cattle being driven on the highway, that it would be a great advantage to everybody concerned—to the owner of the cattle, the consumer, and also in respect to the quality of the meat? It would, but then the question of selling comes in; the cattle must be exposed and be seen and handled by the butchers.

83. But assuming that there were proper yards at Glebe Island for the purpose of selling? As they have in Melbourne—they have some of their abattoirs there within gun-shot of the sale-yards; I went to see them; they are almost perfect as to the yards, and the handling and selling.

84. You say you have visited the public abattoir at Melbourne? Yes, recently.

- S. Dickinson, Esq.
25 June, 1879.
85. Will you favour the Board with some information as to what you noticed there with regard to this subject? Its cleanliness, its order, the mode of sale, and the handling of the sheep and cattle I considered perfect. The abattoir where the bulk of the cattle were slaughtered seemed to be close to the sale-yards, and as regards the mode of selling, the handling and inspection of the beasts, the lotting of sheep and calves, the arrangements seemed to be excellent, and the place was scrupulously clean; but there is a rich City Council in Melbourne.
86. In comparison with our mode you consider theirs perfection? Yes. I recollect in former years attending at Smithfield. There was great cruelty practised there. They used to drive through the streets of London. That is all done away with, and now there is one large metropolitan market. But we are sadly behind the times.
87. We, in this colony, are sadly behind the times in this particular matter? Yes.
88. *Mr. Stewart.*] Are the slaughter-houses quite close to the selling-yards in Melbourne? I should judge within half a mile. Some perhaps less.
89. They are not closely connected? No, not adjacent.
90. You spoke about the danger of meeting cattle on the road, in consequence of their being so furiously driven, but I do not think you answered the question whether it would be more dangerous or less dangerous to drive during the daytime. The question is whether it is more dangerous during the daylight or during the dark? If properly driven, I should say less danger during the day.
91. Especially in meeting people in carriages or on horseback? On horseback you can always get out of the way; but ladies in our unsophisticated part of the suburbs often drive themselves, and it is not only pleasant but dangerous for them to meet a mob of bullocks.

THURSDAY, 3 JULY, 1879.

Present:—

THE HON. GEORGE THORNTON, Esq., M.L.C., CHAIRMAN.

JOHN STEWART, Esq., | ALEXANDER BRUCE, Esq.

Daniel Holborow, Esq., J.P., examined:—

- D. Holborow, Esq., J.P.
3 July, 1879.
92. *Chairman.*] You are Mayor of Ashfield? Yes.
93. You have been a resident of that district for some years, I think? About eight years, I think.
94. Constantly moving about between there and Sydney, I suppose? Yes, continually.
95. I suppose you are aware that this is a Board appointed by the Government to take into consideration matters affecting the public Abattoir and all things in association with it, with a view to make such suggestions for their amendment as may appear to be necessary? Yes, quite aware of it.
96. And, in association with the subject, I take it that you have had some experience of the matter of driving cattle intended for slaughter from the sale-yards to the slaughter-yards? Yes, it is attended with very great danger.
97. You have had some experience? Yes.
98. I will put a general question, and you can answer it at full length, generally, as you may be disposed. Will you inform the Board as to the result of your observations in respect to selling cattle at the sale-yards, or driving them from the sale-yards to the slaughter-house, or anything that may occur to you with reference to the subject I have named? The only thing I can give you any sort of information upon would be as far as regards the driving, which is attended with very great danger. We took the proper means, according to the Police Act, of preventing them from driving cattle through Ashfield, and they are driven now on to the border of our municipality early in the evening, and left there, causing great danger to ladies or gentlemen driving to Burwood. There have been one or two accidents through mobs being left there. Cattle are driven through our borough, at times, unknown to us when it can be done. We have had several cases at the Police Office, and sometimes we have succeeded in getting a small fine inflicted, and sometimes we have been defeated upon technical points in the Act. Of course, as you are aware, at the Police Court so many technicalities are raised at different times by the lawyers, that the unpaid magistrates get a little bit frightened of prohibitions, and very often no decision is given. We have been put to great expense by the different suits we have instituted against the butchers.
99. What were the suits for? For driving during prohibited hours. We have a prohibition time in our by-laws.
100. Driving cattle intended for slaughter during prohibited hours? Yes. Then again I know of numbers of ladies that will never attempt to go out on Monday or Thursday through fear of meeting the cattle. They say "We cannot go out to-day, it is cattle day."
101. On Mondays and Thursdays, which are the cattle sale days, you say the inhabitants of those districts are afraid to venture out because of the cattle being about? Yes, and children are also kept from going to school from the same cause. The cattle are also a source of great nuisance and expense to us, because they trample our footpaths at whatever hour they pass through. They do very serious injury. It would be a very great blessing if some other place for the Abattoir than Glebe Island could be got, so as to do away with the driving through these municipalities.
102. If some other means of conveying cattle to the Abattoir were appointed it would be a very great advantage to those municipalities? Yes, and save very great expense.
103. And some danger? And danger also. The other day I was on the Parramatta Road, at 10 o'clock in the morning, when a mob of cattle was being driven along. There was a lady driving a buggy on the road, and she did not know what to do, and was in a great state of alarm. Being on horseback, I was able to render her some little assistance.
104. Do you think it would be an advantage to convey the cattle which come by rail to Homebush now right on to the Abattoir by a branch railway? Yes, if you are going to continue the present Abattoir that is the only way. I should imagine that it would be better to have the slaughtering place somewhere about Haslem's Creek, and bring the beef in by rail. I think that is the best plan. If you could have the sale-yards and the slaughtering place within an easy distance, it would be far better than having the slaughtering place

place at Glebe Island, because there is no question that one half of the stuff goes into the harbour one way or the other. In the night, if not in the day, it is got rid of.

105. What are your prohibited hours of driving? From 6 to 6, I think.

106. Winter and summer? Yes.

107. From 6 in the morning till 6 in the evening they are not permitted to drive the cattle intended for slaughter? Not through our borough, although they do so through the back streets.

108. They are constantly breaking the regulation? Yes.

109. And you have often prosecuted them for it? Yes.

110. And for reasons that you do not explain, or do not care to explain, you do not always get a conviction? No, and it costs money always to do it, because we have to employ legal assistance.

111. Then you regard this cattle-driving through your borough as a very great and dangerous evil? I do, so much so —

112. Is that the general impression of the people residing in the borough? Oh yes; in fact it was by a petition from the residents that we were enabled to get a by-law approved for preventing the driving during the hours I have stated.

113. Then, in former times, the cattle were driven at any hour day or night? Yes, it is only during the last two years that the regulation has been in force.

114. *Mr. Stewart.*] Is it your opinion that people are safer during the darkness than during the daylight when cattle are travelling? There are not so many people about.

115. Pardon me, that is not the question. Is there more danger during the day than during the night? Except for the number of people I should imagine that the daylight is best for driving, but the people are about during the day.

116. Then you prohibit the driving during daylight, not because there is less danger than at night, but because there are then fewer people about? Of course, that is the reason. You do not have people riding or children going to school at night. I have heard it argued by those who have cattle to drive, that there is great danger to the drovers in driving cattle at night, but the inhabitants are not in so much danger because there are not so many people on the roads at night. During the day there are a great many.

117. *Chairman.*] Would you not rather meet a mob of cattle in the daylight than in the dark? Yes, because I could see better; but if they were driven during the daylight it would have the effect of preventing people from going out on those days.

118. *Mr. Stewart.*] Then your only reason for prohibiting the driving during the daylight is that there are fewer people on the road at night? Yes, that is it.

119. Not so many people liable to be in danger? Yes.

120. At the same time the few people out at night are in great danger? I suppose so, but where there is one in danger at night there would be a hundred during the daylight. The majority would suffer in daylight. In those suburbs we have no gas, and it would be dangerous to meet a mob of cattle on a dark night.

121. Have you ever seen the Smithfield market? Often.

122. How do they manage there,—do they allow the cattle to come in in the daylight? Smithfield, as a slaughtering place, is done away with now; they found that they required a fresh place, as we require one here, I think. It has been done away with these last thirty years; they have a place now at St. Pancras.

123. *Chairman.*] But Smithfield is the great meat-market of England now? But the meat is taken there. There are no cattle driven through the city. The meat is there, but it is killed somewhere else.

124. *Mr. Stewart.*] Do you know of any accidents through driving cattle? Yes, two within a week of each other. In one place there was a buggy turned over. I was charged myself by a mob of cattle going through our borough. I rode after the men to tell them they were breaking the law, and one of them called out to me "Look out old man, or you will be into that paddock in a minute." I looked, and there was a bullock after me.

125. Might not the same thing happen at night? Oh yes, but where one or two persons might get injured at night there might be hundreds injured during the day, because people are more numerous in the day-time.

126. That depends upon whether people make use of their eye-sight or not. If they were blind there would be great danger, but if they have got their eye-sight there would be fewer accidents? If ladies are driving, and a mob of cattle come along, the road is fenced, they cannot get off the road, and they get frightened, and the danger is great.

127. But this happens at night as well as in daylight? There are not many ladies driving at night.

128. *Mr. Bruce.*] Have you seen the cattle in the paddocks—cattle that have been sold at Homebush, and that are waiting to be slaughtered at the Abattoir? There was a mob pointed out to me at Leichhardt that had been there several days without food or water. That was near Mr. Wetherill's place. A cousin of mine called the attention of the Inspector of the Animals Protection Society to the fact.

129. But you do not know it of your own knowledge? No, only from hearsay. I saw the cattle, but I could not tell how long they had been there. I saw that they had nothing to eat.

130. *Chairman.*] But you could not say how long they had been there? No.

131. *Mr. Bruce.*] Can you say anything as to the food or water in the paddocks? No.

Thomas Dawson, Esq., examined:—

132. *Chairman.*] You are a stock and station agent? Yes.

133. You are aware of the objects of this Board of Inquiry? Yes.

134. You have been engaged for some years in matters connected with the sale of cattle for slaughter and such things, have you not? Nearly thirty years.

135. Can you give the Board any information upon the subject which we are appointed to inquire into and report upon? The working of the Abattoir?

136. In any way that may appear to you to be necessary as connected with the subject? I have taken a very great interest in the subject, inasmuch as you know I am trying to promote a company for the slaughter of cattle in the country, and I believe, before we are five years older, that nine-tenths of the cattle will be slaughtered up the line in different parts, and brought to the market in a dead state, instead of a live state. It is coming about very fast; even this winter there is a great deal of stock being slaughtered in the country.

137. *Mr. Stewart.*] From the north? From the south and west; we have no means of getting it from the north,—do you mean Queensland?

D. Holborow,
Esq., J.P.

3 July, 1879.

T. Dawson,
Esq.

3 July, 1879.

- T. Dawson,
Esq.
3 July, 1879.
138. *Chairman.*] From Maitland and so on? A good many come from that district by Wallerawang, and a great many also come over the Bulga.
139. Then it is your opinion that Glebe Island is unsuitable? I do not believe that in 5 years it will be used as a slaughtering place—to any extent. That is my firm belief.
140. What causes you to come to that belief? Because in every other part of the world the meat is killed before going into market, and why should we have our cattle driven to market, wasting millions of pounds of meat off their backs, and losing thousands of pounds of money every year.
141. Are you not aware that the largest slaughtering places in the world—in America—are in the heart of cities? Yes, but those are for the slaughter of cattle that are fed and fattened in the district and brought in by train. I was introduced lately to a gentleman from America, and he says they bring their meat hundreds of miles, and that it is the best meat they use.
142. Are you not aware that there are abattoirs in Paris? Yes, and they are most beautifully kept, I believe—and the same in Chicago, and in many other places.
143. Having that knowledge, you are still of opinion that the slaughter-houses here should be considerably inland, and that the carcasses should be brought in and not the animals themselves? I think, from the position we are in, natural events will bring it about, inasmuch as we have no fattening paddocks, nothing to keep a beast within 200 miles of Sydney.
144. That is a very important reason? If you calculate how many cattle come, how many are put into paddocks, and the number of acres in the paddocks, you will find that they are without drink or food for weeks. They cannot possibly have a blade of grass to eat. We know that there are plenty of small butchers who go to the sale-yards and buy two or three pens of cattle when the market is low, and keep them for a week or ten days; and where do they keep them. You know what the paddocks about Sydney are. Many times the cattle will be without water for a week together, because it is impossible to give it to them. Our cattle are of such a nature that they will not drink out of anything you like to give them. If you provide the means of drinking they will not go near it.
145. You think that the fact of driving, and the want of food and water, on the way from the pastures to the metropolis, deteriorate the quality as well as the quantity of the meat? Decidedly.
146. Very much so? Very much so. I have heard a butcher of 30 years experience say—and I can use his name if I like—that cattle that are driven to market are not fit for human food—that is those that are driven far.
147. *Mr. Stewart.*] Say how far? I think the last 200 miles into Sydney are worse than 500 miles before you get to that 200.
148. *Chairman.*] And particularly so during the summer season? Well, I think the one is as bad as the other. In summer the roads are generally pretty sound, but in the winter, between the fences, the roads become bogged, and the cattle suffer from that fact. Their feet get sore, and when they come to the mountains they lose their feet, and I am told that there is one hill where you can go and load drays with the points of the cattle's hoofs. Some cattle get footsore much sooner than others, according to the country they have been fed on. You could not bring cattle from the Clarence or Richmond into Sydney, because they are fattened on the low country, and they get so footsore that they fall off perceptibly. But I am as sure as that I am talking here now, that nine-tenths of the slaughtering will be done up the country before five years have passed.
149. Suppose the Government had a system of conveyance by means of refrigerated railway cars, for the purpose of conveying carcasses of meat to be received into a meat-market in or near the metropolis, in a meat-house also refrigerated, and the temperature kept within a certain limit, do you think that would be a great advantage to the producer and the consumer? That is what it must come to.
150. I suppose you mean that is what it ought to come to? That is what it will come to. If they can do it elsewhere we can do it here, and they are doing it in other parts of the world. The meat will have to be cooled at the slaughtering place and well stiffened, then put into refrigerated carriages for conveyance to Sydney, and the train will have to be run into the meat-market and unloaded there, and the meat put into cooling rooms.
151. The quality of the meat would be very superior to that from cattle driven? Yes, very superior. You can fancy what cattle must be like after being driven over a mountainous road for days and weeks, and then, when they come here, to be knocked about in the sale-yards up to their bellies in mud, and then to be hounded to the slaughter place along a macadamized road, and kept in paddocks a week after that again.
152. And would it not be a means of greatly increasing the revenue of the railway department? Of course it would; I have looked upon it as the grandest thing that could be undertaken.
153. There would be the hides, horns, tallow, bones, &c.—all those things would also be brought? Yes, and the tripe; and the whole of the pigs would be fed at the Abattoir, because it is impossible to do without that. The food for the pigs—all the entrails of the beast—would be cooked.
154. And the prospect of increased traffic to the railway is involved in this suggestion? It would be very great, there is no doubt.
155. *Mr. Stewart.*] Are you aware whether the meat is more apt to decompose when driven? From my experience I should say very much more liable to decompose when the cattle are killed in a heated state, such as they are in after travelling. The best juices come out with the perspiration of the meat, as would be the case with me if I started to walk to Bathurst. There is no doubt that the meat is very much deteriorated in travelling, by road or train.
156. Then you think meat carried by train would keep longer sweet than meat driven on foot? Decidedly; one is killed in perfect health, and cool, and put into the train and brought down in a cool, stiffened state, while the other is brought and slaughtered, perhaps in a high state of fever, then driven through the streets, and mauled about when hot and flabby, so that it is not likely to keep.

THURSDAY, 10 JULY, 1879.

Present:—

THE HON. GEORGE THORNTON, Esq., M.L.C., CHAIRMAN.

JOHN STEWART, Esq., | ALEXANDER BRUCE, Esq.

Thomas Dawson, Esq., further examined:—

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157. *Chairman.*] What has been your experience amongst stock? I was brought up as a grazier in England under my father and grandfather, who were also graziers, and have done nothing in this colony for the last forty-one years but follow the same business, being entirely engaged in stock transactions, in various ways. 158. And you are thoroughly conversant with the whole subject matter remitted to this Board to inquire into? I think so, inasmuch as I was with the late John Hamilton, who had the first establishment for boiling down. When that industry was first experimented on here, I was engaged by him to go to Goulburn for the purpose of erecting there the first establishment for boiling down. He then had large contracts for meat for the Government, and he appointed me his buyer in the Southern district where the most of the fat cattle in those days came from. I was also appointed to inspect the stock during the first New Zealand war, before they left this colony, on behalf of the contractors. I bought fat stock for the Tasmanian Steam Navigation Company for several years, and shipped them continuously. I managed the slaughtering establishment, and had control of all the affairs connected with it, at Collingwood, near Liverpool, for the late J. H. Atkinson, and I was the first man who ever brought beef into the city by train for sale at auction. I managed Mr. Blaxland's business for the sale of meat that used to come down the Parramatta River to Sydney from the Newington establishment. It was brought down twice a day. Altogether, from beginning to end, I have had great experience in the slaughter and usage of cattle.

159. As much as any man in the colony? No man more so. I have driven cattle over and over again to market from stations, and have seen the way in which they have wasted day after day on the road.

160. Do you know anything of the Glebe Island Abattoir? I do not.

161. You have not visited there? I have seen it often, but have not visited there for years.

162. Did you notice recently, some month or two ago, articles in the *Sydney Morning Herald* headed "Butchers and Butchers' Meat"? I did.

163. Did you read them? I did, carefully.

164. From your knowledge of the general subject, what is your impression as to the correctness of those articles, or of their justification in any way? It will be seen from the reply I gave just now to another question that I acknowledge not having been to the Abattoir for some time, and it might be said, why give an opinion upon what you now refer to. But from my general knowledge of the Abattoir and the meat supply, those articles were, I believe, a fair account of the whole thing. I do not think they were at all exaggerated. I think they were generally admitted to be a fair account by the butchers and others, and many things that might have been exposed, I am told, have not been. I have been told by men who dare not say anything about it in other ways, that there are worse things than any that have been exposed.

165. Worse than those stated in the *Herald's* articles? Yes, worse things than there stated; occasionally worse things happen. I will tell you some few things if you like, without having it committed to paper.

166. It must be committed to paper? It is what I have been told.

167. What, in your opinion, has been the effect of the publication of those articles in the trade generally, in the city? With regard to those articles and the trade I have no doubt they have done a great deal of good at the Abattoir; but previous to those articles appearing there was a marked change for the better in the shops and the various ways in which the butchering trade was conducted.

168. Previous to the appearance of the articles things had begun to improve? They had, consequent on the movement I made. Now I am trying to get up a company to remedy the evils existing in the butchers' trade throughout the city and suburbs.

169. That now exist? Yes, but since those articles appeared there has been a great improvement. Before those articles appeared there were articles in various newspapers in the colony, setting forth the necessity for such a company and the good it would do, and from that a great deal of improvement took place. The butchers took the hint, and prices were lowered considerably. Many persons are killing in the country, and the carts, the men, and the shops have been improved. And another matter I particularly noticed, and which I mentioned in my prospectus was, that the meat should be conveyed hung up in vans, from the Abattoir to the shops. Very soon after my prospectus appeared—a few months after—vans, as proposed by me, came into use, and others are being built, solely from my suggestion.

170. Can you state, for the information of the Board, what you consider the principal reforms required in regard to these matters generally? Yes, I have an idea that a great reform could be made in the way of meat supply to Sydney, both in regard to producers and consumers. First of all, I believe that all cattle and stock that could be slaughtered up the country should be so slaughtered. Of course, there are some little lots which come in which must be slaughtered here, but the rest should be slaughtered somewhere up the line, 100 or 200 miles from Sydney. Then the meat should be brought by train to Sydney, and, in the summer months, of course, we should require refrigerated vans. The meat, after being brought from the slaughter-houses, wherever they may be, in the train, should be conveyed to a dead-meat market in a central position in Sydney.

171. And sold as carcases? Let them sell it as they like.

172. I mean to say not distinguishing quarters or sides, but meeting requirements by selling the dead meat instead of live cattle? Yes, selling the dead meat instead of live cattle.

173. Any other improvement? I think the Government or the Corporation should build a central meat market that would accommodate either companies or single individuals, letting the market to those parties and providing facilities by which the train could bring the meat into the meat market and discharge it right and left as required, and, if necessary, that the meat should be put into refrigerated rooms. I think, too, that the Government or the Corporation, whoever possessed these markets, should have an ice-making machine, and make ice for all those people, and sell it to them at the smallest amount of profit. Ice should also go up the line to supply the trucks with the necessary means for cooling them in the summer months, and the meat, after being killed at the slaughter-houses, should be made stiff to the bone before being put into the trucks, and then, when the meat is brought down here to the meat market, the butchers could go and

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and take it away as they want it, hourly, or once or twice a day, as their requirements would make it necessary; and if they choose to have cooling rooms at their shops, so much the better. While on the subject of the butchers' shops, I might say that the butchers' shops in Sydney are not properly built for the purpose. There is scarcely a shop in Sydney that is fit for a butcher's business, and I will tell you why I say so. You will recollect that last Monday was a very dusty day, and on that day I saw hanging out in the streets, outside butchers' shops, quarters of beef, and sheep, and all sorts of meat, for which there was no room in the shop, and in some cases I could not see the meat for the dust that was flying about it, and we know what the dust of Sydney consists of. These shops ought to be constructed with a back room to hang the meat in.

174. Does your long experience enable you to inform the Board whether, if such a market as indicated by you were established in Sydney, for the sale of dead meat, the trade generally would be content with it, and it would meet their requirements? I think the consumers would particularly prefer it, and the trade would have to go to it because the consumers preferred it. We know that cattle cannot travel 100 or 200 miles to Sydney without being deteriorated considerably and losing the best and most nutritive quality of the meat. The meat is so deteriorated that the value of some cattle becomes reduced, after the animals have travelled, say 200 miles, from £1 10s. to £2 10s. per head. We see from the agents' advertisements that there are advertised, for instance, 80 odd wasters at one sale. That means the cattle have wasted on the road. This wasting would not happen if the cattle were killed 200 miles away.

175. Would it be better for the producer of the cattle, for the owner of the cattle, for the railway, in regard to an increased freight, and for the consumer in the metropolis and along the line, that the meat should be so slaughtered and brought in bodies here, having been first set in the way you have indicated? Certainly it would. First of all, we will take the railway. We know very well that if the railway would carry dead meat, even at the price it carries live meat, the revenue from the traffic would be much increased. The dead meat is already charged higher than the live beast, and the live beast carries the hide, and horns and tallow, and such things with him. The meat traffic will some of these days be the greatest that the Government have upon the railway.

176. It will give greatly increased business to the railway? No doubt a very great increase.

177. *Mr. Stewart.*] Have you ever followed cattle on the way to Sydney from the station? Many a time.

178. Fat cattle? Yes.

179. What rate do they travel at generally? It depends on the state of the road, whether they get water and such things. In some seasons they travel 8 miles, in others they have to go 10 or 15, a day, but in good seasons they can go 8 or 10 miles a day with comfort.

180. That would be from sunrise to sundown? We are generally out early in the morning, and spell about the middle of the day. Then we camp about sundown, and start off again after breakfast. The cattle ought not to go more than 8 or 10 miles a day, but sometimes they go double that.

181. And suppose you had to bring cattle from a station 200 miles from Sydney, how many days would you be on the journey? About 20 days, or 2 or 3 and 20 days.

182. You depend a good deal on the condition of the cattle, and the state of the weather? Some cattle will travel better than others. Cattle off some stations you cannot get to market.

183. Why? Because of the nature of the country on which they are fattened. They knock up so much. Monaro cattle, for instance, or cattle reared on hard stony ground, are better.

184. And very fat cattle travel worse than lean ones? They waste more, although it does not show perceptibly. We know that the road, anywhere you like to go, for 200 miles from Sydney, is perhaps as bad as can be for travelling fat cattle in mobs to market.

185. Why? Because it is all mountains, or fenced in, rocky on the ground, and the little feed that the cattle get is worthless.

186. What evil do they suffer particularly by going over this bad country? First of all, they go a journey of perhaps 400 or 500 miles. Take Orange for instance. Suppose that the cattle have come from Bourke (some 400 miles) to Orange. Then commence their trouble and misery. They are crowded between fences, and in wet weather are up to their bellies in mud. They are dogged behind; everything that meets them rushes them right and left, and even when out of the fences they get amongst the hills which are stony and hard to their feet. They have to mount those hills, and the grass is very bad compared to what they have been accustomed to, and if they get a mouthful it does them no good. Then after they get down the hills they are probably put into a paddock near the railway, where everything frightens them, and perhaps there is no water. I am sure there is no grass, because there is no grass anywhere within 10 miles of Sydney. Then they go into the sale-yards, and are knocked about there, and up to their bellies in mud, and are drafted, and branded.

187. Then, by the time they get to the end of their journey, to the sale-yards, what is the difference between them then, and what they were at the time they started from the station? If you were the owner of the cattle you would not know them. I have known men not recognize their own cattle in consequence of their knocked-up state and reduced condition. In olden times in England, when I used to take cattle for my father about 50 miles to London, we travelled 8 miles a day, and those cattle were fed, morning and night, on the best of feed. Even under those circumstances we estimated a loss of 8 lbs. a day on each beast, and what must be the loss on these cattle here.

188. *Chairman.*] Those cattle in England were fed all the way on the road, and yet lost in condition? Yes. Travelling cattle are bound to lose in condition. If you were to sit down and estimate the loss in the weight and value of the cattle through travelling by road during the year, you would see what an enormous loss there is to the country, and nothing can prevent it. Not even carrying cattle by train will prevent it. They will lose in weight by train, but not so much, for our cattle are of such a disposition that nothing will prevent them losing weight. They are frightened, for instance, in getting into the train, and they get knocked about and starved in the paddocks.

189. *Mr. Stewart.*] And besides the loss of flesh is there any alteration in the quality of the meat? Yes, they lose the best quality of the meat; that sappy, nice, nutritious part of the beast which you would get on the station if you killed the beast there.

190. Would the meat that has lost this quality not bring the same price in the butcher's shop as the meat from country killed cattle? I dare say it would; there is no other to get.

191. Suppose a buyer had the choice of a country fed carcase, and the carcase of a beast travelled on the hoof, would the same price be given for each? The buyers would give more for the country-killed meat, and I believe advantage is being taken of that in many shops where the butchers are ticketing meat as country-killed meat when it is not killed in the country.
192. You can judge of the meat yourself? I think so.
193. In the raw state? Yes.
194. Is there any alteration in the colour of it? Sometimes some cattle come to market very well, but in regard to that which looks well now, what would it have looked if killed 200 miles away.
195. Then there is an actual loss of flesh and a deterioration in the quality of the meat in the cattle travelled to market any distance from Sydney? Very serious, and so serious that I could show you figures that would astonish you.
196. Do the cattle that are brought down by rail suffer anything? They suffer a good deal. In the first instance our cattle are naturally wild. When about to be put into the train at Orange, for instance, there is some difficulty in getting them into the trucks. You put eight into a truck, and after getting them in with a good deal of knocking about, you shut the truck and serve another eight the same. I have seen when cattle were being loaded, a beast plant his fore-feet in such a manner that the devil himself could not move him. At another time I have seen a beast turn round as soon as he got into the truck and prevent the others for a time from going in.
197. So that they are knocked about a good deal in getting them into the trucks? Yes, and knocked about a good deal in coming in the trucks to market. The scenes they go through, the trains that pass them, and the shunting at different places, cause the cattle to get very frightened, and you will see them rushing about with perhaps one or more down, and the others treading them to death.
198. What is the result when cutting up the body of the beast? Terribly bruised.
199. Under the skin? Yes, of course, and the animals before they are killed must be to a certain extent very feverish. There is nothing worse than fright for making cattle feverish; and when these cattle arrive at Homebush they are let out of the trucks into the sale-yards, and then after being sold hunted down to the Abattoir.
200. But the train-carried cattle do not suffer near so much as those which travel? Not in waste; it is time and exercise that waste the others.
201. Is the meat deteriorated in any way besides being bruised? Decidedly so.
202. You think it is not equal to what is killed on the station? It could not be.
203. Are the cattle knocked about a good deal at the Homebush sale-yards? Terribly.
204. Could not that be avoided? Not in those yards.
205. The yards are incommodious? They are bad—unfit in every way for sale-yards.
206. You understand that the Corporation are about to be empowered to erect sale-yards? I understood so.
207. Would not Glebe Island be a commodious place for selling yards? If Homebush is too near, and yet the cattle travel too far to get there, Glebe Island would be too near town, and the worst day's journey for the cattle is that from Homebush to the Abattoir, as they have to pass people and houses.
208. I want to know whether there would be sufficient accommodation at Glebe Island for cattle sale yards; there are 13 acres there altogether? Not if the sale of cattle to its present extent is going to continue.
209. But if there were sufficient room Glebe Island would be a very suitable place for sale-yards? I do not think so.
210. Pray mention why? Simply because Glebe Island is too near the city. You are away from any paddocks in the event of your wanting to turn out any of the cattle, and men cannot kill all their cattle in one day.
211. But what is the disadvantage of having the sale-yards so near the city as Glebe Island? You must understand that if you bring 1,400 or 1,500 head of cattle into sale-yards at Glebe Island and they are all sold, there must be some paddocks round about to put those cattle into in order to keep them for slaughter.
212. Would there not be sufficient room? I think not.
213. That is the only disadvantage? Not the only disadvantage.
214. If there were sufficient yards for the accommodation of the cattle, Glebe Island would be a very suitable place for holding the sales? No, certainly not, I say.
215. Well, besides the "lairs" and the room not being sufficient, what other objection is there? I think those two objections are sufficient.
216. You do not know of any other? I think they would be too close to the city.
217. You mentioned that before? And there would be no means of keeping the cattle until they were wanted for slaughter. I do not know that I can give you any other reason.
218. The cattle that are sold at Homebush, where are they slaughtered? Mostly at Glebe Island.
219. So they have to go there? But they go there in driblets; they are dropped into paddocks as they come down and are brought on to the Abattoir as they are wanted for slaughter.
220. They are sold in the yards twice a week, and after being sold in the yards some of them are turned out in the paddocks adjoining? Yes.
221. These paddocks are lairs, are they not? Yes.
222. Suppose Glebe Island were connected with the railway at some point—say at Petersham—and all the stock coming down for sale were carried right on to Glebe Island and discharged there, would that not be a great advantage—discharged, and sold, and slaughtered? I think not.
223. Even if there were all the accommodation required, you think Glebe Island would not be a proper place? I think not.
224. Instead of resting the cattle at Homebush they would be carried on to Glebe Island? Perhaps if all came by train it would be better.
225. I am speaking of those that come by train? Those that come by train are not a tithe of the total number that come; it might answer for those that come by train, so far as mere room is concerned.
226. What proportion is there between the cattle that come on the hoof and those that come by train? I have not looked into that, but I think that four or five lots of cattle come by road for one that comes by train.
227. And as to the sheep? Nearly all come by train.

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228. You spoke of a wholesale meat market as a thing of great accommodation to parties connected with the meat trade; whereabouts do you think it should be? It should be in such a position that the railway could run straight into it and discharge the meat right and left. I think somewhere about Paddy's Market—the Haymarket, or thereabouts—would be the best place for it.
229. Suppose it were at Glebe Island, would that be suitable for sellers and buyers? That would be quite out of the way. If you are going to accommodate them with cooling rooms and all that is necessary for keeping the meat, it might be different.
230. The wholesale meat market would be out of the way at Glebe Island? Yes.
231. Where are bodies sold now? Principally at Glebe Island.
232. Is there any place other than Glebe Island where meat is bought wholesale? Yes, several lots come down by train in bodies, and are sold.
233. That is a recent thing is it not? Yes.
234. I mean apart from that? The meat has always been sold at Glebe Island.
235. The wholesale meat market then is virtually at Glebe Island now? Yes.
236. You have had a good deal of experience in the handling of meat after it has been killed? Yes.
237. Does pulling the meat about before it is cooled or set injure it? No doubt it does; and by some men particularly, if you can understand me.
238. Suppose a carcass were taken quite warm from the Abattoir, and carried to a butcher's shop in Sydney, would the handling and conveyance of the meat in that state hurt it? In the summer months it would very much.
239. It would interfere with the keeping of it? Yes; that meat kept back, and thoroughly cooled to the bone, would travel and keep three times as long as the meat you are speaking of.
240. And the meat sent by the railway is almost always cooled and set before being put into the van? This time of the year there is no necessity for it; in the summer months it should be so.
241. And is it not so? There are no means of doing it. If there were, meat in the summer months might be put into cooling rooms in the country, one night, and put into the trucks the next morning as stiff as a board. Then when it came to the market here it would keep a fortnight or three weeks.
242. At present they kill meat shortly before they put it into the train? Yes; they kill it, chop it down, and put it into the train at once. No meat will keep under those circumstances.
243. Have you ever been to the Melbourne sale-yards? I have.
244. Have you any idea what proportion the offal bears to the meat? Some a third, and some a fourth. A fat bullock has less weight in proportion in offal.
245. From a third to a fourth; the poor cattle having most offal? Yes. A poor bullock weighing 500 lbs. will have as much offal as a fat bullock weighing much more. I include horns, hoofs, head, and intestines.
246. Then in bringing cattle by rail you are carrying one-fourth of each beast which is not eatable? Exactly.
247. Carrying to Sydney stuff that is not wanted? Yes.
248. With the exception of the hide? Yes; but the heads, horns, tallow, hoofs, bones, &c., would have to come eventually.
249. But in driving cattle alive to Sydney you are actually bringing to Sydney one out of every four of an article not required for human food? Yes.
250. Do you understand why the railway charges more for carrying the dead meat than for living meat? I have never understood the reason; but the Commissioner has always expressed a great desire to meet the requirements of people slaughtering in the country, and has expressed himself in favour of the carriage of dead meat. At the same time, the Government charges more for carrying the meat than for carrying the cattle.
251. Encouraging people to send meat alive? Yes, and by making a calculation you will find the charge to be 50 per cent. more on dead meat than on the live bullock.
252. Then the railway fares as now regulated actually encourage people to send cattle alive rather than dead? At present they do—unless there has been some alteration since I was at the office.
253. If the traffic in dead meat was likely to increase, the probability is there would be much less work to do at the Abattoir? I reckon that in five years we will have nineteen-twentieths of the meat killed in the country.
254. And in that case there might be at Glebe Island quite sufficient accommodation for the selling and slaughtering of the cattle, and the sale of the carcasses also? Yes, if the Government gives us the accommodation of refrigerated vans.
255. You think it is an essential part of the railway traffic to provide cold vans? Yes, cooling meat vans.
256. And much of the meat that would come to market if these vans were provided will not come unless that be done? It cannot. Companies might do it, but it will not encourage the trade.
257. Have you had any experience in salting meat in this country? A little—not very much, nothing worth mentioning.
258. I suppose you have heard that meat that is salted here does not keep very long? Mr. Leslie, at Camperdown, who is a practical man, has been trying the curing of meat for a long time in all sorts of ways, and he asserts that no meat that comes down by road to this market could be salted and made to keep.
259. That is, it is so deteriorated that it will not take the salt readily? It will not keep. But I believe if establishments were formed on the line, say 200 miles away from Sydney, that we should have a great deal of salt meat prepared there. The meat would be in first-rate condition for salting, and the climate would be suitable for the purpose.
260. Suppose you had slaughtering places established on the line, commencing where the feed for the cattle stops in the paddocks, how would you dispose of the offal and the blood? I should think that was a most simple thing. I would not have the slaughtering place in the town, and the people round about would be only too glad to take the offal and the blood, and use them for growing for this market vegetables that we are obliged to send to Melbourne for. Let the slaughter-houses be built in suitable positions, either by the Government or under Government supervision.
261. The blood and offal would be taken away, that is, if they were made portable? Yes.
262. The people do not take them away here? There are no gardens here.
263. There are a good many market gardeners? But you cannot well distribute it on land near the city, nor carry it through the streets.

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264. Do you know whether there is an extensive slaughtering of small stock in the city? Yes.
265. There is a large slaughter of small stock in the city? Yes.
266. Could it be prevented? With proper supervision. Let every butcher's premises be inspected.
267. But could it not be prevented? If the inspector is allowed to go on the premises and prevent any live stock from being kept there.
268. If it is not possible to prevent it would it not be well to license the butchers' houses? Not those houses that are unfit for the purpose—for instance, where there is no drainage.
269. But the license would be refused if the premises were not fit? That might be done; but you would have to get an inspector who thoroughly understands the business.
270. But under those conditions the permission to slaughter small stock in Sydney need not be a nuisance? That question is difficult to answer, inasmuch as our present sewerage is bad, and our present water supply is not sufficient to wash these places out, and the places themselves are not sufficiently well built to carry off any objectionable accumulation. Then if it were carried off it would go into the harbour. So I should say prevent it altogether, and let the slaughtering be done in one place. There is no reason why the butchers should not go to the Abattoir to slaughter anything of the kind; they do in other places, including Melbourne.
271. *Mr. Bruce.*] Do you know the reason why notice has not been taken sooner of all the waste that has been going on and deterioration in the quality of the meat? Well, I think it is in a great measure owing to the apathy of the people.
272. Is there not another reason—the large quantity, the large supply, of meat we have always had? That has had a great deal to do with it. They do not mind wasting a little because the meat is so plentiful.
273. And it does not matter to the buyers? There is a good deal in that, but I think a great deal is owing to the apathy of the people.
274. You mentioned the waste in weight;—what waste would there be upon a beast travelling 300 miles to market, including the road over the Blue Mountains—what would a 900 lbs. beast weigh when it reached the Abattoir, after travelling 300 miles? It would weigh about 700 lbs., losing about 200 lbs.
275. Besides the loss to the consumer here is there not another element in this matter of waste to be considered—our export trade; do we not almost lose our export trade through the quality of the meat we are able to send away? I think that the meat is so deteriorated in quality that it is not fit to send away. There are meat companies which, if their meat were killed up the line, would have a much better chance of succeeding.
276. They never have paid? No.
277. Do you know what price our tinned meats fetch in the London market compared with the price of the Scotch tinned meats? It is about half, and we ought to receive fully as much.
278. And this arises principally from the quality of our meat being deteriorated? Yes, in travelling and being knocked about.
279. With respect to trucked cattle killed in Sydney, compared with the same sort of cattle killed in the country, is it not a fact that the former do not bleed like the country-killed cattle, and that the meat does not set like that of the cattle killed in the country? In any feverish animal—and ninety-nine out of every one hundred beasts killed at the Abattoir are feverish—the blood will not come freely out of the meat when the animal is stuck.
280. In mentioning the amount of offal in the live animal carried by train, you stated that it was about a fourth? It depends on the weight and quality of the beast. A very fat beast will not turn out anything like the proportion of offal that a poor beast will. A very poor beast will be nearly half offal.
281. With reference to the charges on the dead and the live animals, there is one thing you did not notice, and which I think ought to be noticed. After conveying the live animals, the railway authorities are obliged to take back the cattle trucks empty? Yes.
282. They cannot carry goods in them? Not unless some particular goods; but they reckon that the trucks have to go back empty.
283. That would not be the case with the meat trucks? Meat trucks would be always taking something back; they would be all clean, and there would be ice, salt, and casks, and other such things to go back.
284. Do you know whether the accommodation for trucking cattle is what it ought to be? I cannot say.
285. Do you know anything of what becomes of the cattle when they are sold at the Homebush yards? Do you mean immediately after the sale?
286. Yes? There are drovers, each of whom takes his employer's cattle away, and some drovers are employed by three or four butchers.
287. But where are the cattle taken to? Down the road to the neighbourhood of the Abattoir.
288. How long, on an average, is it from the time the cattle are sold at Homebush until they are slaughtered? Part of them may be slaughtered the same night, and the others may remain for days in some cases.
289. How many days? I have known them remain for a week or ten days.
290. Where? In small paddocks, in the neighbourhood of Sydney.
291. Any feed in the paddocks? No more than there is in this room. Sometimes there is a little water.
292. Is it not the case that as a rule butchers have some cattle always on hand? Yes, they seldom run clean out before they buy again.
293. In that case the cattle would go to the paddocks and not to the slaughter-house? Yes, usually three-fourths of them go to the paddocks.
294. And there is nothing in the paddocks? Nothing.
295. *Chairman.*] You told the Board that you attributed the present state of things to the apathy of the general public;—do you not think that the public up to this time have been wholly unaware of the state of things existing as to the quality of the meat they have been consuming? I think the majority of them have been totally unaware.
296. And now that they are being by this and other means informed of such a state of things, do you not think they will feel such an interest in the matter as to demand a reform? One would think so. The meat that is coming from the country has a great run, and for that reason a great many of the butchers are selling Abattoir-killed meat as meat from the country—because there is such a demand for it.
297. Then the consumers would not buy meat slaughtered at Glebe Island if they could get it from the country? They would not.

Mr.

Mr. Frederick Penny examined :—

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298. *Chairman.*] Are you a retail or a wholesale and retail butcher? Wholesale and retail.
299. Your establishment is in Dowling-street, Woolloomooloo? Yes.
300. Were you not a butcher in the city of London? Yes, I served my time in the city of London.
301. You do a pretty large business in Sydney? Yes.
302. Family business? Yes, and shipping business—not a large shipping business, but amongst the small craft.
303. Is the establishment in which you do your business suitable, remembering what you have seen in London in regard to butchers' shops;—is your establishment so constructed as to be suitable for the purposes of your trade? Well, not altogether; there could be a great deal of improvement made.
304. Are you not building a new establishment for yourself? I am, at the top of William-street.
305. In view of the interests of your trade, are you making any improvements? Yes, undoubtedly, in every shape and form; in fact similar to the shops in London.
306. And you intend to build a perfect butcher's shop? Yes, a perfect butcher's shop.
307. Very different from your own and other butchers' shops in Sydney? Yes, I hope it will be.
308. It is intended to be? Yes.
309. You have had a good deal of experience of the Glebe Island Abattoir? I have.
310. Do you slaughter your own cattle? At times. I used to kill all my bullocks, but not the sheep. In the trade I do now however; I want so many hind quarters of beef that it suits me to buy on the Island. Where I get one fore quarter I get ten hind quarters.
311. You say you sometimes slaughter your own animals and at other times buy the carcasses? Yes.
312. Then you have some experience of the mode of slaughtering at Glebe Island? Yes, I have.
313. What is your opinion of the manner in which it is generally conducted there, and as to the suitability of the buildings? The buildings are suitable enough. The cattle are naturally wild, and they are slaughtered differently from the method adopted at home. There, after the cattle are bought at Smithfield, they are driven home, and there is always plenty of water and hay for them. Then when they are going to be slaughtered a rope is put round the neck of the beast, and in a ringbolt, and the animal is then knocked down by the poleaxe, and pithed. Here they could not do that, but there is no doubt that there is a great deal more torture exercised at Glebe Island than there is any occasion for. I have seen the cattle as quiet there as I have at home; but as a rule they are naturally wild. There is a great deal, however, in the driving of the cattle.
314. How do you manage with your sheep—do you slaughter them at Glebe Island? No, I buy very few sheep alive; but if by chance I do buy any I have them slaughtered there. You can get a good supply there; you can buy them there, or you can buy them alive at Homebush and have them slaughtered at Glebe Island.
315. You mostly buy carcasses of mutton? Yes. There are many men who buy mutton alive, but there is a chance of your not getting the sheep again after they are taken to the Island. You cannot keep your eyes on the things there.
316. You noticed, when in London, the quality of the beef used there—it is generally very good, is it not? Yes.
317. Looking at the quality of the beef killed here from cattle driven down the country, and comparing it with the quality of London beef, what is the difference? There is not a great deal of difference. I have seen beef here as fine as any at home. Stall-feeding at home may make a difference in the flavour, but I have killed cattle here as fine as any in London. I have seen some very fine cattle here, and, in particular instances, some finer than I have seen in London.
318. I am asking you respecting the general state of things. Do you not think that a beast driven a long distance down the country, fatigued, footsore, and feverish, is less likely to become good meat? Undoubtedly. The greater part of our best cattle have been driven. Anybody may go to Homebush on a Thursday and buy a lot of cattle, and after they are bought hand them over to a man who slaughters for you. He will drive them to Garryowen, where the cattle are kept, and there is never a blade of grass nor a drop of water for them. On Saturday they are driven to the Abattoir for Monday's consumption, and there is no shelter and no water nor hay for them in the yard. In London they are fed and watered. It stands to reason that if a beast stands forty-eight hours without food or water the sap of the meat must degenerate. I have known cattle driven into the yards and on Monday morning you would hardly know them; they had fallen off so much that you would not know them as cattle you bought on the Thursday.
319. Then, as a general thing, it is a fact that cattle driven down the country, and used in the way you describe, lose the good quality of the meat? Undoubtedly, the sap of it is gone. You may buy some bullocks on a Monday, or on a Thursday, and they may be splendid cattle; but they are driven down to the Abattoir, where one or two are killed, and you will find the flesh as black as my coat. But leave these cattle for a few days, and the blood would be settled down and run away from the animals when they were slaughtered—different altogether from what is the case when the animals are driven down and killed while hot, and when the blood will not flow. In that case, when the meat is sent to the shops, and cut up the next morning, it is as black as a coal. This has given me so much experience that I would rather buy a body of beef than buy an animal which is driven in and at once killed.
320. Is it not a fact that you get your meat almost hot, and with the muscular action going on? No doubt that is the general rule in the summer-time. As soon as the bullock has his hide off he is cut up and put into the cart, and goes jig-jog to the shops.
321. Can that meat be wholesome and fit for food? It cannot be fit for human food.
322. And yet that is the way it is done? Yes.
323. That is the way in which it is conducted? Undoubtedly. That is correct, I assure you.
324. You must have noticed lately a new feature in the wholesale meat trade—bringing bodies of meat from the country? Yes.
325. Does your experience lead you to give an opinion as to whether the public prefer that meat to the Glebe Island meat? Decidedly they do. I wish I could always get it that way.
326. Is the country-killed meat really better than the other? It is; that I am sure of.
327. Is it more wholesome? More wholesome.
328. Looks better? Looks better, and —
329. And is more palatable? Yes, more palatable. It has all its nature in it.

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330. And the customers prefer it? Oh, yes.
331. And will have it if they can get it, in preference to the other meat? Oh, yes.
332. Do you think if a system of slaughtering cattle in the far interior were adopted, and the meat were set and put into refrigerated vans, then brought down to Sydney, and put into a meat market, the temperature of which would be considerably reduced, that it would be an improvement upon the present state of things? Oh dear, yes.
333. Would it suit the retail trade very much better? It would. No doubt if we were supplied with it there would be the necessary conveyances—horses and carts—to bring it to our own places, otherwise it would be extra expense for us to get men, and horses and carts.
334. Would it not be better also for the producer and for the consumer—better in the interests of all concerned? It would be, undoubtedly. I am speaking conscientiously, in regard to everything you have asked me.
335. No man, of course, will deny that there is a lot of illicit slaughtering in the city? No.
336. Lambs and calves, and sucking pigs are killed contrary to the law. I do not want you to make any admissions; my object is to ascertain from you your opinion whether under proper supervision and in properly licensed houses—butchers' establishments—the slaughtering of these animals might be permitted without any detriment or nuisance to the public and with great advantage to all concerned? I believe so; that is, if a man has got a fit and proper place to do it.
337. If a man has a proper place for the slaughter of these small animals it could be carried on without any injury to the public, without any nuisance, and with many advantages? Just so. There are all the advantages if you could only have the thing done as it ought to be done.
338. Proper premises and properly supervised? Yes; properly supervised all through. By killing lambs and calves at Glebe Island you expose tender animals to all sorts of weather, and the meat being delicate meat goes much quicker than other meat. Then the less you move it about the better, and the handling and the jolting about in the cart are such that if you should not want the meat till the next morning after it has been brought to the shop it will be as green as grass.
339. Then in respect to the quality of the meat of those calves, lambs, and sucking pigs, it would be a very great advantage to the public if properly constructed places were licensed for the purpose of killing these animals? Yes.
340. And under proper supervision it would be a very great advantage in all respects? It would indeed, both to the public and the butchers, if properly carried out.
341. Especially as to the wholesomeness and general quality of the meat? Yes.
342. *Mr. Stewart.*] You do not kill all the meat you retail? No, I do not.
343. You buy it wholesale? Yes, at Glebe Island.
344. At any other place? Since the beef has come down from the country I have bought Riverstone beef.
345. But until recently you bought all you required at Glebe Island? Yes.
346. Is there any wholesale meat market in Sydney? No.
347. Is such a place not required? Undoubtedly it is.
348. Would Glebe Island be a good place to have a wholesale meat market? Well, I could not altogether say that Glebe Island would be a first-class place? If the market could be more central in the city it would be better.
349. But Glebe Island is the only thing in the shape of a wholesale meat market that you have now? Yes.
350. Is there any real competition among the carcase butchers? No, it is a pity there is not.
351. Do they not arrange the prices among themselves? Yes.
352. And the retail butchers are quite at their mercy? Yes, and the public afterwards. There are only about four men in the trade—mutton men and beef men. If it had not been for a few men who broke the monopoly, by buying outside and supplying us, the monopoly would still have existed.
353. Are you pretty sure that they do arrange the prices among themselves without submitting the thing to competition? I could almost swear it.
354. Would not the present supply of carcasses from the country help to bring down the monopoly? Undoubtedly.
355. And if you had a well regulated wholesale meat market the retail dealers would not be at the mercy of the carcase butchers? No. Melbourne is an instance of where you can buy a loin of beef in the same way as you can in Newgate Market, at home.
356. When you happen to have more meat on Saturday night than customers what do you do with it? Put it in salt.
357. Does it take salt well? Not well in the summer-time.
358. Have you any cool chamber in which to put the meat? No.
359. Are you building one on your new premises? Yes, and a cellar—a double-walled building.
360. Do you mean to apply ice? They tell us that ice will be very cheap this season. I have not gone into the thing thoroughly, but I intend to rail off one part of the premises for nothing but a cooling place.
361. How much meat will it hold? It will be to hold meat from day to day. You would want a large place to supply a trade for four or five days.
362. What size will the ice chamber be? 26 by 23.
363. If there were a wholesale meat market, supplied with a sufficient number of cool chambers, would it not be a very great convenience to the retail dealers? Undoubtedly.
364. And then the necessity for keeping cattle in the bare paddocks would be at an end, as you could kill them off at once? Yes.
365. Do you lose much meat in summer by spoiling? No, not a great deal. A good deal of judgment is required in dealing with customers. You spoil a little.
366. Have you had any experience of butchers' shops in other parts of the world? I have in London.
367. Is it customary to have even large stock slaughtered there on butchers' premises? Yes, on butchers' premises in the heart of London.
368. Some in the cellars? Yes. In Newgate Market they did all the slaughtering in the cellars.
369. Did it create a nuisance? No.
370. Why? There was always a great supply of water, and all the offal was carted away.
371. It is not kept long enough to make a smell? No.
372. Is it not a fact that a small quantity of meat in a stinking state will spoil a large quantity? Yes, undoubtedly.

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373. Then if about the killing houses at Glebe Island there is a bad or foul smell it would be impossible to kill calves and lambs and sucking pigs there, and to keep the meat good? Yes, you could not kill them there to keep. My experience is that if you leave a fore or hind quarter hanging till next morning unless that beef is properly broken up the meat will not be worth much.
374. If there were a wholesale meat market here would it be necessary for you to kill any beast at all? No.
375. You would buy it dead? I would prefer to buy it all dead.
376. *Mr. Bruce.*] Is there any actual necessity to kill calves and lambs in the city? There is, I assure you.
377. How is it that in Melbourne they can kill eight lambs to one killed here, and carry them further than they are carried here; in Melbourne they kill at Flemington thousands to our hundreds; how do you account for that? I am sure I could not answer that question; but there is no doubt that the butchers escape the law there as they do here—I am certain of it. I know when I was butcher of the mail boats I have gone ashore and killed half-a-dozen lambs on the premises, and taken them away with me.
378. How long ago is that? Eight or nine years ago. On many occasions we have been short of time, and not knowing the number of passengers there would be, the order for the necessary quantity of meat has not been sent from Sydney; then we have been told to take half-a-dozen lambs or calves, and I have gone ashore to pick out the stock, and have killed them.
379. *Chairman.*] Then there is a good deal of illicit slaughtering in Melbourne? Oh, yes.
380. *Mr. Bruce.*] If there were a chilling house at the Abattoir, lambs and calves after having been killed could be set there before being brought to Sydney? Lamb and veal are required perhaps, only once a week, and you could not kill them as you wanted them at the Abattoir. A man may go to the Abattoir and kill a lamb on a Saturday morning, and during three months of the year the meat may not be good when you put it upon the table on Sunday. It must be killed the very last thing on Saturday night, and then the meat is sent out hot. I do not know what it would be if killed at Glebe Island.
381. There is no more necessity for killing these animals on your premises than for killing sheep. Would not killing the small stock at the Abattoir force that part of the trade into the hands of the wholesale men and take it out of the hands of the retail men; does it not pay the retail butcher better to kill the lambs and calves on his premises than to buy from the wholesale butchers; and is it not at the same time more convenient? Yes, if it were not allowed there never would be a beast supplied.
382. In other parts of the world, as in Melbourne, a far larger number of animals are killed at the Abattoirs than are killed here, and without illicit killing? Then they must get the orders in differently.
383. As to the offal from the calves and lambs, how would you get rid of it? Take it away.
384. How? Let one of our own carts take it away.
385. What would become of the blood;—it would have to go into the drain would it not? No; if a calf or lamb to be killed were stuck over a bucket the whole contents would be caught and would not amount to half a bucketful, and then it could be taken away in your own cart.
386. The blood of all the calves and lambs killed in Sydney would amount to a great deal? Yes, but does it not make splendid manure. Chinamen would give you 2s. 6d. a load for it. I send my dung away every day in the week.
387. It goes now to your own dung-heap—the blood and the offal? Oh, no, it would do so. But if you allowed slaughtering on the premises you would have to provide a place where you could put this stuff.
388. If a butcher were not very careful there would be a nuisance from this? No doubt of it.
389. And it would entail a great deal of inspection and care? Yes.
390. And if the killing could be done at the Abattoir it would be much safer? No doubt, if you had sufficient and proper places.
391. Do you buy all your own cattle? No, I buy nothing to kill. I used to buy cattle, but I now cut up more hind than fore quarters.
392. Do you know what the practice is of those who buy their cattle—is it to buy enough to last them just to the next sale day, or to have a few on hand? To have a few on hand.
393. Where do they keep them? At Garryowen. As soon as the cattle are knocked down to the purchaser at the sale-yards they are delivered to a man who charges you so much for driving them and killing them.
394. Then the cattle that would be sold on Monday would go to the paddocks until after Thursday's sale? Yes, till the following week. If the butchers saw a chance of buying a lot of cattle cheap they would buy enough to last them a fortnight.
395. Then they would be some time in the paddocks? Yes.
396. *Chairman.*] A butcher's shop for the sale of meat should be conspicuous for cleanliness throughout every part of the premises, and every implement or instrument used should be thoroughly well cleaned and constantly clean? It ought to be.
397. There should be perfect ventilation—a pure atmosphere always passing through the premises—good drainage, and every other thing necessary to keep meat wholesome? Yes.
398. Any other condition of things would of course have a contrary effect—make the meat unwholesome and unfit for human food? Yes.
399. Is it not a fact that just now, and for some months past, the wholesale price of cattle is very much less than it has been? Yes.
400. More than one-half? More than that.
401. At any rate it has been reduced to the extent of one-third or one-half? Yes.
402. Notwithstanding that, is it not also a fact that the retail price of meat has not fallen in the same proportion? Yes.
403. The retail price has been kept up? To a great extent it has.
404. Now, I want you to tell me to what circumstance you attribute this state of things—that although the producer gets so small a price for his cattle, yet the public pay so-high a price for their meat? I am paying 2½d. a lb. for my hind quarters of beef, 2d. and 2½d., and so on.
405. To whom? To the Abattoir. That is what the meat stands me in, taking the carcase. The fore-quarter meat is no use to us now. I do not know that there ever was such a quantity of salt beef as there is now through there being so much meat. If I want any rumps and loins of beef I buy them off Woolfe, and have to pay 4d. a pound for those.

406. You have to pay for your meat the prices that the wholesale carcase butchers charge you? Yes. Their charge is about 2d., taking it fair, but by the time you get what you want out of it, it stands you in about 4d. a pound.

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407. I only want to know the reason why you charge the public so much? It is because you want so much more of the best part of the meat now than you did before. I have now a lot of the finest beef—shipping meat—that I would be glad to get 8s. a hundred for; but people want better beef now. Where a man does a chance trade you can buy a piece of roast beef off him cheaply, because you have to take something else with it. M^r Carroll, for instance, will cut his beef right through, and sell you a piece for 2d. a pound.

408. *Mr. Stewart.*] What becomes of the fore-quarters? He can cut those up. People who come in with the wood-carts, and others, buy it. But anyone in the habit of providing choice meat could not sell the fore-quarter meat.

409. *Chairman.*] Have you ever seen any diseased meat offered for sale at the Abattoir? I have not. I have seen plenty that has been there, and cut down. It takes a good judge to tell a diseased bullock.

410. But you have not seen any, except after it has been cut down? No.

Mr. Henry Woolfe examined :—

411. *Chairman.*] You are a wholesale and retail butcher in Sydney? Yes.

412. On your own account, or are you one of a firm? On my own account.

413. Have you been long engaged in the trade? Three-and-twenty years.

414. And you do a large business? Yes.

415. Have you seen much of the mode of slaughtering, and of the business done at the Glebe Island Abattoir? Yes, I have been there every day since, I think, the Abattoir was opened.

416. And what is your opinion of the establishment as an Abattoir, for the purpose required? Well, in the first place, it was never intended, when it was first built, to be used for so large a business. It was never thought the country was going to grow as it has. The Abattoir is far too small. There is more accommodation now than ever there was, but some time ago the accommodation was very bad.

417. The accommodation now is not enough? Well, there is plenty of room if it was only managed as it should be managed.

418. What is your observation of its general state, as to cleanliness? Well, I think it is kept as clean as any place could be kept.

419. With regard to the sheep-slaughtering place? Well, the sheep-slaughtering is a dirty business from beginning to end. The place is cleaned when they are done at night. When they are done the place is washed down as clean as a new pin.

420. And the pig-slaughtering? Well, I have been killing 130 and 140 pigs per week ever since Glebe Island opened, and of course you cannot have anything else but a clean slaughter-house for pigs. It is a person's own fault if he ever allows his place to be dirty on Glebe Island, because there is plenty of water, and they can wash down the slaughter-houses and the yard in 10 minutes.

421. Have you plenty of hot water? Well, we have not plenty of hot water; we have to make a fire and provide our own water.

422. Would not steam be a great advantage? If they could provide enough steam. In my establishment in the city we boil and cook everything by steam.

423. In some cities in America, notably in Chicago, they kill as many as 15,000 pigs a day? Yes, they do.

424. And where there can be such an extent of business done, we could, with advantage, I suppose, follow, in some degree, the state of things that exists there? They only want a boiler at the end, and a steam pipe running along, by which means you could supply every slaughter-house on the island.

425. *Mr. Stewart.*] In any quantity? In any quantity.

426. *Chairman.*] Have you had any experience the last few months of getting carcases of meat from the country? I was the first one that got meat in Sydney from Orange.

427. What is the result of that new order of things in regard to the appreciation shown by the public, the consumers? Well, it stands to reason that the meat killed in the country must be far superior to the meat killed at Glebe Island.

428. What is the reason of that? In the first place there is the slaughter-yard near where the cattle are fattened, so that the animals do not have to come any distance. They are killed and then hung up till thoroughly cold, and then the carcases are sent to Sydney, whereas, if the cattle are trucked alive, there is first a great difficulty in getting them into the trucks, and coming down they get knocked about and bruised, and after arriving at Homebush on a Friday night or Saturday morning, they are taken out of the trucks and put into a paddock where there is nothing to eat. If the market is bad on Monday the agents will not sell them but put them back till Thursday, and the cattle are all this time starving. Then at Thursday's market they are sold. Butchers bring in to the Abattoir what they want to kill, and put the rest in paddocks the other side of the island, where there is no more grass than on the floor of this room, and there the cattle stop perhaps 4 or 5 days before they are slaughtered.

429. That is the description of meat killed at Glebe Island? Yes, and when they are brought in for slaughter, and before they are knocked down, they are driven about very much, and the meat becomes as black as that cloth. Then again, they may be put in the yards in the morning, and may not be killed till night, and standing there all day does not do them any good.

430. *Mr. Stewart.*] Does that sort of treatment affect the meat of the animal? It must do it. To see the difference between the meat killed in the country and the meat killed at Glebe Island you would not credit it. Half the butchers in Sydney will not believe it, because it costs them more to get the meat down from the country than from Glebe Island.

431. *Chairman.*] Then you say that the Glebe Island meat will not bear any comparison for wholesomeness, flavour, or any other quality, with that brought down from the country? It will not.

432. And the public are now judging the difference by buying meat from the country to the exclusion of the other? Yes, and a great many butchers ticket beef as country-killed beef, which people purchasing and eating it find out, as they do not discover any difference.

433. Then butchers ticket the Abattoir beef as Bathurst or Orange beef? Yes.

434. And they find it necessary, in competition, to call it by these names, in order to get custom for it? Yes.

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435. Is it not an undoubted fact that the meat which is brought from Orange and the country districts is infinitely superior, in all respects, for human food, to that slaughtered at Glebe Island? It is far superior. I would not give 12s. for beef at Orange while I could get other beef at the Glebe Island for 8s. if it were not so; but I prefer giving 12s. for the Orange beef.
436. Have you ever considered the subject of a wholesale meat market to be established in the metropolis; say, for example, that a large meat market was erected near the Haymarket? That is what it will have to come to in the course of years, for all the meat to be brought to one market, and then things will be in a great deal better state than they are in now.
437. Suppose a system were introduced similar to that in connection with meat markets in other parts of the world, where the temperature is reduced to a freezing point, and the meat brought into the market by refrigerated cars from the country, do you not think a system of that kind would be vastly to the benefit of all persons concerned? I do.
438. Particularly to the producer of the animals? Yes, they would get far more for the meat, and it would be delivered in a nicer way.
439. And would not the consumers be better treated by getting more wholesome meat and less nuisance? Yes.
440. Would not the railway derive a large additional revenue from such a course? Yes. In London the train runs underground to the Newgate and Leadenhall Market and conveys the meat to the shops.
441. How long is it since you were in London? Four-and-twenty years.
442. Then you have not seen the new Smithfield Market? No, we used to have the beef brought from Aberdeen and all parts.
443. You say that half the butchers in Sydney are not yet aware of the advantages of meat brought from the country over that slaughtered at the Abattoir? A great many butchers do not study their customers and only study themselves, and if they get meat a farthing a pound cheaper at Glebe Island than anywhere else they get it rather than put themselves about in the interest of their customers.
444. Would not a meat-market cure that? Yes, the meat could be killed at Glebe Island and brought to the market for sale.
445. Then a wholesale meat-market of the kind I have indicated would be better for the interests of all concerned—the producer, the retailer, and the consumer? Yes, better for all parties.
446. You remarked just now that it must come to that in the course of time? Yes.
447. What is your opinion upon this point: Suppose a properly built establishment were to be provided in the city, or suppose you built a shop of your own, with every convenience in it, and that it was under the proper supervision of the authorities, do you think you could carry on the slaughter of small animals—lambs and calves—without any injury to the public? Of course you could.
448. And would it not be a great benefit to yourself as being in the trade, and also in respect of the wholesomeness and general quality of those delicate descriptions of meat? Yes, it stands thus: If any butchers' shops were built so that they could be licensed to kill calves and lambs, the butchers could keep the places far more clean than now; but where any place had not the conveniences for slaughtering, let them take the animals to Glebe Island. They now kill calves and lambs on the premises, and the blood runs through the cracks in the floors and settles there, and in the summer-time it is very bad. They want places built as in London. At the same time there requires to be a very heavy penalty if they are caught killing sheep. If the butchers once commenced killing sheep the town would be a nuisance.
449. Then sheep ought never to be permitted to be slaughtered in the city? A butcher wants only two or three calves and lambs, not to make a common slaughter-house of his place.
450. But, under proper supervision, and on properly constructed premises, the slaughtering of small stock might be permitted with advantage in every respect? Yes; you want a very heavy fine to put on, and an inspector visiting the place every day, and when you find a place dirty, make an example of it. It is no use fining £1 or 30s., but make the penalty severe. Half the butchers in Sydney keep such filthy dirty places that you would be ashamed to go through them.
451. *Mr. Stewart.*] Where do you buy meat wholesale? I am getting all my beef from Orange.
452. Previous to that? I used to buy my own at Homebush and kill for myself.
453. Did you ever buy dead meat? At times.
454. There are people who do buy it? Hundreds.
455. Where do they buy it? At the Abattoir,—York and Walsh, and Rennie and Williams.
456. That is the only thing in the shape of a dead-meat market? Yes.
457. Is there any competition among the dead-meat butchers? There is plenty of competition, but when there is meat very dear there is something like a knock out.
458. But any monopoly would be done away with by the establishment of a dead-meat market? Yes.
459. Suppose you were to be supplied at a much cheaper rate than now, would it not be possible to make arrangements at Glebe Island for a wholesale meat market for storing meat there for two or three days? It would.
460. I understand cattle are often kept alive starving for two or three days to wait a demand in the market, whereas, with proper accommodation for storing the meat, they might be killed at once, and the carcasses kept in a cool store, and be all the better for being so kept? Yes.
461. The meat would cut firmer, and be more tender? Yes.
462. Is new meat always tough? Yes.
463. Whatever has been the state of the animal when killed? Yes. Well, a nice young bullock off a good run is not very tough.
464. Do you have any meat spoiled on your hands? Plenty, in summer.
465. Not having sale for it? Not that, but having beef in at night, and it going bad next morning.
466. What do you do with it when you find you cannot sell it? The bone man gets it.
467. You do not sell any of it? No.
468. It is used for boiling down? Yes.
469. Would that be necessary if you had a cooling chamber? Yes.
470. Would not a cooling chamber preserve it? Only for a time.
471. Perhaps from Saturday to Monday? Yes.
472. In hot weather you can hardly do that now? No; I have seen meat come in on Saturday morning, and be bad on Sunday.

Mr.
H. Woolfe.
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473. One joint bad would spoil all the others? No, but the way meat is delivered in Sydney is a very bad way. When killing sheep at Glebe Island they stick five-and-twenty at a time on the ground. The sheep put down first is dressed first, and by the time they come to the last animal, it has been lying upon the ground some time. The sheep want to be dressed very quickly. Then a cart is loaded perhaps with five-and-twenty, or thirty, or forty, mutton carcasses—say thirty. They have to go to different shops, and the sheep that is put at the bottom of the cart, with all the other mutton on top of it, lying there in the summer, perhaps two hours from the time of starting from the Abattoir until it reaches the butcher's shop where it has to go to; that must make the meat go bad.

474. But if these mutton carcasses were hung up in a cool chamber till thoroughly cold the carriage of them would not be so detrimental? No.

475. It is because the meat is not cold and set that it is apt to spoil? Yes, apt to spoil.

476. Do you kill any mutton at Glebe Island? No, I do not kill any mutton.

477. Did you ever see any meat that was supposed to be diseased offered for sale? No, I have seen meat bruised very much.

478. That is bruised during the journey on the surface, under the skin? Yes. I think there should be great alterations made at Glebe Island, in order to stop people from talking.

479. Could the cattle be sold at Glebe Island? No, there is no accommodation.

480. Could not accommodation be made there? If cattle were sold there, they would have to drive them back to the paddocks.

481. Why? You would want to sell every day.

482. And if there were accommodation for keeping the meat after it was killed, would it not be better to kill the animals at once? I do not think so, but I have not considered that.

483. You think if cattle were brought to the Glebe Island, and not sold, they would have to be taken away again? Yes; it would be like bringing anything to market, and when the buyers knew they had got you they would give you anything they liked for it.

484. The buyers might combine to keep the animals unsold? Yes.

485. Are there not some good large paddocks about Glebe Island? None with any more grass than there is in this room—nothing but rocks.

486. Is there any grass anywhere for them? No, nothing in summer.

487. Nothing at Homebush? No; you know what the grass is at Homebush.

488. Then the advantage of taking them to the paddocks is to give them a rest, a lie down? That is all.

489. *Chairman.*] You were saying something about inspectors? The inspectors might look after the island a great deal different from what they do. They should go along the slaughter-houses of a morning, and if they saw a dirty slaughter-house they should see that it was washed down, and they should look into the carts. I have seen meat being taken off the island in carts which were in a dreadfully dirty state.

490. Do you not think the mode of delivery in the carts, with one or two exceptions, very unsatisfactory? Those carts of Rennie and Williams are a great improvement.

491. And the others? They are right enough if they were kept clean, and if the men were clean.

492. There are neither clean carts, clean cloths, nor clean men? No.

493. Is it not generally the case in the summer time, that is during the hot weather, that meat is taken from the Abattoir almost hot, in fact almost alive, for delivery at the retail shops? I have seen a bullock killed, and 5 minutes after quartered off, and hung up, and put into the carts.

494. Can that meat be fit for human food? That does not interfere with the eating of the meat. It is before the bullock is killed where the evil is.

495. Do you not think meat should be set before it is fit for consumption? It should be, but it is set in the shop. If the carcass comes in hot you hang it up until it is set.

496. *Mr. Stewart.*] How will you manage in summer with that country killed meat—will it come from Orange without being spoiled? They think they can get it without being spoiled.

497. They will have to provide cool cars? That is what they are going to try to get.

498. Unless the railway provides some cool cars the meat cannot come in summer from Orange? No.

499. *Chairman.*] Refrigerated cars are an absolute necessity for bringing the meat from Orange in summer? Yes.

500. *Mr. Bruce.*] Is it not a fact that their not being sure of this trade continuing in the summer time is keeping a good many retail butchers from buying carcasses from the country—that they are afraid the wholesale butchers would not supply them if they did not buy from them now? I do not know that. There are a few men in the hands of the carcass butchers that cannot shift.

501. But yourself and others do buy? Yes, but those dependent on the carcass butchers cannot buy.

502. If there were a large chilling-store attached to the Glebe Island Abattoir, would it not be a great benefit to the retail trade? I think it would be a great benefit both to the wholesale and retail trade, because, in the summer-time a man would have four or five bullocks over, and would have, as it were, to give those away. A butcher who goes over at half-past 4 to get something cheap sees a man perhaps with three or four bodies of beef, and immediately wants to get it at his own price, and if that is not taken the meat spoils.

503. Would not meat set to the bone keep a day longer than other meat? It would keep one and a-half days or two days longer.

504. And your country-killed meat will keep longer than the meat killed at the Abattoir? Two or three days longer.

505. Is it an absolute necessity that you should kill small stock on your premises—could they not be killed at the Abattoir? You are not allowed to put a breath of wind in a calf or a lamb, and it is a great inconvenience for a man to take a calf or lamb to Glebe Island to kill it.

506. But putting the inconvenience out of view, if the calf or lamb were killed at the Abattoir, and put into a proper conveyance to be taken to the shop in town, would it not be possible to carry on the trade that way? Yes, but on the other hand there are very few men who can dress calves and lambs at Glebe Island. It is a particular part of the business, and your shopman generally does it. And if you have the convenience to do it a butcher should be allowed to kill the small stock at his own shop. Lamb, after being brought over in a cart from the Abattoir, does not look fit to eat.

507. *Chairman.*] That is to say, a lamb killed at the Abattoir by the ordinary butcher, and a lamb killed by a skilled butcher on the butcher's premises, would be such that one would be saleable and the other not? Yes.

TUESDAY, 15 JULY, 1879.

Present:—

THE HON. GEORGE THORNTON, Esq., M.L.C., CHAIRMAN.

JOHN STEWART, Esq., | ALEXANDER BRUCE, Esq.

George Maiden, Esq., examined:—

G. Maiden,
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508. *Chairman.*] You are one of the firm of Maiden, Hill, and Clark, of Sydney, engaged in extensive stock and station transactions? Yes.

509. I suppose you are aware that the object of this Board, appointed by the Government, is to inquire into the subjects of cattle slaughtering, the meat supply of the metropolis, and the condition and management of the Abattoir? Yes.

510. You must have had considerable experience in matters of this sort? I have had very great experience, not only in selling stock but in the management of sheep, horses, and cattle, long before I entered the auctioneering business.

511. Have you had any experience in travelling stock? Very great, for many years, overland. Do you mean on the railway line?

512. Travelling stock generally—droving I mean more particularly? Very great experience.

513. I suppose your experience relates to travelling stock between the colonies as well as in this colony? In Victoria and New South Wales principally, in fact nearly all over. I was a very large store-cattle buyer at one time. I bought some thousands on the Clarence, and in all parts of the country.

514. Can you tell the Board how the droving roads are provided with reserves for the use of travelling stock? I have not had much to do with droving of late years, but I have been able to see that not sufficient attention is paid to that matter of reserves, that the stations are being fenced up to the roads, and that there is not sufficient accommodation for travelling stock. Some ten or twelve years ago I wrote a letter on the subject, either to the *Herald* or to *Bell's Life*, and signed it "A Bogan Squatter."

515. Do you know the present state of the reserves for such purposes? From what the drovers tell me they are insufficient. There is not nearly enough accommodation provided for that sort of thing.

516. Is it not essential that every provision should be made for the protection and for the travelling of stock, especially for fat stock coming to market? It is.

517. Do you know anything of the travelling of stock by rail? Yes.

518. Do you know about when it commenced? I was trucking sheep ten or eleven years ago from Mount Victoria; I think it is about that time.

519. How long has the cattle-trucking by rail been in operation as far as you know? Not very much until the last two or three years. Very little was done until then; hardly anything in fact.

520. How do you account for that? Bad accommodation; want of knowledge.

521. Bad accommodation where? On the railway lines; want of accommodation, and proper yards for putting the stock from the road on to the rail.

522. How do you account for the travelling of stock by rail not having been taken advantage of sooner? Only the slow way of doing everything in Sydney, the same way as I account for the sale-yards not being erected. Everything is left to chance until the necessity of the thing requiring to be done is so great that it forces itself into operation.

523. The Western railway from here to Wallerawang, and the Southern railway from here to Goulburn, have been opened for a number of years? Yes.

524. And the advantage of bringing cattle by rail might have been taken many years ago? Yes. People were deterred from sending cattle by rail very much through the losses that occurred. The cattle got bruised and knocked about so much that the owners would not truck them, and preferred coming by the road, although, but for the loss they would have preferred trucking the cattle.

525. When you say the arrangements are so insufficient, and the trucking accommodation of stock so faulty, do you refer to the sites for trucking, or the form and construction of the trucks? Everything in connection with it. The yards were not constructed to facilitate the thing, and the trucks were very risky and old-fashioned, in my estimation, and they were loaded from the middle, and had an old-fashioned door that a man had to go into the middle of the yard and lift up, which made it so unsafe for him that I wonder some men have not been killed. Then it must knock the cattle about, because some cattle would run out before the door could possibly be closed.

526. Do you speak of by-gone times? No, of the present time.

527. The arrangements are still very defective in respect of trucks and accommodation generally? Yes, still defective as to the mode of trucking.

528. Where should the trucking-yard be situated as regards the ordinary station traffic? Do you mean in regard to the metropolis, or all along the line?

529. All along the line? Do you mean near the railway station, or from it?

530. I mean to receive cattle in the interior—where would the trucking-yards be most convenient for all persons interested? There are different points; taking the south, I suppose you allude to Goulburn?

531. Yes? That is a matter I can hardly say.

532. *Mr. Bruce.*] I think you hardly catch the question: Should the site of the trucking-yards be near or away from the general station? Away from it.

533. *Chairman.*] I think you say these trucking places should always be away from the main station? Yes.

534. I conclude you mean that the cattle should be harassed as little as possible, and should be put into the trucks as quietly as possible? Yes, and away from the traffic as much as possible.

535. As a rule, where are these trucking-yards at present? As a rule, they are as close to the station as they can be got.

536. And you think that most unwise? I do.

537. Because, I take it, that the cattle are irritated and excited by the noise, shunting, and unavoidable confusion always about a main station? Quite so. When the wool season is on, for instance, there are always a number of teams about the stations, and people loading up and taking their goods away.

538. Then you say, emphatically, that the trucking-yards should be away from the main stations in every case? I certainly say that if the place where a station is situated is much inhabited the trucking-yards should be at least half a mile away along the line.

539. Do you know of any improvement being made, or intended to be made, with regard to the position of trucking-yards along the line, either west or south? There has been a good deal of improvement made.

540. I mean as regards the position of trucking-yards? I am not aware of that, but I know a great deal of improvement has been made during the last year or two. The yards at Wagga are very good.

541. What are those at Junee? I did not examine them.

542. As to the yards themselves, their form and construction, have they been planned and erected in the best way possible do you think? Not as a rule; only the recently built ones.

543. The recently built ones are a great improvement on the old ones? That I saw at Wagga is.

544. That at Wagga is a great improvement on the others? Yes.

545. Do you not think that might still be improved upon? I do not see that it could very much; the facilities are very good there.

546. And sufficient for the present? I should think so.

547. You speak of some of these places being badly constructed and insufficient;—can you refer us to any yards on the Western or Southern Line that are defective in those respects? Wallerawang.

548. That is defective? Yes.

549. Any other? I have not seen the Orange one; it has been put up since I was at Orange.

550. The cattle require to be taken into the trucks as quietly as possible and kept in the trucks as quiet as possible, so as to prevent them from being knocked about? The object is to get the greatest dispatch you can without knocking the animals about, which is impossible under the present system of cattle trucking. It not only injures the cattle but is positively risky.

551. Do you speak of the cars that convey the cattle? Yes.

552. You say they are very faulty? Yes, to my idea.

553. Can you point out to the Board in what way they are faulty? In regard to what I alluded to before—the door.

554. They are old-fashioned and unsuitable because of the door—the flap door? Yes, my idea is that the door should be on slides. The door should be at the side of the car near the end, and should be a sliding door, because then the cattle would go in, and remain in, and the door could be slid quickly.

555. Were the arrangements of the yards in respect to fastenings and the gates suitable in the places you have referred to? At Wagga?

556. At any places where you speak of the defective system of trucking-yards existing? The only place where I have seen any pretence of accommodation was at Wagga.

557. The only place that comes up to your idea of sufficient accommodation for trucking cattle is Wagga; all the others are faulty? So far as I have seen.

558. What about the speed that the trains go at;—do you think it sufficient, or that it might be increased advantageously to all concerned? I think that all trains that carry stock should be special trains, and should take the stock straight away. Now when they are brought down they are delayed on the way, and shunted backwards and forwards, throwing the cattle off their feet, and this is the cause of a great deal of the loss, particularly among the sheep.

559. You think cattle and sheep trains should be special trains, and should be taken away as quickly as possible—all shunting and delay avoided? Quite so.

560. It is the shunting and delay that cause so much destruction to the animals? Just so.

561. Do you think we have sufficient trucking stations on our lines for present requirements? I think so, provided they were properly constructed.

562. If properly constructed you think they are sufficient? Yes.

563. Do you remember when the line was opened to Orange? Yes.

564. Do you know how long it was after the line was opened that the trucking-yards were erected there? I know it was some considerable time after.

565. Can you indicate it by a year or two, or the number of months? I could not say.

566. But there was a very great delay? A very great delay, I should think unnecessary delay.

567. Do you know whether sufficient attention has been given to having quiet and easy access to the trucking-yards on the line? I do not think there has been; in fact the whole affair in connection with the trucking of cattle has not been properly considered—that is my opinion.

568. What is your opinion as to the conveyance of stock from the interior to the metropolis by rail;—do you not think it a very greatly improved plan on the old style of droving? Certainly.

569. Very much so, not only as regards the saving of time but also the preservation of the quality and quantity of meat? Quite so.

570. It is a great improvement in the interests of the producer and the consumer, and is it not also a very great improvement in the interests of the Government as a matter of revenue from the railway? Yes.

571. Do you not think that the traffic, that is to say, the cattle traffic on the railway, is of sufficient importance to claim the marked attention of the Government? I do; I believe that if the thing were properly considered there should be yards built, accommodation provided at both ends, and then most of the squatters would avail themselves of it. Those who did not would suffer in regard to the price they would get for their article when it came here, and that, of itself, would cause the graziers to use the railway.

572. But cannot we get a much better quality of meat by such means? Considerably better.

573. A different sort of flavour and quality altogether? You would get it fresh from the pastures, instead of being wasted, as in many instances it is now.

574. Do you not think that the conveyance of stock, alive or dead, from the interior to the metropolis, would become the most important branch of the railway business? I do. As an instance of that I may mention that very little stock now goes by road from Deniliquin to Melbourne, where they have every facility for trucking, carrying, and unloading.

575. On the Victorian side, from Deniliquin to Melbourne, they have every facility for taking stock by railway, and nearly all the business there is done by railway? Yes, all the business the other side of Deniliquin; there is hardly an exceptional case where the stock is driven along the road.

576. Are there a sufficient number of trucks for our present requirements on the railway;—do you happen to know whether there has been any experience of a want of trucking accommodation? When there is a rush by the various agents requiring trucks at the one time there is not sufficient.

577. But as a general thing? As a rule they have met fairly the demands of the trade.

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578. The railway authorities always willingly and gladly avail themselves of any suggestion for improvement that may be made to them, do they not? Oh, yes.
579. They are always willing to oblige the public; they see the necessity for improvements, do they not, but the matter is beyond their control? Yes.
580. People practically acquainted with the railways in this matter are quite aware of the necessities for these improvements, but they have no power to carry them out? They have no power to carry them out.
581. Has there been any improvement in the trucks during the last year or two? The sheep trucks have been increased a good deal, and are very good, but require landing stages on a level with the upper deck. The cattle trucks I do not see any improvement in at all.
582. What is your opinion as to the present arrangements for landing stock at Homebush? Miserably defective.
583. Can you make any suggestion in regard to that;—what would you suggest? In the first place there is not sufficient accommodation, nothing like sufficient. There is no land there sufficient to receive the stock that come, and not sufficient yards.
584. Not room enough, and not land enough? No; they have given all the land they can, but that is not enough.
585. And they have not sufficient land to give? No, it is not there.
586. And is this trade, the conveyance of cattle and other stock by railway, likely to increase? I think so.
587. To increase considerably? I think so, with the improved facilities.
588. Then these improved facilities are absolutely necessary, because there is no doubt that the public are becoming fully alive to the quality of the meat coming by train, and the butchers, in view of that, will only buy the best article? That is to say there is a better demand for a bullock that is prime and fleshy and fat, than for one that is knocked about on the road.
589. Then you say the public have lately been educated and enlightened as to the qualities of meat, and readily appreciate the difference between that brought by rail and that driven by road? Yes.
590. Then, as a matter of fact, cattle driven by the road are not so valuable or so good as those brought by rail? They do not come in so fat, and, consequently, they bring less money.
591. They are knocked about a good deal—tired and footsore? Some drovers bring them in, generally, very well.
592. As a general thing? As a rule, the butchers prefer the trucked cattle, provided they are not knocked about and bruised in the transit, and if there were a better system of trucking that evil would be remedied, and all the difficulties would be met.
593. I will ask you again this question: I think you said that cattle and stock of other descriptions should be conveyed by special trains, that they should not be delayed, that all shunting should be avoided, and that they should be brought at as great a speed as it is reasonably possible to obtain? Quite so. Talking about Homebush, I saw a very risky and dangerous thing occur there last Thursday. In unloading a truck of cattle seven broke away on the railway line, and ran towards Burwood, until some men working at a bridge—repairing it—on the line, blocked them, and turned them back. Then they ran back half a mile beyond the Homebush Station, still on the railway line, and if a special train had been coming along there must have been some serious accident. Fortunately no train came along until the men managed to get the cattle off the line. I have seen something of the same kind before. Nearly fifteen or sixteen animals—two truck loads—might have got on the line. The men working at the bridge, by blocking the cattle stopped them from going right up the line to the Redmyre Station.
594. Then the arrangements for discharging cattle at Homebush are not only defective but highly dangerous? Highly dangerous. I wonder some one has not been killed at Homebush.
595. A whole train might have been brought to grief by this, an accident that could not be foreseen? Yes, I saw it myself, and it might occur next sale-day.
596. It might occur any day? Any day. The yards should be away from Homebush altogether. The railway trucking should be further away from Homebush. When a station is likely to have a moderately-sized passenger traffic the yards should be fully half a mile away.
597. *Mr. Stewart.*] Where there is a passenger station? Yes; whereas now it is so close that it cannot get any closer. The yards are as close up as you can get them, and unsuitable and unsafe in every way.
598. *Chairman.*] All the arrangements in that respect are defective, and the yards should be at least half a mile from the Homebush Station where they are now? Yes.
599. You know the cattle sale-yards at Homebush well? Yes.
600. Do you not think they are very defective for the purpose? I think they are; anyone can see that. They are disgraceful.
601. Are not the cattle seriously affected in all respects by having to stand in such a wretched place? I don't know that it seriously affects them very much, because they are not long there, but it does them no good. At the same time they are up to their knees in mud, which is very much to the prejudice and disadvantage of the owner.
602. *Mr. Stewart.*] Can you tell the cost of driving, say 60 bullocks, from Orange to Sydney, by road? I never knew so small a lot to come by road. They never send less than 120 or 130.
603. Say 100 or 120? The general rule is that they send not less than 180 or 200, and the cost is—but I do not know the cost from Orange. The contracts are made on the station, that the cattle shall be driven to Orange, Bathurst, or Sydney.
604. So you cannot tell the exact cost? You cannot get at it.
605. Do you know the loss on stock travelling from Orange and Bathurst to Sydney by road? It varies and depends on circumstances. Sometimes the animals die from Cumberland, or from pleuro.
606. There is always some loss? Not always; I have known drovers deliver to me without any loss.
607. What does the loss chiefly arise from? Sometimes animals are diseased with pleuro, or Cumberland, or some accident might occur.
608. Or they might get lame? Those are sold on the road, to the road-side public-houses, for instance.
609. You do not know the cost of bringing a similar mob of cattle by rail from Orange? I think it is 12s. per head.
610. What difference is there in the value of the stock when they come to Homebush, between the cattle driven by road and the cattle carried by train—are they equally valuable? They are more valuable by train.
611. You cannot tell to what extent? It depends on the drover; but of all cattle the preference is given to those that come by train. It does not matter how good a drover may bring them by road, they are preferred by train.

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- 612. *Chairman.*] They are of more value by train? Yes.
- 613. *Mr. Stewart.*] Then if it is cheaper to send by road rather than by rail, the loss incurred by the additional cost of carrying the stock may be made up by the additional price obtained for the stock? In many cases a great deal more.
- 614. Is that the case with the sheep too? Yes.
- 615. Sheep that travel on the hoof are not worth so much as those carried by rail? No, they waste on the road a great deal even if the drover is ever so good, and in wet weather they lose a good deal. Then the road in dry seasons may be bad for grass; everything is in favour of the train, notwithstanding even the most advantageous way that you can bring them by road.
- 616. And when you send a lot of stock by road you never can tell what day they will arrive at Homebush? Well, you can, but they are very often a sale-day later than it is said they will arrive.
- 617. You cannot be certain of their arriving at Homebush on the day it is expected they will arrive when they leave the station? No.
- 618. Because of the weather and other circumstances? Yes.
- 619. But when they are started by rail you know the hour they will arrive? Yes, particularly if they get express trains for the purpose.
- 620. In most cases a telegram would inform you from Orange as to what cattle were on the rail? Yes.
- 621. But the same information as to stock started on the hoof could not be depended on? No.
- 622. Is that not a matter of some consequence? Yes, but it may not be necessary to meet that market for which we expect them to arrive; you may get a better.
- 623. If you knew that a lot of cattle so shipped were to arrive on Thursday, for instance, and were sure that they would arrive, you might get a better price for them? Yes, if it was not a glutted market.
- 624. They have no slaughtering place at Homebush, I think? No.
- 625. Most of the cattle coming from the interior are sold there? Yes.
- 626. Would it be of any advantage to have a slaughtering place near the sale-yards? Yes, I think it would.
- 627. They all have to go to the slaughtering yards ultimately? Yes.
- 628. And the shorter distance they would have to go the better? The less knocking about they got the better.
- 629. Have you been often at Glebe Island? I have.
- 630. How would it be to have selling yards there? It would do very well, but I think there is not room enough.
- 631. What room do you require? In view of the big business here, which I see is increasing, I should say not less than 30 or 40 acres—receiving and delivering yards.
- 632. Do you know what ground the yards at Homebush occupy? I should say about 2 or 3 acres, but they are not to be mentioned as the style of yards which I am alluding to, and which I hope to see here.
- 633. Do you think it would be a suitable place to have selling yards at Glebe Island, if there was room enough there? Yes, as near the Abattoir as you can get them, as far as that is concerned.
- 634. Have you paid any attention to the quantity of dead meat arriving from the interior? Yes.
- 635. Is that likely to increase in quantity? I think it is.
- 636. If that increases in quantity you would not want much room for selling yards and slaughtering places? They will always require slaughtering places and selling yards.
- 637. For some purposes they would require them to some extent always, but if a large quantity of beef and mutton are sent from the interior there will be less need of slaughtering houses in Sydney? I do not think the mutton will ever be sent in carcasses from the country.
- 638. Why? Because it does not waste so much on the road as cattle.
- 639. It deteriorates to some extent? Yes, but not so much as cattle, and it is a handier article to dispose of.
- 640. Could they carry dead meat from Orange, and Bathurst, and Goulburn in summer? If they had refrigerators they could, but not under the present system. I believe the jolting about which the meat would get in hot weather, without the refrigerators, would cause it to stink; but with refrigerators there is no reason why it should not be killed at Orange, and brought to Sydney.
- 641. Have you seen the sale-yards at Melbourne? Yes, I have sold in them.
- 642. They are most suitable? Yes.
- 643. Not susceptible of any improvement? Hardly.
- 644. They have slaughtering yards alongside of them? About half-a-mile off, or it might be three-quarters.
- 645. *Mr. Bruce.*] You said the railway authorities were very ready to take any suggestion which was offered to them. I think you were appointed by a late Minister of Works —? I did not say the railway authorities but the railway employes, the men who were practically engaged, and saw the defects.
- 646. Then the question is, have these defects been pointed out to the railway authorities or those in charge of the railway for years? Yes.
- 647. Improvements have not been made, though pointed out? They have not, although pointed out and required.
- 648. I think you were appointed once by the Minister for Works to report upon the matter? Yes.
- 649. You then made recommendations with respect to the Wallerawang yards? I did.
- 650. Have they been carried out? No, I see no alteration up to the present time—not the alterations I suggested.
- 651. You said, with respect to the Wagga yards, that they were very good;—do you include the site? No, only the yards.
- 652. With respect to the site, do you think that objectionable? I do; I think it ought to be further away.
- 653. Do you know anything of the access to those yards at Wagga, for the stock? Do you mean coming over the reserve?
- 654. Coming from the main road to the yards, how do you think the stock ought to come? I do not know.
- 655. Do you not think it objectionable that they should come by that narrow road where the coaches go? Highly so.
- 656. And that the stock should have to travel round the houses, past the goods station, to the yards? I think that is objectionable. None of these important trucking places should be erected within half-a-mile of a station, and that is close up to the station.
- 657. How many sites for yards on the Southern and Western Lines do you consider fit? Not one.
- 658. You forget Goulburn? I did not inspect the one at Goulburn.

- G. Maiden, Esq.
15 July, 1879.
659. You did not tell the Chairman what was the extent of waste there would be in stock travelling, say 300 miles to market, or what would be the saving in the waste between stock travelling by the train and those coming by the road? Oh, I should say about a little over 100lbs.
660. *Chairman.*] 100 lbs. weight in each beast? Yes.
661. *Mr. Bruce.*] And that would be the best part of the meat? Yes, the flavour and the fat.
662. Do you know anything as to the Melbourne abattoirs—whether the arrangements there are very good? I am not aware.
663. With respect to the cattle after they leave the sale-yards here what becomes of them? They are driven very recklessly to the different paddocks that the butchers have. I consider that a great deal more care should be taken in the manner in which they drive the cattle to those paddocks. The cattle are put into those paddocks until they are required to be killed.
664. As a rule how long, on an average, is it from the time the cattle leave the sale-yards till they are killed? That is a difficult thing to arrive at; it depends upon the consumption of the butcher who buys. Some butchers buy to keep them from one sale-day to another; some buy sufficient to keep them for two or three days, particularly if cattle are cheap.
665. But, as a rule, the cattle are sent to the paddocks, and kept sometime? Yes.
666. Do you know anything of the paddocks in respect of feed;—is there any feed in them? None whatever. As long as they got plenty of water, and were killed forthwith, it would not matter much; but I do not know whether the water is good—I do not think it is.
667. You think that the dead meat trade is likely to increase? After a while.
668. When the proper appliances are obtained? Yes.
669. What principally prevents it from increasing now? Old establishments, such as glue places, factories, tanneries, and such things, encourage the trade being done at Homebush, because they want the raw materials. The dead-meat trade has to fight against this, besides the want of refrigerators.
670. Is not the fear on the part of the retail butchers of not getting a constant supply from the dead-meat market one of the principal reasons why the dead meat is not better patronized now? Not altogether.
671. If they were certain they could get a constant supply would they not be more ready to buy the dead meat now? Not so long as they can get the meat cheaper in this market—at Homebush—than they can get it from Orange. They will go to the cheapest market.
672. *Chairman.*] Where is meat usually sold wholesale in Sydney? At the Glebe Island.
673. At the Abattoir? Yes.
674. At no other place that you are aware of? Well, Richards is selling thirty or forty carcasses a day at Darling Harbour, and McMinn and Co. are selling a few carcasses—ten or twelve a day.
675. Have you ever considered the subject of a meat-market for the metropolis? I have.
676. Do you not think the establishment of a large meat-market, so constructed in regard to all necessary accommodation, particularly as to the meat being kept in a state of great coolness, and as to the accommodation provided for buyers, not only something that would be of very great advantage to the people of the metropolis, and to all concerned, but an absolute necessity? I think it would be a very great advantage.
677. Do you not think such a meat-market a necessity for an increasing metropolis like Sydney? I think so.
678. Do you not think the public, the consumers, would be more likely to get a better class of meat, and more likely to get what they wanted in such an establishment, than is the case at present? I do; in fact, the greater the facilities you give the public the more it must redound to their advantage, and it certainly is to their advantage to have a meat-market.
679. Then your experience enables you to say emphatically that cattle driven by road are in all respects, whether as regards their value to their owner, or the quality of the meat to the consumer, very much inferior to those brought by rail? As a rule. There are exceptional—very exceptional cases.
680. But as a rule it is so? As a rule it is so.
681. And the subject is so important to the Government as a means of revenue that it deserves their best consideration? Yes.
682. With a view to making every improvement possible to be made in that respect? Yes, they have done so in Victoria, and it is a great success there, and a great source of revenue—more so before they had the stock-tax. Since the tax has been put on there a lot of stock have been driven here, and hence the necessity for us to get these things put in such a way as to expedite our business the same as they have done there.
683. We should have the benefits of free trade as against the evils of protection in Victoria? We should.
684. The advantages would be very great in respect even of cattle? They would.
685. *Mr. Stewart.*] Have you ever seen cattle so wild that they could not be got on board the trucks without being knocked about? I do not care how wild the cattle are if you have proper appliances. But cases have occurred where the cattle have been wild, and knocked about for want of proper appliances.
686. Then with proper appliances the wildest of cattle can be put on board the trucks? Yes. I should like to state that I paid a visit to Glebe Island, and am rather surprised that something more has not been done by Swan's process there. From what he told me, and showed me, I do not see why Glebe Island should not be as sweet as it would be necessary to be if you had to kill in George-street.
687. *Chairman.*] You are well acquainted with Glebe Island? I am, and I went over there and inspected it last week.
688. And you think well of Swan's plan for utilizing the blood? I think that if what he describes is a success the only thing that surprises me is that it has not been carried out before.
689. Then if Swan's statements are correct, it is a matter of surprise to you that his recommendations are not carried out? Yes, they have built a place for the steam-engine there, which is quite unfit, and have given Swan no room at all.
690. But suppose you were made aware that the manufacture of the article cost £2 12s. 6d. a ton, and that it was sold for 2s. 6d. a ton, what would be your opinion then? I am alluding to the desiccating.
691. You are alluding to the avoiding of a nuisance? Yes, not to the disposal of the blood, but to the avoidance of the offal nuisance.
692. Then your remarks only tend to the removal of the nuisance arising from the blood and offal? Yes, I do not allude to what Swan is now doing, because I consider it a waste of the man's time. If all this blood and offal can be disposed of as he says they could, I do not see why the plan should not have a trial.

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693. I suppose you mean the plan that Swan has proposed to the Government, not the one he is carrying on now? Yes.
694. His new proposal? Yes.
695. You think that if Swan's new proposal is carried into effect it will be of great advantage? Yes, and I cannot understand why it has not been put into operation before. I quite understand why the offal is left where it is; you have to go down a large precipice, and then to draw it up.
696. Then you think if Swan's proposals were carried into effect it would be a very great advantage? I do.
697. And you express your surprise at its being delayed so long? I do.
698. I may tell you that the Government have given instructions for the machinery and the utensils necessary for Swan's proposal to be made, and they are in course of being made at Cockatoo Island? I think it should have been done long ago. If Swan can do it on a small scale he could do it on a large scale.
699. But still you confine your remarks to the avoidance of nuisances only, and do not refer to cost or sale? I cannot see why it should not be made reproductive. Swan told me it could be sold for £4 a ton. Even at a loss, if it can be done it should, for the health of the inhabitants, be done. As it is, there must be a loss in taking the blood and offal out to sea. If the trial is a success it should be carried out.
700. The machinery is in course of construction? And there is another matter, the sheep slaughter-houses are most defective, most unsuitable.
701. Then you think the arrangements at Glebe Island for the slaughter of sheep most defective? Most defective.
702. Are they not very filthy? Very filthy, and they have old-fashioned slush lamps, which were used on stations when they could get nothing else forty years ago.
703. Every regard should be shown for cleanliness, for an adequate supply of water, for lighting, and for drainage? Yes, and these mutton slaughter-houses should be knocked two into one, to give the men more room.
704. They should be at least twice their present size? Yes. Then there is another matter: Drays cannot get up to get the sheepskins and offal. I saw a mass of sheepskins thrown on the offal, and all the offal lying there. I was told that it would not be disposed of for an hour, and carts were waiting outside for the offal, not being able to get in to obtain it. It seemed to me such a waste of time to have Government men standing there waiting while the other men were taking the skins away.
705. Then you say the arrangements for sheep slaughtering are most defective? Yes, and incomplete.
706. The drainage is defective; more space is required; there is not room enough for the drays to pass up, and do the work required of them; and altogether the arrangements are too small? Yes. Then the piggeries were in the most filthy state when I went there. They should be removed from there—removed from another portion of the island, or immediately opposite. They were in a fearful state when I went there.
707. You say they are filthy and defective? Yes. Their system of heating the water, and the old-fashioned vats and coppers are such as people are compelled to use on a station when they can get nothing else.
708. Everything is old-fashioned and out of date? Yes. I saw the dining-room where twelve men can go, and accommodation is required for one hundred. The baths cannot be used, and the closets are in a disgraceful state. There ought to be shower-baths.
709. You say the whole arrangements of the island are defective, and want vast improvement? Yes.
710. They want shower-baths for the men? Yes. Then, by the defective and filthy system there, men naturally get into the careless dirty state they are in, whereas, if the proper conveniences were erected for them, there is no reason why they should not be as clean as if they were going out of my office.
711. There is no accommodation for the men to get their meals? Only for twelve men, whereas there are about 100 or 150 on the Island. And this dining-room has very often been used as a store-room, and the men are not allowed to use that part. The butchers came to me, and told me this. The baths are never used, as the bath-room is kept as a store-room.
712. *Mr. Stewart.*] They have got a lot of wash-hand basins there, big enough to wash their fingers in? Yes, but the men are not allowed in there, because the place is used as a store-room. Then they have a telegraph office also in this room. The whole thing is jumbled up altogether. It is a dining-room, a washing-room, a store-room, and a telegraph office. Then the closets, the sheep-yards, and the piggeries, all want thoroughly attending to.
713. *Chairman.*] All are capable of vast improvement? All are as rough as they can be.
714. Are they not a disgrace to a state of civilization? They certainly are. Then there is another matter—the butchers' carts. I see a little attempt has been made to have an improved kind of cart for carrying the meat. Williams and Rennie have got it; but if the whole of the carcase butchers get this kind of cart they will not be able to work them, because there is not sufficient space between the slaughter-houses to allow the carts to stand. As it is now there is barely room enough to allow an ordinary cart to pass, and get into position, and if these long improved carts are used generally they will not be able to get through.
715. Then you say that although there is an effort made to get rid of the present insufficient mode of conveying meat in carts the new mode will be unworkable because there is not room? Yes. There is not space between the cattle and sheep killing yards.
716. *Mr. Stewart.*] It is a mere lane there, not a road? Yes. I took particular notice of this.
717. *Chairman.*] In all these, and many other respects, you consider the Glebe Island arrangements very defective, and capable of very great improvement? Yes, but I consider the position of the Abattoir a very excellent one.
718. What is your opinion as to the position of Glebe Island for its purpose? With a proper system of drainage, and utilization of the offal, there could not be a better.
719. With the defects remedied it might be made a model establishment? Yes, I am quite certain of that. And if the place had been large enough there is no reason why a railway should not be run into it, and the sale-yards be there. Then all the calves and lambs landed in Sydney by sea could be landed there instead of going into the city. But I am afraid the place is hardly large enough for that.
720. Did you pay any attention to the form and construction of the yards, and facilities for drafting, on the Island? I did; there are no facilities for drafting.
721. Those are all defective? Yes; the cattle are all running backwards and forwards; there is no convenience if you want a certain beast for killing. Then the accommodation at the back of the slaughter-

pens

- G. Maiden, Esq.
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- pens is most insufficient. There is not room for the offal and the hides. There is no accommodation whatever; the places are too small and cramped.
722. Then those yards require improvement, the slaughtering places require to be increased, the drainage should be perfect, and the floors should be either flagged or of asphalt? Yes; I should think asphalt would do for the floors very nicely. I wish particularly to point out as a very serious thing that the practice of carrying the meat in the present carts wants remedying, and if you are going to get the other carts there is not sufficient room for them.
723. Do you say the present mode of carrying the meat is dirty and filthy—dirty carts and dirty men? Oh yes, it should be stopped.

MONDAY, 21 JULY, 1879.

Present:—

THE HON. GEORGE THORNTON, Esq., M.L.C., CHAIRMAN.

JOHN STEWART, Esq.,

ALEXANDER BRUCE, Esq.

Mr. Joseph Burrell, re-examined:—

- Mr. J. Burrell.
21 July, 1879.
724. *Chairman.*] You gave evidence some time ago before this Board? Yes.
725. And since then have you been subjected to any annoyance arising out of that evidence you then gave? Yes, both myself and my wife.
726. I may as well tell you beforehand that you need not fear any intimidation; the Board and the Government will protect you so long as you do what is honest and right? Yes.
727. You will be protected whilst you do everything honest and fair. As you can suppose, we can want nothing else than to have this inquiry conducted in the interests of the Abattoir, and in the public interest. You say both yourself and your wife have been subjected to some annoyance since you gave evidence before the Board; will you state to the Board what the annoyance has been? Mr. Oatley called me down and read the evidence to me in his office, and he had someone there to witness it.
728. Well, and what did he say? He cross-questioned me about the passing of those cattle which, it was said, Mr. Jager condemned, and Mr. Oatley passed, and I told him that I did not hear him say so, but that I heard it was common rumour right through the slaughter-houses, and that one of the lessees of one particular slaughter-house—I think there are two brothers who have the slaughter-house between them—said so.
729. Well? I happened to go through the slaughter-house, and I said, "Those cattle are not gone yet?" "No," said Steve Tancred, "Mr. Oatley has passed them," and I judged from where they were that they had been passed, for they were right in front of the door.
730. You mean the diseased or very much bruised cattle? Yes.
731. The lessee told you that Mr. Oatley had passed them? Yes, Stephen Tancred told me so.
732. And they were in the place from which the meat was to be taken away? Yes.
733. What sort of annoyance have you or your wife been subjected to? Mr. Oatley was not satisfied with me and the evidence, but he thought it necessary to go down and read it to my wife, telling her that I would have to put up with anything that the Treasurer—
734. Mr. Oatley said what? That I should have to put up with anything in reference to being discharged, if that should come about, I suppose. He did not exactly say that, but that was what was meant.
735. He said that anything that was done by the Treasurer, in consequence of the evidence you gave, you would have to put up with? Yes. I happened to break the small bone of my leg some time ago through there not being sufficient room in which to capsize my cart, and Mr. Oatley, when referring to the evidence I gave recently, upbraided me to my wife with the time that he paid me my wages while I was lying ill with the broken leg.
736. At one time you broke the small bone of your leg, and Mr. Oatley upbraided your wife for your ingratitude, as he had been so kind to you during the time your leg was broken? Yes.
737. In what way was he kind to you? In paying me my wages while I was lying sick.
738. Were you called in and examined by Mr. Oatley the other day? Yes.
739. He asked you several questions? Yes, he badly wanted to know who told me the cattle were passed, but I would not tell him that.
740. Who was present when you were examined by Mr. Oatley? I really do not know, but he is a man that does business for Mr. Turner.
741. Was he in the room with you? Yes.
742. What was he there for? Well, I suppose he was there to witness what I said.
743. Now, have you any cause to withdraw any of the evidence you gave before the Board on a former occasion? No, I have nothing to say with regard to it, except what I mention now.
744. Then all you stated on that occasion was correct, and you now confirm it? Yes, and things have occurred since that.
745. What? Cows calving.
746. Matters have occurred since? Yes.
747. What are those? There was a cow that came into the yards on Thursday morning, and about the time I noticed her she was calving. It was then about ten minutes to 12 o'clock, and all the bullocks were running about and horning the cow.
748. She was put in with the bullocks, although she was calving? Yes.
749. And what was done with the cow? She stopped there until she calved, between 3 and 4 o'clock.
750. Still in the bullock-pen? Yes.
751. And she was kept in the pen with the wild bullocks? Yes; she was not with the wild bullocks at the time she calved, but she had been with them previously. She was put into a top yard, but although she was there she was drafted along with the others.
752. *Mr. Stewart.*] Was she standing or lying? Standing.
753. All the time? I could not say.

754. *Chairman.*] How long was she in that state before and after calving? I could not say.
755. About how long? I could not say, but after her calving I noticed that she was all of a shiver and tremble.
756. Very ill? Yes, all of a shake; and I made mention to one or two persons that if she got a wet night on Thursday night she could not live through it.
757. What became of her? She went out on Saturday morning, but was very weak.
758. And you saw nothing more of her? Nothing more of her.
759. What became of the calf? I do not know what became of the calf, excepting from hearsay.
760. We do not want hearsay. Can you tell us of your own knowledge what became of the calf? I cannot, but I do not know whether Mr. Carroll can.
761. Did you see a cow here on Saturday—a sick cow. Did any cow on Saturday attract your notice? Yes, I think she is in the yard now.
762. What colour is she? I think red and white.
763. What state is she in? She was very low on Saturday afternoon.
764. Very sick you mean? Yes.
765. Is she suffering from distemper, or from fever, or from what? I could not say; she has been groaning, and very sick.
766. Is she there now? Yes.
767. For slaughter? She must be there for slaughter. She is in the calf yard, and I suppose will be slaughtered.
768. Don't you be in the least uneasy about the Treasurer or anyone else taking any measures against you. You are not in the least danger so long as you do what is upright and fair. You will not be disturbed.
769. *Mr. Bruce.*] Did you call Mr. Oatley's attention to this cow;—have you any instructions to call attention to such things? I have no instructions to call the attention of anybody.
770. Do you know whether his attention, or the attention of Mr. Jager, was drawn to the cow? No; I forgot to tell you that Mr. Swan was also told about the passing of the cattle.*

Mr.
J. Burrell.
21 July, 1879.

Constable Carroll re-examined :—

771. *Chairman.*] You were examined some time ago before this Board? Yes.
772. Has anything arisen since to give you any annoyance in consequence of the evidence which you gave? No, nothing that I am aware of.
773. Do you see any reason to change or withdraw any part of the evidence you have given? No.
774. You confirm all you then stated? Yes.
775. What I sent for you for was to ask whether you saw, during the last day or two, a cow calve here? On Thursday evening last I saw a cow drop a calf in one of the cattle-yards. She was then in the upper part of the yard, and there were no other cattle with her. After she dropped the calf I went away, but about noon next day I was round there again, and I then saw the cow in the outer yard, and the yard full of bullocks. The calf was lying down near the fence, and looked nothing but a shivering mass. It was a very small calf, and was lying in the wet and dirt, with the cow standing near. I was surprised to see the cow and the calf there, as I thought they would have been taken out.
776. How long had they been there? I have been told since that the cow came in on Wednesday morning. I saw it on Thursday evening about 4 o'clock. The calf was there for twenty-four hours in the wet yard. On Friday evening, about 4 o'clock, the calf was taken away, and slaughtered in one of the slaughter-houses.
777. What became of the meat? I believe it went to Sydney.
778. For veal? Yes.
779. What became of the cow? The cow was there all Friday, and on Friday night, about 11 o'clock, I saw her lying in the wet yard moaning so badly that it was distressing to hear her.
780. *Mr. Stewart.*] Lying down? Yes, lying down.
781. Did the other cattle trample on her? I did not see them trample on her. At that time there were not many cattle there, as the killing was over, but in the day-time there was a lot of cattle with her.
782. She was lying down on the ground at night? Yes; on Saturday morning, about 7 o'clock, I saw her taken out to the paddocks, in a very weak state, with some bullocks. That was the last I saw of her. I heard Mr. Jager remark, when she went out, that she would not come back alive again, and I heard since from the men that owned her, that she died on the way out, on the road.
783. *Chairman.*] When the cow was in that state did you name the circumstances of the animal to anybody? No; both Mr. Jager and Mr. Oatley saw her in the act of calving; in fact they saw it before I did; they saw her dropping the calf.

Constable
Carroll.
21 July, 1879

Mr. Francis Fagan examined :—

784. *Chairman.*] Are you one of the slaughtermen? Yes.
785. Have you been long on the island? I have been there since 1863.
786. I may as well tell you that you need not be afraid of any evidence that you give here; you can speak out; speak the truth, that is all we want, and no harm will come to you? Well, Schultz has got discharged.
787. We will ask you about that. Have you seen anything, during your career as a slaughterman at the Abattoir, with regard to diseased bullocks being cut up? Dressed?
788. Yes? Yes, I have.
789. Tell us what you have seen? I have seen bullocks with the Cumberland disease, commonly called "blackleg" dressed there, with melts about 3 feet long.
790. With diseased melts over 3 feet long? Yes.

Mr. F. Fagan.
21 July, 1879.

* NOTE (on revision) :—I wish to add that there is a practice, which has been going on for a long time past, of cutting what are called sweetbreads from dead calves taken from cows after they have been killed, and these sweetbreads are sold to the butchers for threepence the pair. I do not know what is done with the calves. There have been a great number of cows killed while in calf. On Sunday last a sow pigged in one of the pens, and the young, as fast as they were born, were eaten by the other pigs.

Mr.
F. Fagan.
21 July, 1879.

791. How often have you seen that? Well, none of it lately, but about two years ago it was very bad.
792. Were there several cases then? Oh dozens. I have seen Mr. Jager tell them not to kill a cow when she came in, and they have killed her, and he has watched them in order to see the carcass dressed, and it has been found to have "blackleg."
793. So he ordered them not to kill the animal, and they persisted in killing it? Yes, and he condemned it.
794. You are only engaged in the cattle slaughtering, not with the slaughtering of the sheep? No, only with the cattle.
795. Do you know what becomes of the carcasses that are condemned? No; I could not rightly tell you; sometimes they are sent away to the boiling down, but I have seen them sent away to the shops. I remember seeing one about ten years ago.
796. You know a man named Charles Schultz? Yes.
797. He was employed at the Abattoir was he not? Yes.
798. Do you know that he gave evidence before this Board? Yes, I saw it in the paper.
799. What has become of Schultz? I heard he was gone to see Mr. Thornton this morning.
800. But what has become of him—has he been dismissed? He was dismissed on Saturday.
801. Do you know what he was dismissed for? I was told that his master told him that the customers would not deal with him while Schultz was there.
802. That the master's customers would not deal with him while he employed Schultz? Yes.
803. Has any other man who gave evidence been dismissed? No, not that I know of.
804. Did you see anything of a beast brought in here last week dead in a cart—brought here about Thursday;—did you cut it up? No. I saw three dead beasts brought in, I think two last week, and one the week before.
805. Three dead beasts were brought in, two last week and one the week before? Yes, one was brought in Lomax's dead-meat cart.
806. Do you know whether that beast died, or was killed? I do not know.
807. You saw it? Yes.
808. Did you see it cut up? No, I only saw it come in.
809. Who would cut up that beast? I do not know, I am sure.
810. But it was skinned and dressed at the Abattoir? It was.
811. The three beasts you speak of were skinned and dressed? Yes.
812. *Mr. Stewart.*] You say you have seen cattle with what is called "blackleg," slaughtered at the Abattoir? Yes, I had my arm poisoned with it.
813. Is "blackleg" the same as Cumberland disease? That is what they call Cumberland disease.
814. The spleen was upwards of a yard long? Yes.
815. Was that beast dressed as if it were to be sold? It was.
816. Could you not tell by looking at it whether it was good or bad meat? Not when it was dressed.
817. It looked so well when it was dressed that you could not tell it from good meat? Yes; some of it looked veiny, not properly bled.
818. Did you see the beast before it was killed? Yes.
819. Had it been long in the yard? No, it was killed the morning it came in. We can pretty well tell any bullock that is very bad, by its eye, which protrudes out of its head, and there is a yellow colour or scum about the lower part of the eye. They generally keep those cattle for the nights. They keep them in the paddocks, and fetch them in on Sunday, and kill them on Sunday nights.
820. *Chairman.*] They generally keep them for slaughter until there is nobody at the Abattoir to see what is going on? Yes.
821. *Mr. Stewart.*] Did you notice this beast while it was alive? Yes.
822. What made you notice it? Well, we generally take notice of the cattle in the yard, and those that have anything wrong with them generally single out themselves.
823. The sick ones do? Yes.
824. But had it any other signs of sickness about it? No.
825. Was it staggering? No.
826. Hanging its head? Yes.
827. Redness about the eye? Dark about the eye, between a red and a yellow.
828. Was it from that beast that you got your arm poisoned? No, from another one.
829. What caused you to think that your arm was poisoned? When I went to stick the beast his flesh was as cold as ice. I had a sore on my arm, and as I put up my hand to stick him I said to my mate—Lockett—that I thought the bullock was crooked. He told me to be careful, and wash my hands and arms, but when I went home I felt a sensation about the arm like pins and needles, and then it commenced to swell very much.
830. What was the colour of it? A redness where the veins go. It swelled up very much, and when I put caustic on, it burst, and a lot of foul matter came out of it.
831. Was the caustic put on before it swelled? Yes, the swelling was about half way up the arm when I put on the caustic, and then it went round the caustic as if it could not pass it, and afterwards burst.
832. How did you know that the beast had Cumberland disease? I saw his melt.
833. Was it very large? Yes.
834. And easily torn? Yes, touch it and it would fall to pieces.
835. Was that beast dressed for meat? It was dressed.
836. Did it look well enough to pass? No, it looked very bad.
837. What was the appearance of it? Blood running out all over it.
838. A dark purple sort of blood? Yes.
839. Was the meat firm? The meat was firm enough because the animal was cold when we dressed it. But if anybody did not know differently they would have thought the bullock had died.
840. The flesh was not flabby? No, hard.
841. Was the beast in good condition? Yes, very good condition.
842. You have no notion how long it had been ill before you saw it? No, I could not tell.
843. Have you ever heard of anybody else getting a poisoned wound in slaughtering? Yes, there was a man who died near the island from it.

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844. Poisoned in slaughtering? No, he used to take the offal away.
845. How do you know he died from the poisoned wound? Well, he had the symptoms of it, and Dr. Kingsbury cut his arm open.
846. But he might have got a poisoned wound from putrid meat? No, he had a sore on his shoulder, and he used his shoulder to shove the bullock into the cart, and got it poisoned in that way.
847. The wound was in the shoulder? Yes, and the poison worked inside, into his lungs.
848. Suppose you had to handle the meat of a beast that had Cumberland disease, and received a wound, what would you do? Get some rum and brandy, and wash my hands in it.
849. Is that all? That is all they generally do.
850. Would it not be worth your while to get some professional opinion as to what you ought to do in a case of that sort? When I was in Queensland at the Long Bank Meat-Preserving Company, there was one bullock that we could not get in, and they went to fetch him in in a cart. I had a sore on my knee, and my trousers getting cut as we were getting the bullock into the cart, I was poisoned, and my leg swelled up very much. Two days after I was taken in to the doctor, and he told me he would not be answerable for my life if I went out of his house. I told him I could not stay there, and he gave me a bottle of medicine, and another little bottle with some stuff that was very thick and black, and with it a brush, and I used to have to paint the leg every three hours. In two days all the swelling was gone out of it. I have got his prescription at home now.
851. When you get any part of your hands or arms poisoned, or when you suspect that they are poisoned, the proper thing to do is to dip them into hot water, bathe them and clean them well, as soon as possible the same day, but the sooner the better; get them thoroughly cleaned in the hot water, and encourage bleeding, and then, after drying them, apply a little lunar caustic, nitrate of silver, to the sore place, putting it into the wound, and dressing it well with it. In ninety-nine cases out of a hundred you will have no further trouble. But to do good it should be done within an hour or two after the poison is introduced. If the poison is allowed to remain for twenty-four hours, or perhaps less, without anything being done, the caustic is not sufficient. The caustic is only good for destroying the poison when it is fresh, and it should be applied as soon as possible. It could easily be carried in a small bottle, and applied to the wound the same day. Tell your mates that.
852. *Chairman.*] You perfectly understand what to do? Yes.
853. *Mr. Stewart.*] I have bathed my own hands, after they have been poisoned, scores of times, but no bad consequences ever followed the adoption of the method I have described to you. I examined all the Cumberland diseased cattle when they first appeared here, and dissected their bodies, and was repeatedly wounded, but never had the slightest annoyance from the wounds, so the remedy has been thoroughly well tried.
854. *Mr. Bruce.*] Are the yards for putting the cattle into the killing houses handy? Yes, they are handy enough; I have never seen any trouble with them.
855. Do you kill by contract for others? I kill weekly.
856. For whom? Davis and Turner.
857. But the yards where they require to pick out particular beasts to kill, are they handy? Yes, I find them so.
858. Would it not be better to have the yards contracted, so as to be able to draft out a particular beast that you want? We never have much drafting out; it is those men that kill for the little butchers that have. We generally kill them as they run in.
859. But in killing them you have frequently to put the same cattle in twice or three times before you get at the right ones? Yes, or as many as ten times in a day.
860. Is not that bad for the cattle, and does it not cause a loss of time? Yes, a great loss of time.
861. Suppose you could draft two ways, letting what is wanted to be killed go one way and the others not wanted another way? That would be handy.
862. Is it absolutely necessary to use the boat-hook? Yes.
863. Could you not draft the cattle with middling-sized sticks, if there were man-holes in the corners of the fence for you to get away from the animals? Yes, you could draft them that way, but you would knock them about more with the sticks. You would job a bullock with the stick under the tail, and the stick would go right up.
864. But why job them under the tail? The owner will not let you touch them anywhere else, because if you job them anywhere else there is a bruise left on the meat, and the customers find fault with that.
865. You think it would not be possible, with conveniences for the safety of the men, to yard without a heavy boat-hook? It would be possible, but it would be awkward, and would cause you to lose more time.
866. *Chairman.*] You said something as to diseased cattle being put back until Sunday night? Yes.
867. Do you mean that they are kept back so as to avoid inspection? Yes. If there are any that the drover has any doubt about he keeps them back.
868. Then you state that these diseased animals are killed on Sunday nights? Mostly, any that they have any doubts about.
869. What inspection is there on Sunday nights then? None at all. We go at half-past 1 or 2 o'clock, and we see nobody there but the man who opens the gate, and we do not see anybody till Mr. Jager comes at 6 o'clock.
870. Meantime the bullocks have been killed and dressed? Yes, and taken out, and cut up in the shops, by that time.
871. Before the assistant-inspector comes? Yes.
872. I think that you have already stated that you have been several times engaged in skinning diseased animals? Yes.
873. You have to do as you are ordered? Yes, either have to do it or leave.
874. Either have to do it or leave your employment? Yes. There is a man named William O'Brien, who has lost one of his fingers by this disease.
875. *Mr. Stewart.*] Is the finger cut off? No, he has lost the use of it.

Mr.

Mr. William Lockett examined :—

- Mr. W. Lockett.
21 July, 1879.
876. *Chairman.*] You are a slaughterman in the beef slaughter-houses? Yes.
877. How long have you been at the Abattoir? Just over eight years.
878. Have you, in the performance of your duty, ever been called upon to skin and dress diseased bullocks? Not on the island, not diseased cattle. Do you mean cattle suffering from Cumberland disease?
879. From any disease? I have seen cattle slightly affected with pleuro, in the early stages of it.
880. And they have been skinned and dressed at the Abattoir? Yes.
881. Have you assisted in skinning and dressing those? Yes.
882. What becomes of the cattle you say are slightly affected with pleuro? They go into the market. That meat is not injurious.
883. When only slightly affected with pleuro you consider the disease does not affect the meat? I consider the meat is perfectly healthy.
884. You say the meat is sent into the market slightly diseased, but you do not consider it as unfit for food? No. I consider a bullock in the last stages of pleuro unfit for food, but I have seen Mr. Oatley cut them down.
885. Have you ever suffered from the effects of skinning them? No, never. There is no fear of a man suffering from a bullock that has pleuro, as it is a lung disease.
886. Have you ever seen any cattle at the Abattoir with Cumberland? Yes, but not of late.
887. Any on the island? Oh yes, but not of late years.
888. They have been slaughtered and dressed? Yes, for the pots. I think as far back as 1852 the cattle were very bad with the Cumberland disease, but I have seen no case of Cumberland of late years.
889. I understand you can tell us something about the trucking of cattle;—what can you tell us? I think that the bullocks should be divided in the trucks by something to prevent the animals from falling. Each bullock should be divided by a piece of timber, and should stand in a sort of stall which would prevent the animal from falling.
890. Do you know a man named Charles Schultz? Yes, he is my brother-in-law.
891. Do you know that he gave evidence before this Board? Yes, I think he was the first butcher examined.
892. What has become of him? He is doing nothing. He gave evidence, and consequently was discharged.
893. Who discharged him? Some of the retail butchers told the person he was working for that they would not patronize him while Schultz was in his employ.
894. Some retail butchers told his employer that while Schultz was employed they would not buy from him? Yes.
895. And he either had to lose his connection or discharge Schultz? Yes.
896. Then Schultz has lost his situation in consequence of giving evidence before this Board? That is it, sir.
897. *Mr. Stewart.*] Was he employed by several butchers? No, he was employed by Mr. Macnamara.
898. How do you know that Macnamara discharged him in consequence of what you say? He told him he could not keep him in his service in consequence of that.
899. Did you hear him tell Schultz? No, but Schultz told me when he came home.
900. Did they accuse him of telling an untruth? They could not do that sir. That man was discharged for telling the truth. They are stubborn facts, is the truth, at times.
901. Then Macnamara did not want this truth to be known? Macnamara did not want to lose his connection.
902. With reference to those cattle slaughtered having pleuro-pneumonia, does the meat not look inferior, or does it appear as prime meat? When only slightly affected it makes no difference in the appearance of the meat.
903. If sufficiently bled, and if it bleeds well? Yes, different from the Cumberland disease. That bleeds badly; the blood comes from that meat almost the same as coal-tar, so black.
904. So you could not dress a body with Cumberland disease so as to make it wholesome meat? No, impossible.
905. Not even in the early stages of the disease—in the commencement of it? I have never noticed them in that stage.
906. Did you ever have to skin a beast after having been thoroughly bled, or bled as well as it could be; suppose a beast with Cumberland were killed, and you bled him as well as possible, have you ever taken the skin off him? Not on the island; I have killed them up the road for the pots.
907. Then you know the appearance of the flesh after bleeding? Oh yes, as black as your boot.
908. And it would not pass for sound meat? No.

Mr. Henry Brisbane Swan re-examined :—

- Mr. H. B. Swan.
21 July, 1879.
909. *Chairman.*] You were examined before the Board some time ago? Yes.
910. Do you see any cause to vary the evidence you then gave, or do you confirm it? I confirm my evidence, and I could go a deal further.
911. Has anything arisen with anybody on the island in consequence of the evidence you gave, or the part you took? I have not heard anything on my part, but I have heard that the other men have been threatened.
912. Tell us of your own knowledge what you have heard of threatenings? I have been told by a gentleman on the island, confidentially, that a man who gave evidence had been dismissed the first chance that was got.
913. Who was the man that was dismissed? Schultz was one, and the Government men were to be the others.
914. Who were the Government men? Burrell was one. In fact the Government men stated that what
915. knew they ought to have kept to themselves, that they ought not to have given evidence. they Because it was understood they would be discharged the first chance? Yes.
916. Who made that statement to you? It was a gentleman whose name I would not like to mention.
917. You must mention his name? But if I mentioned his name he might back out in giving the evidence, and I only want to say what I can prove.
918. I only want the information of your own knowledge; you did not hear anybody make those threatenings? Not the officials themselves, but I got it from the men themselves that they had been cross-questioned on the evidence which they had given before the Board.

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919. Then these men told you after being cross-questioned by whom? By Mr. Oatley.
920. Where were they examined by him? In his office.
921. What did those men say? They said they would stand to the truth, that it was quite correct what they had said.
922. What did Mr. Oatley say to them? One man is going to leave the Abattoir, principally through this. He has got another situation, and his principal reason for going away is, that unless he took this situation he might be dismissed before getting another. The men might give far better evidence themselves on this point.
923. Are you still going on with the desiccation of the blood? Coagulating better than one half of it. There are only about 28 tons in the whole Abattoir.
924. You are still continuing on the same principle as before? Yes. I saw in the *Echo* it was represented that the cost of coagulating this blood was £2 17s. a ton; that is altogether incorrect. It does not cost 19s. 6d. a ton. It was stated also that we have it on the rocks there drying, but it is not so; we send it away to the gardeners, and there is such a demand for it that they cannot get enough of it.
925. You deny the statement in the *Echo*, and you say it costs only 19s. 6d.? Yes, it never costs more than £1, but they reckon in the cost they mention the whole cost of the place, and it is represented also that the blood and offal go outside the heads at 1s. a ton. That I deny, for it costs quite £1,000 for the working of the punt.
926. What date was that *Echo*? About ten days back.
927. Is the nuisance arising from the drying of the blood exceptional? It is through the wet weather.
928. And unavoidable? It is unavoidable. I have no sheds. I applied to the Treasurer four or five months back, stating that I had no sheds to work in, and Mr. Oatley had written to the Treasurer stating that I had. I always report through Mr. Oatley, and he delayed my letter; and during the time it was with him, run up a bit of a Hobart Town paling shed, and then reported that I had sheds.
929. Do you know what progress is being made with the machinery? Yes, it is going on now. Part of it is on the ground now. The engineer reckons that he will have it all done in about three weeks.
930. You expect that you will have the blood-drying machinery ready for work in about three weeks? It is only part of the machinery, to make the experiment. They have been very doubtful as to the success of the experiment, and this part of the machinery is to prove it.
931. The machinery will not then be complete? No, only sufficient to show what I can do.
932. *Mr. Stewart.*] The machinery that is being got ready now is only as an experiment? Yes, but it is part of the whole plant.
933. How much blood will this machinery deal with? With all, but not to dry it all. Another boiler will have to be added, and a couple of drying pans; then we think that with this all the offal can be dealt with for years to come.
934. Then suppose this experiment turns out as you expect, you will require additional machinery? Yes. There will have to be another boiler to supply steam. The boiler is already on the island, and only wants shifting.
935. I think you said you could guarantee the Government a certain price per ton for this dried blood;—how much was it? £4.
936. How do you mean to guarantee it? A gentleman has promised me that if I can get it he will take it for growing sugar-cane in the North.
937. Who was it made that offer? Mr. Boyd made the offer to me verbally.
938. But suppose the Government cannot sell this prepared manure, what is to be done with it? I do not think there is any doubt about selling it.
939. But suppose the Government cannot sell it? Then they will have to ship it to the Mauritius, to pay expenses.
940. Suppose it does not pay expenses? I should think it would. Mr. Elliott has taken away a lot of the offal, and mixed it with chemicals.
941. But if the Government cannot sell it, it will have to be shipped? Yes.
942. And, in the meantime, one shipment will be accumulating after another? Yes.
943. At what rate will it accumulate? At about 9 tons per week, or 36 tons per month.
944. Then if the Government cannot sell it, they will have to ship it at the rate of 9 tons per week? Yes.
945. And if they cannot ship it they will have to provide stores for it? Yes, we have no place to store it in now.
946. *Chairman.*] To justify your statement about the cost being 19s. 6d. a ton, the Board require you to send in a detailed statement showing how this cost of 19s. 6d. a ton is made up? Very well.
947. *Mr. Bruce.*] You say it costs more than 1s. a ton to convey the blood and the offal in the punt outside the Heads? It costs over £1,000 a year.
948. How much a ton? About 1s. 4d. a ton.
949. Will the plant now being prepared deal with both offal and blood? With all the offal and refuse at the Abattoir, but it will not dry it all, so that we shall still have to allow a lot of it to go away as now at 2s. 6d. a ton, until the other boiler is added to the plant.
950. You are speaking of the blood now, but your plant is so far ready that in three weeks you will be able to deal with the blood and offal? Yes.
951. And then we will be in a position to say whether you can deal with the whole of it? Yes.
952. *Chairman.*] Do you know anything about dead pigs recently at the Abattoir;—can you state anything to the Board in reference to dead pigs? I have seen dead pigs at the Abattoir; it is my duty to remove them.
953. What have you seen in reference to them? I have seen dead pigs there—pigs that have died in the yards a natural death—and dressed. There was one about four or five weeks back that was hanging on the hook, and that men were busy scraping down. The Inspector and I came in at the time, and he had some doubts about the pig, and wanted to know about the colour of it. He was told that it was scalded on the steam-boat, and that that was why it was black when lying on the ground. I made some remarks about it, and was jacketed the next day by other butchers for not knowing the difference between a pig that had died and one that was killed. I was told the next day that the pig had died and was passed.
954. You have seen pigs that have died a natural death scalded, and dressed, and then sent away for consumption? If I go into statements of that kind I shall render myself liable to dismissal.
955. Have you seen it? Yes I have seen it. I have seen a pig that had died, and when dressed and cut open the stench was so abominable that it had to go amongst the offal, and I had to remove it. It was dragged in to be dressed in order to go and be rendered down for tallow. 956.

- Mr. H. B. Swan.
21 July, 1879.
956. *Mr. Bruce.*] How will the offal and blood be conveyed to your desiccator? By a horse and cart. I should like to state something about the cleanliness of the establishment. It has been represented that the Abattoir has been cleaned up by Mr. Gilchrist and others, whereas I am here at all hours to do this, and am responsible for the cleanliness of the establishment. I have to stop here on Saturday night, and they knock off at 1 o'clock, and claim the credit of cleaning the establishment. There should be one man appointed to look after all the men. After I get this blood matter into working order I intend to resign, if things are not changed, because I do not like the place at all. Gilchrist looks after three men, and I after seven or eight. They should be under one man responsible for the cleaning of the place, and the Inspector should look after the inspection of the stock.
957. Have you an opportunity of getting at the weight of the different organs or parts of an animal? Yes.
958. Will you send in a statement, showing this, to the secretary? Yes.

Mr. Frederick Oatley re-examined :—

- Mr. F. Oatley.
21 July, 1879.
959. *Chairman.*] I noticed a letter from you in one of the newspapers, contradicting the statement made in an anonymous communication, published a few days previously, in reference to the carting of a dead beast to the Abattoir? Yes.
960. You had noticed the statement in the letter signed "Eye-witness?" I saw it.
961. And you contradicted it in your letter to the *Herald*? I did.
962. With regard to that beast, it was brought to the Abattoir dead in a cart? Yes.
963. Had it died, or had it been killed? Slaughtered.
964. Where? At Homebush.
965. And was brought to the Abattoir to be skinned and dressed? Yes.
966. Was the meat of the beast perfectly wholesome? It was very much bruised. It appeared to be a beast that had come by the train, and, I am informed, was driven over to the sale-yards, and sold for what it would bring.
967. It was slaughtered at Homebush, and brought to the Abattoir, and skinned and dressed? Yes.
968. What became of the meat? It was condemned, and I saw it cut up, and thrown down by the offal on the floor.
969. What do you mean by cut up? All in pieces; independent of the disfigurement it had received at our hands.
970. When animals that are unfit for human food, from any cause whatever, are scarified at the Abattoir, cut up, and taken away, you have no positive knowledge of what becomes of the meat? No; it is so disfigured that it could not be sold to any butcher for food, and persons could be criminally prosecuted for attempting to dispose of such meat.
971. Have you ever taken steps to ascertain what becomes of the meat? No.
972. What prevents it from being chopped up for sausage-meat? There is nothing to prevent it, if they choose so to do.
973. What I wanted to ask you most particularly to-day was as to a cow which it has been stated calved on the island in one of the pens? I saw it calve.
974. You saw the cow calve? Yes.
975. How long was the cow allowed to remain in the place where she calved? Well, I think the prescribed time, 48 hours.
976. She must have remained with her calf 48 hours? No, they were only together about 16 hours.
977. Do you not think it would have been more correct under the circumstances to have the cow removed? Yes. I went to the owner, and requested him to remove her and the calf as soon as possible.
978. Had you no power to compel him? I have no power to do that. The power we have is not to allow an animal to remain after 48 hours.
979. You have no power until after 48 hours have expired? No.
980. The cow and the calf were allowed to remain that time? The cow remained about 48 hours, and the calf 16.
981. Were there other cattle with them? Yes, but not until the following day.
982. Wild cattle intended for slaughter? The cattle usually brought down, intended for slaughter. I may also say that I called the owner's attention to that fact.
983. But you had no power to remedy that? None.
984. Do you happen to know whether the cow or calf was injured in any way by these cattle? I should think they were sure to be knocked about.
985. Do you happen to know what became of the calf? No. I think I told you that my instructions were to send the cow and calf away as soon as possible.
986. No, you did not say so? I should have said so.
987. You now say you had instructions to send the cow and calf away as soon as possible? No, I gave instructions.
988. That has a totally different meaning; you gave instructions to the owner, personally, to have the cow and calf removed? Yes, and further instructed my assistant to see that my orders were carried out.
989. But the owner failed to do so? I saw him again on the following morning, and asked why he did not send them away. He said there were no cattle taken out that morning, and it would be dangerous to send the cow alone and wild on the road; and she had therefore to remain until Saturday morning. That being within the prescribed time I could not insist upon the cow going before.
990. What became of the cow? I have not heard, except from what I saw in the papers.*
991. However she was taken away from the Abattoir? Yes, on Saturday morning.
992. Do you know anything of a cow now on the island, or that has been on the island within the last day or so, in a state of poverty or sickness? I know of a poor cow brought in on Saturday by Mr. William O'Connor.

993.

*NOTE (on revision) :—Since this evidence I have learnt that the cow was driven to Delaney's boiling-down establishment, on the Bullock Road, and there slaughtered and boiled down.

993. What is she suffering from? I did not notice any sickness about her. She is poor, and in low condition.

994. Not fit for beef? I should not like to eat the meat. It is some old dairy cow brought from Sydney, and is very poor—seems to have been starved.

995. Have you no power to interfere with the slaughter of animals in that state of poverty? No. I may tell you I spoke to the Health Officer, Dr. Dansey, on that subject, whether a poor beast having its lungs and other parts healthy is unfit for food in consequence of its poverty, and he said decidedly not.

996. My object in asking you the question was to ascertain whether you had any power or not to prevent the slaughter of animals in that condition? I have not.

997. *Mr. Bruce.*] In your account of the animals killed at the Abattoir you make no distinction between lambs and sheep? They are all put down as one, because we charge the same for lambs as for sheep. We never kept a proper account of the lambs as distinct from sheep.

998. *Chairman.*] You do not distinguish them? No. In the return I gave you lambs were included with the number of sheep. They are all charged at the rate of 1½d. per head, and are entered as sheep.

999. *Mr. Bruce.*] Can you tell us the different Acts under which you perform your duties as Inspector? There is the Abattoir Act; then there is another Act for the prevention of the sale of diseased meat—14 Vic. No. 36. But really the power we have at the Abattoir is taken from the Abattoir Act and the regulations.

1000. The Abattoir Act and the Cattle Slaughtering Act? Yes; the power is given under the Abattoir Act to make certain regulations for the management of the establishment.

1001. Only those two Acts? Those two—or I might say we are confined solely to the regulations made under the Act.

1002. Can you give the Board any information as to the boiling-down places at the head of the bay, near Glebe Island? Yes.

1003. Have you smelt any nuisance coming from them? Yes, very strong, and at times the policeman on the Island has had to shut his windows to exclude the smell coming from the works on the creek beyond the Island.

1004. Is there not a candle-making establishment also up there? Yes, all those works have a bad smell.

1005. *Chairman.*] That is a matter for the police to attend to. That is all, Mr. Oatley? Did you want to speak to me of anything in reference to my statement concerning the two men?

1006. No, not now; we may ask you something upon that subject at another time? What I was going to observe is —

1007. I think you had better not; it is no part of our proceedings to-day, and it may be necessary to call you again, and ask you in reference to this, and perhaps other matters arising out of it? I am anxious that it should not go to the world that I passed that which Mr. Jager condemned. I want that sifted to the bottom.

1008. The Board will give you an opportunity of speaking upon that, but not now? I am anxious about that, and hope you will not lose sight of it, as I do not want that stigma to rest upon me. With regard to the calf alluded to I have been told by the policeman it was slaughtered late on Friday afternoon, but I have never been so informed by my officers. If it has been slaughtered it is without my knowledge, and I would have condemned it had it been reported to me, but the knowledge of it has been kept from me.

1009. *Mr. Bruce.*] Do you give instructions to the men moving about to let you know anything that has occurred? Yes.

1010. Have they all had special instructions to report to you about cows calving, and so on, in every case? Yes, special instructions; I think I have been kept in the dark in a manner which at some future time I shall have to complain of. A thing occurs here, and the *Herald* obtains the information before I do.

Mr. Joseph Jager re-examined:—

1011. *Chairman.*] You may have noticed a letter in the *Herald*, signed "Eye-witness," in reference to a dead bullock brought to the Abattoir? I did.

1012. Do you know anything about that bullock? I do. It came in about the time specified in Mr. Oatley's letter. I was late at the Abattoir that morning, and it must have been nearly 9 o'clock. I was finishing breakfast when a message came from Creasy, saying his father had a beast in a cart, and would I like to see it. The beast was then in the slings; of course it was bruised.

1013. The beast was very much bruised? Oh, yes; but a magnificent animal.

1014. But very much bruised? Oh, beyond all —

1015. And what became of the carcass? It went to the boiling-down. I sent Mr. Oatley to it at once, and he scarified it.

1016. But you do not know what became of it? Oh, it went to the pots. There need be no reason to doubt that. The quantity of fat from the animal was, I understand, 350 lbs. I did not scarify him.

1017. *Mr. Stewart.*] Do you know why they slaughtered the animal outside? He was lame, and unable to walk.

1018. *Chairman.*] Was he killed outside? Yes, to get him into the cart.

1019. Did you notice anything of a poverty-stricken cow on the Island during the last day or so? Yes, she went out on Saturday morning.

1020. She was driven away? Yes, to the paddocks.

1021. Then she has not been slaughtered here? No.

1022. Suppose it was intended to slaughter such a miserable object, have you any power to interfere? No, not that I am aware of.

1023. I am alluding to a poor yellow-coloured cow that has been at the Abattoir within the last day or two, belonging to William O'Connor? Oh, she is in the yard now, and going to be slaughtered for the boiling-down. I though you were alluding to a cow that went out on Saturday morning.

1024. There is a miserable cow in one of the Abattoir-yards now? Yes, an old miserable cow.

1025. Very poor? Wretchedly poor.

1026. She is intended for slaughter? To be killed, and sent out to the boiling-down.

1027. What is the use of sending a wretched animal like that to the boiling-down? The person for whom she is intended is a manure manufacturer, and she is intended for use in that direction.

1028. That is, as far as you know? Yes. She is not slaughtered yet; but that is their intention.

1029.

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1029. But for all you know the meat may go into consumption for sausages? Oh, it may, for anything we know, unless we have some means of dealing with it.

1030. You have no means of preventing it from being used in that way, or authority over it after it leaves the Island? No authority.

1031. You want to make some statement, do you not, in reference to your former evidence? Yes; it is in connection with my statement with reference to cattle that were condemned by me going into the city for consumption. The same afternoon of the day on which this transaction took place, I ventured to say to Mr. Oatley, "That was a great mistake allowing those cattle to pass, and, in consequence of what has occurred, I shall never again put a knife upon a beast however it may deserve condemnation, but I will take the necessary steps to detain it for your inspection, and leave the whole of the responsibility with you." He said, "Perhaps it would be best;" and I left it at that. On the following day the engineer alluded to the affair of the previous day.

1032. Who is the engineer? Gilchrist. He said to me, "What I find fault with Mr. Oatley for is that he don't support his officer." "Provided," I said, "that his officer was in the right." There is a person on the Island now that I spoke of—Levy. When he, and another person who was a lessee at that time, came to pay me their fees, knowing the commotion there was about threatening to sue me, he said, "Mr. Jager, you did perfectly right in what you have done, and if they bring you up for the value of that beast, you call upon me—I will let them know what it was;" and the other individual, without consultation on my part, voluntarily introduced the subject, and said, "They talk of suing you! You call on me." I never spoke of the subject to any person connected with the establishment, whether employes or anyone else, until the latter end of last week. I heard there were rumours that it was going to be proved that those cattle went to the pots, and I said to Levy, "Did you hear of that rumour about attempting to prove that those animals went to the boiling-down?" "I could take my dying oath," he said, "that I believe I saw some of it in Pigott's shop. I saw the scarification of it."* Pigott was the owner of the meat. There is some little confusion, I think, in my printed evidence about the number of quarters that went in. There were a body, and the two hind quarters of the animal, which I believe died from injuries before being meddled with and was dead when they put it into the cart; the third body which I left for Mr. Oatley's discretion was gone, and I had but two to show to him. When I walked in I said, "Why, it is gone!"

1033. Well? I have nothing further to say about that.

1034. Have you about anything else? You were alluding to some cow with a calf.

1035. Did you see that cow with the calf in the pen? I did.

1036. The cow calved in the pen? She did. Taking a walk round, as I do, to look at the cattle, I saw this cow in the act of calving. I sent at once for Mr. Oatley, and we both went to the pen, and the cow calved while I was there.

1037. Was she alone, or with other cattle? Alone when she calved, I think. Mr. Oatley went into the slaughter-house, and asked the men what they purposed doing with that cow. I think the owner, Mr. Harpur, was there. "If you kill her," Mr. Oatley said, "I shall condemn her." So they said they were about to send her out.

1038. How long was she there with her calf? She remained there till she went out on Saturday morning.

1039. When did you first see her? On Thursday evening.

1040. And she was taken away on Saturday morning? Yes.

1041. Do you know what became of the cow? She passed out of the gate to go to the paddocks.

1042. In what state? In a poor, wretched state.

1043. Was she sick? She was in that state that I said, "She will never come in again alive." I have had some experience in cattle. I have been overland with cattle, and I could judge the condition of this animal.

1044. She was in that state of sickness that you remarked she would never come in again alive? Yes; in that state from starvation and calving—in fact, perished.

1045. Were other cattle allowed to be with the cow and calf in the pen? I saw no more after what I have stated.

1046. The cow did not come back? No.

1047. Do you know what became of the calf? That I cannot tell you.

1048. Mr. Bruce.] Did you ever see the cattle in the yards get hay? Yes; all cattle that are left there on the Saturday—it being found not convenient to take them out, and the owners not being allowed to take them out after 8 or 9 o'clock—have food left with them. I see all the cattle in the yard, and notify everyone of them.

1049. Do the cattle eat the food? They do—lucerne hay; and I have seen chaff and corn put in.

1050. If they get any food at all the cattle will eat it? If the food is good. They seem to prefer lucerne to the oaten hay.

1051. Supposing there were a place made on the island for shipping cattle from, so that they could be taken to the Californian or other steamers, where ought it to be? Down near the old punt wharf, which is admirably situated for such a thing.

THURSDAY, 24 JULY, 1879.

Present:—

THE HON. GEORGE THORNTON, Esq., M.L.C., CHAIRMAN.

JOHN STEWART, Esq., | ALEXANDER BRUCE, Esq.

Alexander B. Farquhar, Esq., examined:—

A. B.
Farquhar,
Esq.
24 July, 1879.

1052. Chairman.] You are the managing partner of the firm of Mort & Company? Manager of the Fresh Food and Ice Company.

1053. I suppose you are aware of the nature of this Board, and the purpose for which it is created? I am not aware of what it is created for. I have seen the reports in the paper.

1054.

* NOTE (on revision):—Mr. Levy added, "Only you know a man would not like to swear positively."

A. B.
Parquhar,
Esq.

21 July, 1879.

1054. This is an inquiry into the management of Glebe Island, and all matters in connection with the slaughtering of animals for food, the production of wholesome food for the consumption of the people of the colony, and all matters in connection therewith. With that view we have sought your valuable help in one essential part of our inquiry, namely the icing or cooling part of the business; and I think you are in a position to give us some information upon that head, are you not? Yes, I think I shall be able to do so if I know the direction in which it is required.

1055. In the first place the Board contemplate recommending to the Government the formation of a wholesale meat-market in Sydney, in a suitable locality, for the purpose of receiving meat, keeping it in a cold state, and selling it to the trade and consumers in Sydney. Another recommendation of the Board will be that the Government should provide the refrigerated cars necessary to bring carcasses of meat from inland to this meat-market, and it is upon the subject of refrigerated cars that we wish to ask your opinion and advice, as well as upon the subject of obtaining the necessary cold atmosphere for a meat-market, and upon matters generally in connection with the subjects I have named? May I ask where you propose killing?

1056. From our view of the matter there will be no fixed place for killing. The carcasses of meat will be brought from inland, from various places, south and west, all along the line, wherever people choose to kill them,—as far as the railways go; for instance, from Wagga Wagga, and beyond that, if possible, and from Orange, Bathurst—all the western and southern districts as far as the railways penetrate. The railway authorities would meet this by bringing the carcasses from the various places along the line? My idea in asking you where you proposed slaughtering was in this view: Wherever you have your meat market in Sydney, or your cold room for storing the meat, it is necessary that you should have cold at your slaughtering place; it is more necessary there than at the terminal point. If you want to bring meat from the interior, that is from Orange, Dubbo, Yass, and those long distances, you must cool your meat where it is slaughtered, and not bring it to Sydney and cool it.

1057. You mean that the meat must first be set by cold? Yes, sufficient cold to set the meat thoroughly—that is, to stiffen it—before you attempt to travel it. That is the first consideration. The secondary consideration of a *dépot* is of no importance compared with that.

1058. Then the first great thing to achieve would be to slaughter the meat in a place where it could be set by a cold atmosphere? Yes.

1059. And that is absolutely necessary? Absolutely necessary.

1060. In ensuring success to such a scheme that first course is absolutely necessary? No doubt. You have now ocular demonstration of the fact in this cold weather. When meat is killed at Orange, or anywhere else, where the normal temperature is sufficient to stiffen and harden it before it is travelled, you may send it to Sydney and keep it a week. I have Orange killed beef that I have kept hanging in the normal state of the weather ten days after it arrived in Sydney.

1061. And is it not a fact that meat improves in flavour and quality by being kept in that cold state? No.

1062. I mean to say meat for consumption? Meat for consumption cannot improve in quality so long as it is kept from decomposition. Why meat is better kept a few days is because it has slightly decomposed, or has progressed towards decomposition to a certain extent.

1063. Decomposition has set in? Progress towards decomposition has set in. That is why you hang up your joint of mutton or venison for a certain number of days until it becomes tender. That is nothing more than decomposition.

1064. *Mr. Stewart.*] It is the first stage towards decomposition? Yes, it is the progress of decomposition. If you kill a bullock and freeze it instantly, and keep it frozen for ten days if you like, the meat will not have changed. It will have the same consistency, the same toughness of fibre, less a small proportion of the fluids that have been evaporated by refrigeration.

1065. *Chairman.*] You say it would be absolutely necessary first to set the meat by cold appliances;—could not that setting be obtained by putting the meat into refrigerated cars at the place where it was slaughtered? Not unless the cars were very large and there was a very large consumption of ice.

1066. Assuming that the cars are made for the purpose—for instance, there are such cars in use in America, where it is most successfully carried on—we have evidence of that; assuming that we had such cars, do you not think the necessary coolness could be obtained in them? To a certain degree it could, but at a much greater expense.

1067. But would it not overcome the great difficulty you speak of as to the necessity of setting the meat before it is brought to market? No, I do not think it would set the meat sufficiently in our summer weather, and it would be a more expensive arrangement setting the meat in the cars than setting it in a refrigerated room where it was slaughtered.

1068. It is your advice we want, and we shall be glad to have the benefit of it? You would have to carry not only the weight of the meat in the car but also the weight of the ice. That weight of ice must be proportioned to the number of degrees that you have to reduce the temperature of the beef or meat to the temperature at which it will set, which we will say is 40° or 45°. From 40° to 50° is the temperature which will stiffen meat. Then you will have to reduce the meat from 80° or 90° to 50° we will say. That must be done by the action of ice in your refrigerated car. It is a question of how many degrees you have to reduce so many pounds of meat to, to know how many pounds of ice are necessary.

1069. It is a mere matter of calculation—a simple rule of three? Exactly. You have to manufacture your ice we will say in Sydney, to send it away in the cars, losing its cold and its weight on the journey. You may say that it is cooling the car all the time. So it is, but you have extra weight to haul, and you must put enough ice in to bring back the meat on the return journey. We will say, for instance, that a car holds 20 or 10 bodies of meat at a temperature of 85° or 90°, or the normal temperature of the atmosphere. You would require to provide a sufficient quantity of ice to send to the slaughtering place to keep the meat cool on its journey to Sydney; whereas, if you had the cold appliances at the slaughtering place, the cooling could be done there without making ice, and the meat, once stiffened, could be carried in the cars without any ice at all.

1070. Without using ice? You would not require ice in the cars, and they would be lighter to haul and less difficult to handle.

1071. Then do I understand you to say that if the meat were set where it was slaughtered it could be carried in the cars without ice appliances? Yes, any distance you would have to carry it, say from Young or Dubbo.

1072. *Mr. Stewart.*] In ordinary meat vans? No.

1073. Vans constructed for the purpose? Yes.

1074.

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1074. With double sides? Yes.
1075. *Chairman.*] During all seasons of the year? In the winter months.
1076. Could the plan you have suggested be carried out during the summer months? Yes.
1077. Would you tell the Board what would be the probable cost of an ice-making establishment in these contemplated slaughter-houses in the country? That will depend on the quantity you slaughter. What do you propose to kill—100, 200, or 300 head?
1078. Take the basis of 100 head? 100 head of bullocks per day averaging (say) 600 lbs. each;—that would be equal to 60,000 lbs. of beef. You have to reduce 60,000 lbs. of meat in the summer-time from, we will say, 80° to 50°—that is, 30°. 30 degrees are equivalent to so many pounds of ice. It would require about 10 tons of ice—that is to say, you would require refrigerating power equivalent to about 10 tons of ice per diem to reduce the temperature of 100 bullocks.
1079. *Mr. Stewart.*] 10 tons of ice made at Orange say;—what would it cost? If you make the ice it is more expensive than utilizing the cold to cool a room. It takes more units of cold to make the ice than it would to produce the cold necessary for obtaining the required temperature. We only go to 50° in cooling the room, but to make ice you must go to 32°; and then put in 140 units of cold. That is called abstracting latent heat or putting in latent cold.
1080. *Chairman.*] You produce that state of cold without making ice? Yes.
1081. *Mr. Stewart.*] Perhaps you will be good enough to explain how it is done? You construct a room to hang the bodies in, and you circulate cold brine by the same medium as you would use to convert water into ice, through pipes. That cold brine, instead of being circulated in a trough or in a vessel, as when making a block of ice, is circulated through the room in pipes and cools the air which imparts the cold to the bodies of beef. If you make ice you have to use more cold; then take the ice and pack it in your room, and after it is packed and all this labour is expended the ice melts, and is lost. We lower the temperature of the room on the same plan as you raise it in cold weather, by introducing cold pipes instead of hot pipes.
1082. *Chairman.*] What would be the probable cost per ton of manufacturing ice in the country, supposing that you had every appliance and an abundance of water? An abundance of water is absolutely necessary. I should say the cost would be about £2 a ton.
1083. Not exceeding £2? It ought not to be that.
1084. And what would the probable cost of the refrigerating process be—it would be less than that of ice, of course? Yes, but you must bear in mind that you have first to obtain a machine for making ice. Having got that the manufacture of your ice will cost you about £2 a ton, whereas you have the machine to produce the cold, and you need not manufacture ice at all. An ice-machine that would make 10 tons of ice per diem would cost about £4,000.
1085. An ice-producing machine to manufacture 10 tons of ice per diem would cost about £4,000? That is the machine itself. Then there are the room and all the necessary fittings. I am speaking only of the price of the machine itself as you would get it from England or Europe.
1086. Could not a machine be made here as cheaply as it could be imported? We could make a machine here quite as cheap as one you could import, because we could make a similar machine that would produce a larger quantity of ice than the one imported. A machine to make 10 tons of ice a day would cost £4,000 in England.
1087. What would be the cost of a machine for producing a cold temperature in a room? It would depend on the size of the room. A room that would hold 100 bodies of beef—say 60 feet square—to fit it up with pipes and ventilating appliances, I suppose it would cost you another £1,000. Then there is the erection of the machine when you get it here.
1088. But that is for ice-making? Oh, it is the same machine.
1089. The same machine that is used to produce ice is necessary to produce a cold atmosphere? The same machine will make ice or produce a cold temperature.
1090. But the same machine is necessary for producing a cold temperature as for making ice? Yes.
1091. And you say that a room 60 feet x 60 feet, capable of holding 100 carcasses, would cost another £1,000 to fit it up for the purpose required? Yes. You would not require such a large room as that. Our room is 60 feet x 60 feet, and we can hang 200 head in it.
1092. Have you ever been to Glebe Island? Yes.
1093. Would it be possible to erect some such machine there; I mean a machine for reducing the temperature of the atmosphere to the required coolness to set the meat? Quite possible.
1094. I fancy quite easy to be done? Just as easily erected there as anywhere else.
1095. And at a similar cost? Probably cheaper than in the interior. Labour is more available here—skilled labour—for you must have skilled labour; and you would have to pay less for it than in the interior. If you had to take skilled labour into the country it would cost you more.
1096. Then it would probably cost less at Glebe Island than at an establishment up the country? I think so. I am not sufficiently up in building statistics to know what the cost of a building would be; but I should say that it would cost less to erect a building in Sydney than in the interior.
1097. As you are managing partner of the Fresh Food and Ice Company you must have had a great deal of practical experience as to the cooling of meat, and the results of cooling it? Yes.
1098. Will you favour us with your opinion as to the results that would arise from having meat refrigerated in the way I have suggested at Glebe Island during the summer-time: How long would that meat maintain its sweetness after being refrigerated by the process you have indicated in the summer-time? Meat chilled in the summer-time to a temperature of 40°, and then brought into Sydney, and delivered at the butchers' shops, moderate care being taken with it, ought to keep two days.
1099. In the summer-time? In the summer-time. It would not do to shut it up in a close room, where it would get no air, or where it would be in a bad atmosphere, such as over a drain or a cess-pit; but with the ordinary care which would be observed by a good house-keeper in keeping a joint of meat in a cool shady place, it ought to keep two days.
1100. In a proper butcher's shop it could be kept for at least two days in a sweet state? Yes.
1101. As a matter of fact does meat deteriorate in quality or flavour by the application of cold? No.
1102. Does it preserve its quality and flavour intact notwithstanding the application of cold? Yes.
1103. I take it also that, in a building such as I have indicated to you, to be erected in a suitable place in Sydney

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Sydney for a meat market, the same probable expense would fit up a machine and produce the necessary cold atmosphere there as in the other places you have mentioned? Yes. If you establish a meat market in Sydney, whatever appliances you had at the *depôts*, either at the Abattoir or country *depôts*, it would be necessary to have refrigerating power at your central *depôt*, here in town for instance.

1104. That was the next question I intended to ask you. You have anticipated me, and I will take your remark. What I intended to ask was whether, notwithstanding that you say it is absolutely necessary to set the meat where it is slaughtered, it would be necessary to maintain the same cold atmosphere at the meat market in order to retain the sweetness of the meat? Or dispose of the meat instantly.

1105. Do you think the main *depôt*, which I have called a meat market, should be kept in that state of low temperature? Yes, to ensure a constant supply of meat being always there. Circumstances might happen to intercept your daily quantity from coming down, such as the weather, accidents by rail, fire, storms, or whatever it might be, and it would never do to establish a business that might leave the whole community without its meat for a day. Therefore it would be necessary to have a certain quantity of meat always in your *depôt*, so that it would be worked off as required, and supplied as required from the other end. That is the object of having cooling power at your central *depôt*.

1106. Will you tell us please, how long meat set in the way you have described and then brought to our meat market, to a temperature equally as low as that at which it was set;—how long that meat untouched and hung in the market would probably keep? That is meat chilled at the slaughter-house?

1107. Yes, kept at the same temperature in the cars, and brought into the meat-market, and left in the same temperature for sale;—how long would that probably keep sweet? That depends on the temperature you keep it at. If kept at a temperature of from 40° to 50° it would keep eight days.

1108. Perfectly sweet? Yes.

1109. And might it not keep some days beyond that? Not unless you go to a lower temperature.

1110. Then a lower temperature would increase its keeping power? Yes.

1111. Do you not think that would work a complete revolution in the system of killing, disposing, and consuming meat in this community? Quite a revolution.

1112. Do you not think it would be one of the greatest blessings we could confer upon the inhabitants of the Colony to give them sweet and wholesome meat at all times? I consider it absolutely necessary that it should be done.

1113. And do you not think it would be of the greatest consequence to the producers that they should have a better and more certain sale, and probably better prices for the animals they produce? I am sure they would get better prices. It would be an inducement for men to breed the best cattle in order to obtain the best prices, because, whatever the quality, the best meat will always fetch the best prices. We have instances of it in the old country, in England; the man who breeds the best beast gets the best price, and it pays him.

1114. And would it not be an incentive to people in the country to feed and fatten and produce the best quality of meat? No doubt; I believe it would, and the only means of inducing them to do so would be that power of being able to get it to market and sell it at the price it is worth. At present a man breeds cattle and sends them to market, and they have to take their chance of the market price whatever it may be. If the market price is low he gets a low price; if it is high he gets a good price.

1115. Then would it not be a great blessing to the community if they could get a much more wholesome quality of meat than they have been in the habit of getting? Yes, the greatest blessing that could be conferred upon them, and it would be cheaper for the consumer to pay 1d. a pound more for that meat which he would then consume, than to buy his meat under present circumstances. There would be less waste; he would save it in the waste.

1116. *Mr. Stewart.*] Do you know the fish-market in Sydney? Yes; I have not been very often in it; I cannot say that I know it intimately.

1117. Would it cost much to make arrangements for keeping fish cool there for two or three days occasionally,—not all the year round, but occasionally? No, it would not cost much.

1118. An ice-making machine is out of the question, but a quantity of ice could be purchased? Yes.

1119. The market is often glutted with fish, and a large quantity of it is wasted or given away, and perhaps during the next two or three days none comes in, whereas, if a quantity of the fish from the glut had been served for two or three days the market would have been constantly supplied? Yes.

1120. Well, we want to know if arrangements could be made at a moderate cost for preserving that fish? By means of ice you could do it. In the first place you would have to put it into a cold room. It would never do to put fish and ice together. If you put a fish in ice it will keep while it is in the ice, but after you take it out you will scarcely be able to take it across the street and cook it—it will go bad. A fisherman could not in the summer-time take fish that had been kept in ice for two or three days, into his basket or cart and carry it about the town to sell it.

1121. Then how should it be kept? In a room where it will be sufficiently frozen, as we do now at the meat works. We freeze fish there now, but it never comes in contact with the ice at all. It is frozen in a cold temperature, cold air. I have sent fish from here to Melbourne, to Armidale, and to all the towns in the interior, and it has arrived there frozen.

1122. And how do you cool the air? The same as in the room for the meat.

1123. You would require a machine then? Yes, or ice, but ice would never give you a sufficient temperature. Ice would only give you 32°, and you must go below 32°.

1124. Then to go below 32° there is no means available except an ice machine? No, and it is the cheapest in the end.

1125. Suppose you did not go below 40°? I do not think fish would keep at that. Fish has a very delicate texture, very different from meat.

1126. But you could reduce the temperature of the atmosphere in a cold room to 40°? Yes, by ice.

1127. Without any extravagant expense? It would be, in the summer-time, a very heavy expense.

1128. Is the ice placed below or above? Above.

1129. Not touching the fish? No. When ice melts the fish absorbs the moisture. That means rapid decomposition with increased temperature.

1130. It would not be a costly experiment to put up a room to see what ice would be required—I suppose a wooden building, with double walls, would be sufficient? Yes, but the more perfect you make your insulation or non-conducting power the less cold you will waste. If you have double stone walls they will keep the cold better than wooden walls.

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1131. But wooden walls, with some non-conducting substance—say sawlust—between the two, would be sufficient to make an experiment? Yes.
1132. As a temporary provision? Yes.
1133. Suppose people in Sydney were to make a much larger use of ice than they do, could not a manufacturer afford to sell it at a much reduced price? Yes.
1134. If the demand were larger the price would be lower? Yes.
1135. And supposing that an ice-machine were to be put up at Glebe Island for the purpose of cooling a store-room for the meat, ice could be made at the same time, and perhaps distributed among the retail butchers in Sydney and others? No, it does not follow. Your machine might only be capable of producing the cold necessary to keep the room at the proper temperature.
1136. It would require additional power to produce ice? Yes.
1137. And different arrangements, to some extent? Yes.
1138. What is the chief peculiarity of a car made for the purpose of keeping meat cool after it has been made cool? These cars here—there is no peculiarity about them at all; they are common cars, built up with Venetians.
1139. Are you referring to those built by Mr. Mort? No, to the common cars on the railway.
1140. I am speaking of the cars built for keeping the meat cool? The only ones are those built by Mr. Mort.
1141. Where are they? They may be seen at the ice-works.
1142. Could we see them? Certainly, any time you like.
1143. Their chief peculiarity is the double wall? Yes.
1144. They do not carry ice? Yes they do.
1145. On the roof? Yes.
1146. How does the cold get to the bodies of the cattle? It falls upon them—the cold atmosphere.
1147. But there must be some communication between the ice-chamber and the chamber holding the meat? The ice-chamber forms the lid of the car. It is a double lid 18 inches deep. The car has no opening at the sides or ends; it is loaded from the top, and then the lid goes on, containing from 10 to 15 cwt. of ice. The cold produced by the melting of the ice falls upon the bodies. Cold always descends.
1148. The external atmosphere is entirely excluded? Yes.
1149. Then you think it would cost a great deal of money to provide the means of cooling bodies at a wholesale meat market, or fish market, or at the retail shops in Sydney,—that it would cost more than the meat would be worth? At the separate shops decidedly; it should be cooled at one establishment.
1150. Yes, but it could not remain at that establishment until it was wanted; the retail shops must keep meat sometimes; very often from Saturday to Monday, and I, for one, was thinking that it would be quite possible for butchers to make arrangements at a moderate cost, to enable them to keep meat, particularly in summer, and until it is perfectly set, if it is not so when they get it, as very often it is not, and at all events to keep it for a day or two until it is wanted? That would be a costly thing; it would simply fall on the consumer.
1151. Of course it would, but the consumer would not grudge paying a little higher price for an article of better quality? But it would not be little; it would be very expensive if every butcher had to chill his meat.
1152. You have not perhaps considered that question,—how a small chamber, capable of containing 200 or 300 lbs. of meat, might be constructed in retail butchers' shops without much cost? It would not cost much to construct it; the expense is in maintaining the cold.
1153. It is only on certain days that it would be required, not all the year round? I believe there are one or two butchers now that have cool chambers; I have not seen them but I have been told.
1154. Cooled with ice? Not with ice.
1155. Would a few pounds of ice in a chamber not be a great improvement? Not a few pounds, perhaps a hundredweight or two would.
1156. Perhaps you will be kind enough to give the question a little consideration. It is thought to be a point of some importance, if butchers are to be licensed and their premises inspected before a license is granted, whether it might be advisable to withhold a license from any who have not an ice-chamber, but that would not do if it involved an enormous expense beyond the value of the meat. At present meat is often delivered before it is set—warm, flabby, and not fit to eat? Always in summer.
1157. But if a butcher could keep it from spoiling by a little cold, he would hardly ever deliver it in that condition; people would not take it from him. He might then keep it for 24 or 48 hours until it was ready for cooking? My opinion is that it would be very desirable for the Government or the authorities, whoever they may be, to exercise such a power over the trade.
1158. That is not the question; we wish to know whether it is practicable? Quite practicable; it is only a question of cost.
1159. At a moderate outlay? A moderate outlay.
1160. You have perhaps not considered that question; you have not thought of providing ice-machines at a moderate cost on a small scale? I have never gone into the calculation of what it would cost.
1161. Mr. Nicolle knows a great deal about these things does he not? Oh yes.
1162. In those machines that the late Mr. Mort was constructing it was always intended to use ice, I believe, in carrying the meat down from the country? In the cars?
1163. Yes, the cars? Yes.
1164. So that even after the meat had been thoroughly set and cooled at say 40° at Lithgow, ice would have been used in carrying it to Sydney? No.
1165. Not in summer? No; it would not have been necessary? We found from experience—from practice—that the temperature of the cars never varied more than two or three degrees between Bowenfels and Sydney.
1166. The external air was excluded by double walls, and by nothing else? Nothing else.
1167. And a cold atmosphere enclosed? Yes.
1168. And that was sufficient to keep the meat, even in summer? Yes; we always travelled our meat at night.
1169. Were not the carcasses submitted to some process of ventilation before being submitted to a cold temperature at Lithgow? They never had more than the normal temperature of the atmosphere.

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1170. There was no air made to pass over the bodies? Yes, there was a large fan driven to circulate the air through the room in which the bodies were hanging to cool.
1171. Just the external atmosphere? Nothing more.
1172. What was the object of that? It assisted in cooling the meat, and also removed the animal smell which meat gives off in cooling, and which if confined in a small room will fix itself into the meat.
1173. And it required the cool external atmosphere to enable you to do that to any purpose? Yes.
1174. It would not have done in the hot weather? No.
1175. *Mr. Bruce.*] Continuing the subject of the question which Mr. Stewart was asking, was it summer-time or winter-time when you were getting the meat from Bowenfels? April and May; I think we commenced in March, and then April and May.
1176. *Chairman.*] March is the hottest month of the year.
1177. *Mr. Bruce.*] And you say there were only two or three degrees difference of temperature between Bowenfels and Sydney? We always had the temperature registered at Bowenfels before the cars were closed, and a thermometer was always hung up on the car; and when the cars arrived in Sydney, I generally found that there was one or two degrees difference. Sometimes, on a hot night, it might be three degrees.
1178. If the meat were thoroughly set at the Abattoir, and it could be kept for two days in the butchers' shops, there would be no great necessity for the butchers to have a cooling place? No.
1179. The chilling of the meat at the Abattoir or up the country would obviate the necessity for a cooling place on the butchers' premises? Yes.
1180. Can you give the Board an idea of the daily expense of working a chilling plant for 200 bodies, in such a room as you spoke of;—I understand you to say that it would cost about £4,000 for the plant, and £1,000 for the room and fittings, so that the cost would be between £5,000 and £6,000? Yes, about £4,000 for the machine, and the fittings and appliances for the cold room £1,000—£5,000.
1181. And the room itself? I do not know what that would cost, I am not conversant with building estimates. It is only a matter of interest on the money.
1182. And the daily expense of working that room to its capacity? Working a machine that will produce 10 tons of ice per diem—the whole cost of it, for wages, coals, water, &c., would be about £5 10s. per diem.
1183. Would that be for making ice or for reducing the temperature to 40°? You can apply it to either purpose; it is the same machine.
1184. But it would not require the same expense to cool to 40° as to 32°? It depends on the quantity of meat you want to cool. I base my calculation on 100 bodies from 90° to 50°.
1185. That would cost about £5 10s. per diem? About £5 10s. per diem. I made out a memorandum of what it would cost. The cost per lb. of freezing or cooling would be $\cdot 033$ of a penny, or $\frac{1}{300}$ of a penny per lb.
1186. That is the chilling? Yes; or putting it in other figures, which will make it a little more intelligible, it would be $3\frac{1}{2}$ d. per 100 lbs.
1187. *Chairman.*] It will cost us $3\frac{1}{2}$ d. per 100 lbs. of meat. Yes.
1188. That is one of the most valuable pieces of evidence you have given us? It is equal to 1s. $8\frac{1}{2}$ d. per animal, taking it at 600 lbs. I thought you would very likely want to know the cost, and I have worked it out. My data are 100 head killed per diem; that is, at (say) 600 lbs. each, 60,000 lbs. A machine to reduce the temperature of that from 90° to 50° would cost £4,000, exclusive of the chilling-room and appliances.
1189. *Mr. Bruce.*] You said that the meat would keep two days well in the height of summer? I should think so.
1190. Fully? Yes.
1191. And suppose the meat were reduced to a temperature of from 40° to 37°, how long would it keep? It would keep about a fortnight.
1192. Then, if there were a dead-meat market, with cooling appliances, in view of meat being required to be kept eight or ten days, a portion of the cooling place could be set apart for being reduced to that temperature? Yes, it could be arranged so.
1193. And according as the trade required it the meat could be cooled and kept? Yes.
1194. It is a fact that the American meat sold in England has to be kept on an average about eighteen days—fifteen to eighteen days? It must be ten days in transit.
1195. *Chairman.*] But the English climate suits it.
1196. *Mr. Bruce.*] In London the heat is about as bad as it is here, in August. It is not only the supply of meat for the city that depends upon this question, but the prosperity of the stock-owners of the colony depends on it also, in so far as the export trade depends on the quality of the meat. I suppose you are aware that the reason why our exported meat brings such low prices is the inferior condition of our meat—the tinned meat? —
1197. *Chairman.*] It is salted meat.
1198. *Mr. Bruce.*] No, tinned meat. You must know that the reason of our tinned meat bringing such low prices is its inferior condition? I am not disposed to take that view; I do not think that our meat is of inferior quality.
1199. It ought not to be, but it is on account of the hardship it sustains? If you have to keep a bullock at the Abattoir a week I can understand it.
1200. *Chairman.*] Yes, and drive it down the country and starve it. Where does your company slaughter its meat? At Bowenfels.
1201. Do you utilize the blood and offal in any way? We have not done so as yet.
1202. It is allowed to be wasted? Yes.
1203. I thought if you had utilized it we might have got some information from you on that point? We had not the appliances. We used to make the offal into graves, but the blood we could not.
1204. The only further remark I would make is to trespass upon your kindness by asking you to allow us to visit your establishment and see the refrigerated cars—and we would be glad to have your presence—so that we might by personal inspection form our own ideas about them? Any day that you give me notice of I will have the cars ready for you.

THURSDAY,

THURSDAY, 7 AUGUST, 1879.

Present:—

THE HON. GEORGE THORNTON, ESQ., M.L.C., CHAIRMAN.

JOHN STEWART, Esq.

ALEXANDER BRUCE, Esq.,

Mr. Reuben Woodham examined:—

Mr. R.
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1205. *Chairman.*] You are an old resident of Sydney? Yes, for five and thirty years and upwards.
1206. And engaged in the butchering trade? Yes, nothing else.
1207. As a slaughterer, or butcher, or what? I have been slaughtering, and I have had a shop in Sydney, but am now killing pigs, and have done so for years on my own account.
1208. Are you well acquainted with the Glebe Island Abattoir? Yes, ever since it was opened.
1209. You expressed a desire to be examined before this Board? Yes.
1210. With the view of giving certain evidence in your power to afford in respect to the Abattoir? Yes.
1211. Of course I am not aware of the nature of the evidence which you desire to give, and I am therefore not prepared to propose questions to you; if you will make your statement we shall be glad to take it down? You mean in regard to the working of Glebe Island?
1212. In any way according to your judgment and experience. I would premise by saying that you must of course be fully aware that the object of this Board is only to inquire and report. We have no feeling or prejudice at all in the matter; we are only carrying out the duty entrusted to us without prejudice? Well, I have been killing on Glebe Island ever since it was opened, and I do not think a better place could be found as a situation for the Abattoir. I was in London, and was brought up there as a butcher, and my father was a butcher there. I came to this colony in 1843, and when the slaughter-houses were opened on Glebe Island I took a slaughter-house there. I was killing beef on my own account, but since then have been killing pigs, and I have worked for a great many gentlemen here—for Mr. Wentworth, for Mr. Drake, salting for Mr. Hinchy at the boiling down, and for a great many others; for Mr. Richard Hill for instance. I have a considerable experience in the butchering, and am a butcher. I was in Melbourne not long ago and did not see there any place so fit and so good as the slaughter-houses on Glebe Island.
1213. You have seen no place so fit notwithstanding that you have been recently in Melbourne; you have not seen anything so useful as a place for slaughtering as the Glebe Island Abattoir? No.
1214. You mean as to its locality? Yes, and the building of it and everything else.
1215. The general arrangement? The general arrangement. I might not perhaps have seen all the slaughter-houses in Melbourne. I am speaking of Flemington. They are only dog-kennels over there to ours.
1216. Do you not think a greater amount of accommodation for killing and dressing sheep is required at Glebe Island? Yes, there are more slaughter-houses required.
1217. More room for the comfort and cleanliness of the men and for the cleanliness of the place? Yes, no doubt about it.
1218. And for the wholesomeness of the meat too? Yes; the slaughter-houses were never big enough when first laid out. I pointed that out at the first going off that they were too small for the purpose required.
1219. What about the drainage? The drainage is much better now than it used to be; at one time it was very bad.
1220. At one time I suppose, in fact there was no drainage at all? No.
1221. But of late years things are very much different? Very much different.
1222. Do you not think it would be a great improvement to have those places either paved or asphalted? I think asphalted would be much better.
1223. Do you not think it necessary? I do indeed. It would take no trouble then to wash the places out and to keep them thoroughly clean; now it gets through the stones, and you cannot get the place as clean as it ought to be.
1224. What is your opinion with regard to the accommodation for slaughtering the pigs? Well I think the places are almost big enough for what we kill there. I suppose Mr. O'Connor kills 300 or 320 a week, Mr. Woolfe about 120, and myself 100, that is taking the average; and then there are two more pig butchers who kill fifty or sixty, or perhaps a larger number.
1225. And you say that the slaughtering accommodation is at present sufficient for your requirements? Well, if the pens were done as you say with asphalt, it would be much better.
1226. If the pens were asphalted, the accommodation would be sufficient for present purposes? Oh yes, plenty, and likewise we want gas.
1227. Gas is necessary? Yes.
1228. All over the building? Yes; we burn those nasty lamps there. They make you sick in fact, and sometimes we have to work all night.
1229. Have you sufficient boiling or hot and cold water for your slaughtering? No, the copper is sufficient, but sometimes we have had no water. That has not, however, been for long, and has been caused by the wind getting into the pipes. Of late we have had no occasion to complain about the water.
1230. Is the water used at all times perfectly clean? Oh yes, we drink it.
1231. I mean the water used in the scalding? Well it is never changed all day, but after the pig is scalded it goes into a clean tub of water, and there is another tub to wash him in after that. The water in the second tub in which he is put, that is the cold water, is changed three or four times a day.
1232. The scalding water is used all day? Yes.
1233. And it is unavoidably dirty? It is rather dirty, but if you waited to empty that copper you would have to wait an hour or an hour and a half, and in that way lose time in the killing of a number of pigs.
1234. Suppose you had steam-power and a boiler of the necessary size to supply hot water, would not that be an additional accommodation? Yes, sometimes we have been without water there through the engine breaking down, but that has not been since the water was laid on.
1235. Do you know that in one city in America they kill 15,000 pigs a day in the winter-time? I do not believe they could do so.
1236. It is nevertheless a fact, and they never kill less than 3,000 a day in hot weather? They must have very slow people at Glebe Island then. I have three sons on Glebe Island who could kill 150 a day, and myself

myself included, I do not think that we could do more than 150 or 200 properly. There are people who do more, but not what I call properly.

1237. Do you not believe the statement that 15,000 pigs are killed and dressed in a day at Chicago? No, I should want to go and see it. Mr. R.
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1238. But suppose it is true? I do not disbelieve you, but I would not believe anything of the sort because —

1239. You think it impossible? I saw in the paper about O'Connor's men doing twenty an hour; they cannot do any such thing, if the pigs are to be what I call dressed. You can go and look in my place at Glebe Island, and find pigs as white as that paper.

1240. Did you read the evidence about the killing of pigs at Chicago? Yes, I read it, and saw it in the *Echo*, where it was stated that they went down an incline; or what I made out was, that they put the pig into a tub, and then put it out again for a man to scrape. My men at Glebe Island would do three while they do that.

1241. I would recommend you to read the evidence given before this Board in reference to Chicago slaughtering, and you will find that they surpass us very much. It is worth your while to read it? I should like to read it; but I know very well that they must have a great many more hands, or something else than we have.

1242. The animal goes up a live pig, and comes out pickled pork? Yes. I do not think one man could hit and stick all those in a day, nor that two men could do it.

1243. Do you know anything of the meat-slaughtering establishments on Glebe Island? Yes; they would be much better if they were larger.

1244. You think it would be a great improvement if they were increased in size? A great improvement.

1245. Can you suggest to the Board any other improvements. It is one great object of the Board to make necessary improvements in the place? In regard to selling meat not fit for food —

1246. We will come to that by-and-bye? I cannot suggest anything. I must leave the matter of the blood and that like to those with better knowledge than I have myself. If the offal were taken away in a better manner than now, Glebe Island would be free from smell or anything else. A hose put on to the slaughter-houses to slush them down is very requisite.

1247. You think an abundant supply of clean water for cleansing purposes is absolutely necessary? Yes.

1248. With hose appliances? Yes, with hose.

1249. What is your opinion of the accommodation for the men working there, in regard to keeping themselves clean? Well, I think there are some men who, if they had a parlour to go into, would not wash themselves.

1250. Suppose the regulations compelled them to do it? You would want a little more room than there is at the back, and more accommodation.

1251. Can you suggest to the Board any other improvement that would be to the interest of the public or those concerned on the island. If you can offer any suggestions we should be glad to hear them? I do not know of anything but making the pens larger. The other day they covered in the pens. To-day there is not a dry spot that the pigs can lie in, the covering of the pens has been managed so badly. I do not know who was the architect, but in the large place they have put up over the pig and sheep pens there is not a dry place to day.

1252. Through somebody's fault the buildings are so faulty that to-day there is not a dry spot for the pigs or sheep? Yes.

1253. During this rain? Yes.

1254. In consequence of the faulty nature of the buildings? Yes.

1255. Would you suggest that the pig-houses be removed to some other place or part of the Island? No.

1256. Would not the pig-killing be carried on in a more methodical way in some other part of the Island? I do not think we can have a better place than where we are. There wants to be some accommodation for hanging the carcasses upon the beams, for I suppose that some day the pieces that go across now will break down.

1257. Can you tell the Board the number of pigs killed weekly on the Island for consumption in Sydney? I should think that O'Connor kills 350, I kill 110, the young man next door kills sometimes 70, and then there is another man—Brierley's man—who kills on an average between 50 and 60.

1258. That is about the weekly average consumption of pigs throughout the year for Sydney and the suburbs? Yes; but there are a great many that come down from Picton and other places dead—that is in winter-time.

1259. In winter-time a number of carcasses come from the country? Yes.

1260. Are the pigs on the island killed for consumption as fresh pork or for salting, or for what purpose? Generally for fresh pork. The generality of them are for fresh pork.

1261. Is there no establishment, within your knowledge, for the purpose of curing or salting pork? Pigs went away to Kiama this week to be made into bacon. I do not know any such place in Sydney, but there is a man at Canterbury who kills about twenty a week.

1262. Is it a customary thing to send the pigs to Kiama to be made into bacon? No. I have known them do it at odd times, but not of late.

1263. Do you mean that the pork has gone there, or that the pigs have gone? The live pigs have gone to be made into bacon down there.

1264. What is your opinion of Glebe Island as a site for cattle sale-yards, supposing the whole business of cattle selling and slaughtering were concentrated on Glebe Island. Do you think it would be an improvement? I do not think the cattle sale-yards ought to be there.

1265. You think they ought not to be there? Yes; it would be too near, although in Melbourne they have them close to the Abattoirs; but there the place is much larger, and there is a large flat country.

1266. Suppose the cattle were brought from the interior by the railway, and delivered on the island by the railway, what would you think then? It would be much better. They would not be driven, and there would be no wasting. My opinion is that the bullock begins to waste directly it leaves the station.

1267. Have you ever considered the subject of a public meat-house, a refrigerated house, or place for the purpose of storing carcasses in—that is, a place reduced in its temperature in order to keep meat cold throughout the year;—have you ever considered that subject? No, I have never considered it, but I think if anything like that was done it would make meat very much dearer in the cost and that like.

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1268. It would add to the cost of meat, and to the retail price? Yes.
1269. Which the public would have to pay? Yes, it would be more expensive.
1270. But would you not get a more wholesome and fresher meat? Yes, no doubt about that.
1271. Would it not be better for all concerned—for the producer, the wholesale and the retail butchers, and for the consumers—if the meat could be kept fresh as long as possible, even if it cost a little more? It would be much better; there is no doubt about that.
1272. Do you not think the public would willingly pay a small advance in price to have wholesome and fresh meat sold to them? No doubt a great number would; no doubt of it.
1273. Is it not the practice in the summer-time that meat is taken away from the Abattoir quite warm—almost hot? Oh, yes.
1274. It is the usual practice? Oh, yes.
1275. Do you think that is absolutely necessary? No, I do not; but unless you did as you just now proposed they could not at present act in any other way. They kill at 2 o'clock in the morning, and they are not allowed to kill on Sunday. Mr. Playfair, and others who want meat for shipping, must have their meat down at 5 o'clock, to serve the ships; and they could not adopt any better plan than that followed now.
1276. Then they are compelled to kill their meat at 2 o'clock in the morning, because it is necessary that the meat should be delivered at the shops by 5 o'clock in the morning? Yes, or before 6 in the morning.
1277. The meat being then quite hot? Yes, and no doubt it eats very hard too.
1278. Do you not think meat is unwholesome in that state? I do not think it is injurious to health.
1279. It is not as nice or palatable? No, not as it would be if frozen or cold.
1280. What would your London customers say if you gave them a piece of hot beef? I do not know. I have many times had to light a fire and thaw the meat there before we could cut it. I lived at one place in London where we served Mr. Robert Towns, and we used to serve his ship, the "Royal Saxon."
1281. Do you not think that all meat should be set by cold before it is moved from the slaughter-house? Yes, if there was a possibility of doing it.
1282. Do you think it would be a great improvement to set meat before using it? Yes. For instance, if there is a southerly wind on Friday we can kill pigs, and they set first-rate on that day, and they will keep longer than pigs killed on the following day when there is no southerly wind.
1283. Is there any discrimination used on the Island by the pig butchers in selecting proper animals for slaughter;—do you kill all that come to your hands, or do you reject any? We reject any that are not fat.
1284. All others are killed? Yes, all others are generally killed.
1285. What do you do with the lean pigs? I generally send them to the sale, and they are sold to different people, perhaps to go to people in the country, or to Cook's River. "Stores" we call them.
1286. How do you feed your pigs on the Island? I could make an affidavit before any gentleman that I feed my pigs on corn—that is myself; I am only speaking on my own account. I have got sixty this week, and may have five or ten left after killing what I want, and I take corn over and feed them. Other people have perhaps 200 left; of course I do not know what they feed them on.
1287. I do not want to ask you that? But I saw Carroll's evidence in the paper, about the rotten calves' feet, and that; he ought to have mentioned that this was not in all places. He saw them in one place; he did not see them in every place.
1288. You have never fed your pigs so? Never, I could take an oath. I only have a few left; perhaps twenty or thirty are the most that ever I had left.
1289. Mr. Stewart.] You have been often present when the pigs have been killed and dressed? Oh yes; I have killed them myself.
1290. And you are accustomed to handle the flesh of pigs a good deal? Yes.
1291. Could you distinguish between the flesh of pigs fed on corn and pigs fed on offal? Oh yes, certainly.
1292. What is the difference? One is soft; the other is hard. The offal-fed pig is quite soft; but in the winter-time the flesh is harder than it is in summer.
1293. Flabby? Yes, never set.
1294. Is the colour the same? Very white.
1295. Is there any difference in the smell? Well, no; I do not think you could detect any.
1296. Only two points of difference—flabby to the feel, and pale in colour? Yes, very white.
1297. Is there any difference when cooked? No. Some gentlemen prefer the offal-fed pork. I could mention one you all know well. I do not expect that if any gentleman had a loin of pork nicely roasted and stuffed he could tell what the pig had been fed upon.
1298. Is there any chance of pigs suffering from any disease, or of sickly pigs, being killed for food? I have not seen many diseased pigs killed. If I said I had not seen a few I should tell a lie.
1299. You have seen one or two? Yes.
1300. Do you know what the disease was? No.
1301. What made you think they were sickly? When you opened them, and took the insides out, you found the livers not all right.
1302. Any difference in the flesh? Not so much; very little difference.
1303. You judged by the state of the liver that the pig was sickly? Yes.
1304. Is there any inspection of the meat before it goes out of the market? Mr. Oatley is generally about, and in and out of the slaughter-houses.
1305. But if there were nothing to be seen the inspection would be useless? Just so.
1306. Did you ever see measles in pigs? Never knew one in the country.
1307. You have seen measly flesh in pigs? At home.
1308. What difference is there between the flesh of those pigs and the flesh of other pigs? One is full of little spots.
1309. On the skin? A pig will look motley on the skin if you have him a week in the pen, and feed him ever so much. It is the starvation which causes it—coming from his own home, where, perhaps, he has been fed on milk, and then when he comes here you feed him on corn, or it may be offal. He will fall away, and come out in blotches.
1310. Chairman.] From the change of diet? Change of diet.
1311. Mr. Stewart asked you what symptoms the measly pig showed—whether they are in the flesh or on the skin? The pigs are drowsy looking. It is many years ago since I saw one. I came here in '43.
1312. Mr. Stewart.] The question I want answered is how you distinguish between the flesh of a measly pig and the flesh of a sound pig? One has a kind of blotches through the meat. 1313.

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1313. Dark bloody spots? Yes.
1314. Any difference in the feel? No; only in the colour.
1315. It is not on the skin? No, underneath.
1316. No difference in the smell of it? No.
1317. Do you know if such meat has ever been sold? In England, yes.
1318. It has been sold? Plenty, no doubt.
1319. You do not know what those blotches in the flesh of the meat are caused by? No, I do not. Underneath the skin, where they have had a hit on board ship with a rope, you will frequently find a bruise.
1320. You have never seen typhus fever in pigs? No.
1321. Neither at home nor here? No. I have seen them with a little of the pleurisy, but very seldom; you may kill two or three hundred and not find it.
1322. You never heard of people becoming diseased by eating pork? No, I have not.
1323. I understood you to say there is no better site in the Colony for slaughtering than Glebe Island? Yes.
1324. Was I right in thinking you applied that to the site of the slaughter-houses only? Yes, as to position.
1325. You did not intend to say that all the arrangements were good for slaughtering? No.
1326. But Glebe Island is a fine position for slaughter-houses? Yes, you could not find a better position for slaughtering.
1327. But for all that there need to be a great many improvements and alterations? Yes.
1328. You seem to think it would not be a good plan to have the selling-yards for cattle on the island? No doubt it might do if, as Mr. Thornton remarked, the cattle were brought in trucks.
1329. But suppose the cattle did not come in trucks—what would be the objection? They would have to take the bullocks back to Homebush to feed.
1330. Why? Some of them leave bullocks in the Homebush paddocks to feed.
1331. A man kills as many as he wants, and keeps the rest starving? There is good grass at Homebush.
1332. But if he wanted to kill all, the best place for the selling-yards would be near the slaughter-houses? Yes. If a man bought ten bullocks, and slaughtered them at once, he would have them to his hand.
1333. And it would suit him to have the selling-yards near the slaughter-houses? Yes.
1334. Then your objection to Glebe Island as a place for selling-yards is the necessity to take some of the cattle back to the paddocks? Yes.
1335. If the cattle could be fed on the island there would be no objection to the selling-yards being there? No, I think not.
1336. Would Glebe Island be a good situation for a wholesale meat market? Yes, it would be very central.
1337. It is a kind of wholesale meat market now? Yes.
1338. All who buy meat wholesale mostly go to Glebe Island? Not so many of late, on account of Mr. Richards selling country-killed meat.
1339. But until the carcasses came from the country there was no other wholesale meat-market? No, none.
1340. Do you think that Glebe Island is managed as well as it might have been under proper arrangements? No, but it is a deal different from what it used to be.
1341. If it were your property you would have some alterations made? Oh, yes, with the slaughter-houses.
1342. And the management? I do not think anyone could manage it much better than it has been managed by Mr. Oatley, although he is no friend of mine. He is a man who has been many years at it; he ought to know all about the inspection of bullocks, and that like.
1343. Perhaps you might keep Mr. Oatley on to manage the place, and in that case you do not see any necessity for making any alterations? Not in regard to the inspection of the cattle.
1344. *Chairman.*] Mr. Stewart means if it were your own property? I am referring to the Chief Inspector. I do not know much about Mr. Jager.
1345. *Mr. Stewart.*] But you would make some alterations in the yards and sheds and slaughter-houses, to make them more commodious? Yes, and more room to hang the carcasses up; there is not room enough to keep them apart.
1346. Have you had any sucking-pigs killed at the island? A few.
1347. Every week? I would not say every week; some weeks.
1348. Some people think it would be more convenient to slaughter them in Sydney? If they had suitable premises.
1349. Could that be done without creating a nuisance? I think so—the slaughtering of such stock as lambs and sucking pigs.
1350. *Chairman.*] And calves? And calves.
1351. *Mr. Stewart.*] Is it done now? Oh, yes.
1352. And no one finds out the nuisance? No.
1353. But, if the butchers were required to obtain a license for the premises which should be properly appointed, this slaughtering might be done openly and done better? Yes.
1354. If the retail butchers were allowed to slaughter on their own premises there would be less chance of their creating a nuisance than there is now? Yes.
1355. You are sure of that? Yes; but if licenses are granted the butchers ought to have fit premises. They kill in the heart of London.
1356. And in London they would have fit premises? Yes.
1357. Is the license there an annual one? I do not know.
1358. If a man were frequently convicted of breaking the regulations the license would be taken from him? No doubt.
1359. The slaughtering-houses now in London are all licensed? I could not tell you.
1360. How long is it since you left London? Six and thirty years.
1361. They were not licensed in your time? No.
1362. Suppose a man buys a hundred head of cattle and wants only twenty slaughtered to-day, if he had some cold chamber to store the meat in would it not be to his advantage to kill all the cattle and store the meat? If he had a place to keep it.
1363. Say an ice-house? Yes.
1364. It would be much better than keeping the cattle starving in poor paddocks; the meat would be better and the loss would be less? Yes.

Mr. R.
Woodham.
7 Aug., 1879.

1365. Then it is simply because he cannot keep the meat that he keeps the cattle alive starving? Yes, it is a good deal towards it. I was going to say that in my own opinion there requires to be an inspector at Homebush; and I have no doubt in my own mind that if there were a proper inspector at Homebush there would not be the cattle come that they complain about.

1366. *Chairman.*] You think there should be an inspector at the sale-yards, and that if there were such an inspector, objectionable cattle about which so much has been said lately would not be allowed to be killed? Yes. Any gentleman who had the inspectorship would, if he was a good general, know whether a bullock was fit to be killed or not.

1367. And would prevent the cattle being taken to Glebe Island for the purpose of being killed? Yes. About that boar pig, concerning which there has been so much talk, no man in Sydney could make a sausage out of the pig described to you. That man, Shultz, is a mutton butcher; I have known him for five and thirty years. He used to sell muffins once, and how he came to be a butcher was—he used to put his tray down in the slaughter-house, and leg the sheep for Mr. Donahue. I do not know of a pork butcher's in Sydney where they would make sausages from such a pig as Shultz described; it would be no use to them.

1368. In your opinion sausages, you say, could not be made of a boar pig of the description given in the evidence before the Board? Yes; and as for smelling the pig a hundred yards away, it is all nonsense. If it could be done a law should be passed that the men should castrate those pigs when they were a certain age, and we should have none of this—they would not send them to market. Last week I bought seven pigs, and had four boar pigs among them. That shows that people in the country will not take the trouble to castrate them. If a man has twenty pigs he asks you so much for them, and if there were ten boars among them you must take the lot—take them or leave them.

1369. And you must kill the boars with the others? Yes.

1370. *Mr. Stewart.*] Is the flesh of the boar pigs as good as that of the others? Generally it is.

1371. Some are rank? Sometimes there are, but very seldom. It is like everything else. I do not know whether you are aware that if you were to give a pound an ounce for hay and give it to the bullocks in the slaughter-yards they would not eat it, unless they were cattle that had been stall-fed.

1372. *Chairman.*] Wild cattle will not feed in the yards? No.

1373. They will not eat hay in the yard? No, not even the best ever grown.

1374. *Mr. Stewart.*] You have tried it? Yes, I have seen it tried.

1375. More than once? More than once.

1376. *Chairman.*] Your opinion is that cattle cannot be fed artificially in the pens? Not in the pens.

1377. They refuse to eat? Yes; they drink, but will not eat.

1378. Do you know whether they will eat the natural grass if put into a paddock? Oh, yes; I have seen them eat a little bit. But sometimes there is not much in the paddocks to eat. During the drought there was nothing for them to eat. I heard that Mr. Dempster speaks about the cattle being starved on the Island. Such is not the case; if you got a bale of lucerne hay they would not touch it unless they have been stall fed.

1379. The evidence was, that the starvation goes on by keeping the cattle so long; it is not the wilful withholding of feed from them, but keeping them so long without food? They starve themselves.

1380. The charge is not so much that they are starved by their owners but that they waste from starvation through being kept so long without food? Yes. And as for the blood Mr. Dempster spoke about, no man would think of making sausages out of that blood. You can take that blood and pelt it at a wall, when it is cured by the chemical put into it; you can cut it like a knife.

1381. You say that the blood which has been deodorized by the chemical process is never used for sausages? God bless your soul! no; it is impossible. Talking about taking the beef away in the carts, there is no doubt that sometimes the men do sit on the front; they have no other place to sit. They ought to have a seat made for them to sit upon without sitting on the beef—although I have carted some thousands of cattle myself in the same way when the weather was a deal hotter in summer than now.

1382. Do you not think it is a very insufficient and filthy way of conveying meat, to take it away in these open dirty carts with dirty drivers? Yes. They might be made to reform a great deal in that regard, and in many other little things that you do not know anything of on the island, if Mr. Oatley had power to do so. That bullock they talk about, I saw that brought in and dressed, and Mr. Oatley and Mr. Jager cut it down. I would have eaten a piece of that bullock myself. The bullock I mean is that described by "Eye Witness." He was a bullock that had got down in the train, and had been trampled upon. There was a part of the animal bruised, but in the inside he was beautiful. He was sold for a pound. He was a grand bullock. He was boiled down I know. The man got 250 lbs. of fat off him.

1383. Is there anything else you wish to mention? No, sir, I do not think there is. There is only one thing: If you had an inspector at Homebush you want a man who is well acquainted with the duties he would have to attend to.

1384. A man of practical experience, judgment, and character? Yes.

1385. A man of practical experience, good judgment, and character, who would detect faulty or diseased beasts and prevent them from going to the slaughter? Yes, prevent them from being slaughtered for food.

1386. And thereby save the public from the chance of having to eat diseased meat without knowing it? Yes.

1387. Anything else? There was something else, but I cannot think of it just now.

1388. If there should be anything which you find you have forgotten and you write it down on paper and forward it to me, I will have it added to your evidence.

TUESDAY, 12 AUGUST, 1879.

Present:—

THE HON. GEORGE THORNTON, ESQ., M.L.C., CHAIRMAN.
JOHN STEWART, Esq., | ALEXANDER BRUCE, Esq.

Mr. Timothy O'Connor examined:—

Mr. T.
O'Connor.
12 Aug., 1879.

1389. *Chairman.*] You are a butcher in Sydney, Mr. O'Connor? Yes.

1390. Wholesale or retail? I am a retail butcher, but sometimes I sell a little wholesale.

1391. Where are your premises? At the corner of the Double Bay and Edgecliffe Roads, Woollahra.

1392.

Mr. T.
O'Connor.
12 Aug., 1879.

1392. You have expressed a desire through your brother to be examined before this Board? Yes.
1393. With the view of giving some evidence on the subject claiming the attention of the Board? Yes.
1394. Will you kindly tell us what you wish to state? Well, I have been a great deal on the Island, but I have never seen any diseased cattle killed, and I have watched closely.
1395. Have you been much about Glebe Island? Two or three times a week.
1396. You generally go two or three times a week? Yes.
1397. Do you slaughter there? Sometimes; whenever I have slaughtered I have slaughtered there.
1398. You purchase your meat there, and sometimes slaughter? Yes.
1399. And therefore you visit it two or three times a week? Two or three times at least.
1400. For what number of years have you visited there? Since the Abattoir was built; I was about one of the first that visited it after it was built.
1401. You have been a constant visitor there since the Abattoir was built? Every week I dare say since it was built.
1402. And you state that during the whole of that time you have never seen any diseased meat? Not in one single instance.
1403. Neither beef, nor mutton, nor pork? I have seen sheep with what they call flukes in the liver, but I have never seen diseased cattle, and I have taken particular notice of their lungs and of their melts.
1404. You have never seen any diseased cattle, and you have taken particular notice of their lungs and melts? I have seen particularly poor cattle, but never any diseased.
1405. It is quite possible, I suppose, that there might be diseased cattle there and you not know it? Very likely. I have seen cattle that I was sure were diseased sold at the Homebush sale-yards. I saw Mr. Inglis selling a lot of cattle one day at Homebush, and a bullock among them was pointed out as being likely to be diseased, and it died within half-an-hour afterwards.
1406. You have seen Mr. Inglis sell cattle, one of which was pointed out as being diseased, and it actually died within half an hour? Yes. In another instance I saw a very poor cow killed. Everything about her was sound, but she was very poor. When she was bled the blood, instead of flowing out, flowed back into the ribs, and when Mr. Jager came he said that this blood was the liver. He did not know the difference between the clot of blood and the liver.
1407. The blood coagulated within the carcase? Yes.
1408. And you say the assistant inspector said that that coagulated blood was the liver? Yes; he did not know the difference until Mr. Oatley pointed it out to him.
1409. Were you present on that occasion? I was.
1410. How long ago is it? Some years ago.
1411. It occurred many years ago? Yes, it is some years ago; but I have always wondered that I never saw any inspectors of live stock at the sales, and they are held so close to Sydney.
1412. You think the inspectors should examine the stock before they are taken to the Island? Yes, and condemn anything unfit. I saw a cow cut down yesterday. It seemed a nice little body of beef, but I was informed that she had a calf by her side, and it is a question whether the meat of a cow that has recently calved is wholesome.
1413. You doubt the propriety of killing beef under those circumstances? Yes; I would like to have advice whether the flesh would be wholesome. It looked wholesome.
1414. But you doubt it? Yes; I would not like to eat the meat myself.
1415. I think you said that you have seen sheep killed there that were diseased with fluke? The mutton looked right enough, but there were hard lumps on the liver—what they call flukes.
1416. And does a carcase of mutton being fluked affect the quality of the mutton? Not in appearance.
1417. But in fact? It does not look any the worse, and I never heard any complaints. The quality does not seem to be inferior.
1418. The consumer would not know that the animal had fluke? No.
1419. Because it looks the same as a sound sheep? Just the same. I have never seen any difference, and I have watched closely. You see no sign whatever.
1420. And the meat of a fluked sheep is sold in the shops the same as if it were a good sheep? Yes, it is.
1421. In your opinion does Glebe Island possess all the accommodation required for the trade? No, not one-third. I believe it is well situated, but I think the Government ought to provide more room.
1422. You think the situation is very good? I do not think it could be better, especially in summer-time. Mr. Davis was slaughtering not 15 miles away on the Duck River, and I have known meat killed there not to be good on the following morning in close weather. The vibration of the train keeps the meat in motion, and it will not set. The slaughter-houses should be at some place convenient to the city in the summer-time.
1423. You think, as to the locality, that Glebe Island is eminently well situated? Yes, all they want is more room.
1424. And more accommodation? More accommodation.
1425. The buildings extended? The yards should be made larger, and more room given for the cattle, and then the cattle could be got into the slaughter-houses in a different way from the present. The men could go into the yards and drive them in; but at present it would be dangerous to go in amongst them. I saw a bullock to-day on the ground and they could not get him in. The smell of the blood infuriates the animals.
1426. You think they want more room in the cattle-yards and additional buildings? Yes, they do; and I think it is necessary to provide racks with green lucerne to feed the sheep and cattle, and that lucerne should be provided in the paddocks also.
1427. You think there should be hay-racks to feed the cattle and sheep? Racks, with lucerne; I don't believe they would eat dry hay.
1428. And that the paddocks should also be provided with green lucerne for feeding the cattle? Yes, I think that is quite necessary.
1429. Do you think wild cattle would feed if they had green lucerne given to them? Well, they are not very wild with the men going so much amongst them. I have seen men go amongst them and put their hands on them. After being so long on the road they become very quiet compared to what they are when they leave the station.
1430. You say you think there should be an inspector to examine the cattle at the yards at Homebush before they are taken to the Abattoir? I think that is quite a necessity.

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O'Connor.
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1431. And that many a diseased beast would then be prevented from going to the Abattoir? It would not be possible for one to pass. Nothing is easier than to tell a diseased beast, because there is generally mucus coming from its nostrils, and its eyes are dull and heavy. There is nothing easier, I think; but if they were not sure of any particular beast they could put a mark on him, and send word to the inspector, who would take care to see that particular beast slaughtered.

1432. But my remarks go towards the propriety of having an inspector solely for the purpose of examining the cattle at the sale-yards? One man could inspect all the cattle there in an hour, and there are only two sale days in the week.

1433. There would be no necessity then for an additional officer? No; Mr. Bruce and Mr. Yeo have nothing to do hardly. All that they have to do is when a bull or heifer comes out from England, to go and inspect it. There are inspectors of cattle for the district of Sydney, and I think it is part of their duty to go to the sale-yards to inspect the cattle, or else I do not know what their office is.

1434. Do you not think the island is in a very bad state for want of drainage, and cleanliness generally? It is only the drainage. It is utterly impossible for any place to be kept clean where there is such an amount of slaughtering. A little while ago I was at a place up the country, and there was more filth about it than you would see at Glebe Island in two months. It is impossible to keep the place clean where they slaughter. The men have to wash the slaughter-house down for their own safety after every fall, because if a clot of blood got under their feet it would be dangerous. I have always seen the place washed down after a fall.

1435. But in America they have a plan of killing bullocks by which they avoid the slightest stain of blood or filth, or offal;—nothing of the sort could possibly occur in the slaughter-houses in America—that is to say, we have evidence to that effect? You would think that an utter impossibility.

1436. It is done in this way, so far as our evidence goes: The beast is pithed, and then slung up by the hind legs, and the head is let into an iron receiver; then its throat is cut, and this receiver catches every drop of the blood, and prevents it from spilling; care is also taken to collect the entrails, so as to prevent any mess. You will never see a spot of blood or filth anywhere; that is the evidence before us? Well, I have seen the beasts hung up, yet there is always a little blood.

1437. But it is all caught in the iron receiver? You would think that though that might receive the greater portion of it, it would be impossible to collect every drop, because the little veins in the body would be sure to retain a little blood.

1438. Is there any suggestion you can make to the Board for the improvement of Glebe Island? I think if they were to fill up at the back, where the cattle are kept, and make larger yards there, and not keep so many cattle at the slaughtering place, the men would be able to get into the yards and drive the cattle out without using the boat-hook. Some cattle rush back when they smell the blood, and I think if a race were made which would compel them to go forward, it would be better.

1439. You think the present plan might be greatly improved? Yes; if they had a race, the cattle being once got into it would be compelled to go on to the slaughter-house. The men could then get close to them, and force them along. At present the yards are sometimes as full of cattle as they can hold, and if a man got in among them it would be as much as he could do to find room for himself.

1440. Have you any other suggestion to make? No; only I would like to mention, with regard to Shultz's evidence, that it would be an utter impossibility to smell a pig at the distance he states. I have never seen anything of the kind. There are as fine pigs at Glebe Island as you will see in any part of the world. They mostly come from Wollongong, where they are fed on corn and milk, and I have never seen a finer lot of pork in my life. And as for making sausages out of boar pig's meat, any man of experience will tell you that you cannot do that. You want the very finest meat for sausages, and you have to take every sinew out of the meat before the knives will cut it. I have seen hundreds of pigs, and killed many myself, and I have never seen anything such as Shultz describes. I was slaughtering pigs for two years, and I never saw anything of the kind. Shultz has had very little experience on the island. He was working mostly for Mr. Davidson, selling dead meat.

1441. And you say that during your experience on the island—and you have had considerable in the slaughter of pigs—you have never known an instance of killing boar pigs to make sausages, and that they could not be made into sausages? No, anyone who sells pork sausages cheap makes them out of mutton. What I mean to say is that what are sold as cheap pork sausages are made of mutton. I know plenty who never put a particle of pork into what they sell as pork sausages; and as for making pork sausages out of boar pigs, it is an utter impossibility—you could not chop the meat. I have never seen anything like what some people have given as a description of the Island, and I am over there pretty well every day. There is as fat beef and mutton there as in any part of the world.

1442. *Mr. Stewart.*] Were you here in 1850 and 1851? No, sir.

1443. How long have you been here? Since 1855.

1444. Have you ever seen a beast ill with Cumberland disease? Disease of the lungs?

1445. No; you do not know what Cumberland disease is? I have never seen Cumberland disease. What they call Cumberland disease is a diseased melt.

1446. That is not it—it is a diseased spleen; you never saw that complaint? No.

1447. Have you seen cattle bad with pleuro-pneumonia? Yes.

1448. Alive? I have seen them alive and dead.

1449. Have you ever seen one dressed that had a slight attack of it? I have seen a lot dressed that were bad with it, but not in this country—at home. I have seen a light four times its ordinary size.

1450. But not in this country? No.

1451. Then you have not seen that disease in this country? No.

1452. Nor Cumberland disease? No.

1453. Have you seen catarrh in sheep? I do not remember.

1454. You have no experience of diseased stock at all? I have never seen any diseased stock.

1455. Then how do you know that they are sound? I have seen their liver, light, heart, and melt. Any disease that a cattle has is in one of those organs. I do not know what name you might give the disease, but if you asked me if any of those organs were affected, I could tell you.

1456. *Chairman.*] And if a beast is diseased in any of those organs the meat must be affected? Decidedly. I knew a man that skinned a diseased animal on Mr. Eales' estate, and he died within two days after, at Newcastle.

John Stewart, Esq., a member of the Board, examined in his place :—

1457. *Chairman.*] In the practice of your profession as a veterinary surgeon you have had opportunities of learning what circumstances affect the flesh of animals used as food? Yes. I have made a great many dissections and *post mortem* examinations of animals that have died or been killed.

J. Stewart,
Esq.

12 Aug., 1872.

1458. You have heard how hurriedly cattle are driven from the sale-yards at Homebush to the Abattoir at Glebe Island; what effect will that have on the meat? If the animal is slaughtered at once it will not bleed freely, and the flesh will be dark in colour, not a bright scarlet. But even after the animal has been quiet for some hours after overdriving the flesh is apt to be dim, and of a dull red colour, and it soon spoils.

1459. Is meat in that state unwholesome? I do not know that it is. Dogs, pigs, and other animals thrive and get fat upon it, even when they get it uncooked. Medical men, however, generally hold that deteriorated meat, whatever be the cause of the deterioration, is unwholesome, particularly in some states of the system or of the atmosphere. Richard Owen, the celebrated naturalist, and Hunterian Professor at the Royal College of Surgeons, was a witness before a Select Committee of the House of Commons in 1849, and he said, "Every arrangement which produces over-driving, irritation, terror, and torment to the beast before the final blow is struck, deteriorates the qualities of the flesh as human food, and especially its property of resisting decomposition." He also said that this deteriorated meat is less wholesome and less nourishing, and that in some constitutions it will produce irritation of the mucus membrane of the stomach and intestines, and its continuous use might lay the foundation of complaints attributed vaguely to indigestion. Sometimes it directly occasions diarrhœa, and in the event of cholera-poison being in the atmosphere, such a condition of the flesh-meat would form an additional element in the chances of the inhabitants of a metropolis so supplied being attacked by that disease. Such was the opinion of Mr. Owen, and if he was correct as to the effects of deteriorated meat in a climate like that of England, I think the mischief must be greater in a climate so hot as ours.

1460. Is the want of food, or of water for some days before slaughtering, injurious to the meat? The want of water is more injurious than the want of food. The secretions and evacuations become scanty from the want of water. Noxious matters, which ought to escape by the kidneys, the lungs, the bowels, and the skin, are retained in the blood. The blood becomes impure and thick, and does not flow completely out of the flesh when the animal's throat is cut. Part of it is retained and gives the flesh a dull dark-red colour, and little drops ooze out of the flesh as the body cools.

1461. Is this meat unwholesome? It is not nice looking, it does not keep well, and it does not take salting well; but I am not sure that it is unwholesome.

1462. Is the meat of a pregnant cow unwholesome? I know of nothing which induces me to believe that it is unwholesome.

1463. Is the meat of a newly-born calf unwholesome? I don't think it is. I have heard that in some parts of Ireland and of France calves are killed on the day they are born, and used as veal without any ill results.

1464. Are cattle liable to ulcers or tumours? They are liable to swelling of the glands about the throat, but not very frequently, and when they have them there is very seldom any matter in them, and they in no way affect the flesh of the animal.

1465. Are cattle or sheep liable to any diseases which make their flesh poisonous or dangerous? I know of none in this Colony, except that called Cumberland disease; but it is said that the flesh of sheep or of cattle having pleuro-pneumonia in Africa is dangerous and sometimes poisonous. In this Colony, and in Europe, it is universally held that the meat of cattle suffering from the pleuro is quite harmless. In the Australian Colonies the only flesh known to be poisonous is that taken from an animal having the Cumberland disease, and we are not sure that that is poisonous when cooked.

1466. Is it true that cooking by boiling or roasting destroys any poisonous virus which meat may contain? It is generally—almost universally—acknowledged in Europe that cooking by roasting or boiling destroys all poisonous properties in meat; but Dr. Livingstone, in his travels in Africa, found a disease there which produced disease in human beings, notwithstanding the boiling or roasting. He says:—"When the flesh of animals that have died of this disease (peri-pneumonia) is eaten it causes a malignant carbuncle, which, when it appears over any important organ, proves rapidly fatal. It is more especially dangerous over the pit of the stomach. The effects of the poison have been experienced by missionaries, who had eaten properly cooked food, the flesh of sheep really but not visibly affected by the disease. The virus in the flesh of the animal is destroyed neither by boiling nor roasting. This fact, of which we have had innumerable examples, shows the superiority of experiments on a large scale to those of acute and able physiologists and chemists in the laboratory, for a well-known physician of Paris, after careful investigation, considered that the virus in such cases was completely neutralized by boiling."

1467. Is it probable or likely that the flesh of a beast suffering under Cumberland disease may be used as human food? In my opinion it is not at all likely. The disease very quickly kills the animal. And if he is slaughtered while visibly ill the blood is so thick and stagnant that it runs out of him slowly and imperfectly. The meat looks more like the flesh of an animal that had not been bled at all. I don't think any person would buy such meat, and I don't think any butcher would offer to sell it. But it is possible that in the very earliest stage of the disease neither the blood nor the flesh may be so visibly deteriorated, in which case there is a possibility of the meat being used as food. The Cumberland disease appeared here in the summer of 1850-51, and since that time I have heard of several persons suffering from a complaint which, I believe, was previously unknown in this Colony. The disease is called carbuncle or anthrax, and seems to resemble the disease described by Livingstone as arising from the use of diseased meat. I do not say that the carbuncle of this Colony is caused by using the flesh of an animal that had been affected by Cumberland disease. In its uncooked state the flesh is poisonous to dogs and pigs and cats; a small quantity of the blood introduced into the system of a living being produces dangerous and sometimes fatal results. It is possible that the same meat may be partly yet not wholly deprived of its virus by cooking. There may be enough left to produce carbuncle. I have, however, had no opportunity of putting this conjecture to the test of experiment. If I could get some flesh from a beast suffering under the Cumberland disease I would feed a dog or two with it after cooking it.

1468. Have you ever been at Smithfield Cattle Market? Yes, but it is many years ago; it is now abolished.

1469. Do you know what the area of Smithfield Market was at the time it was suppressed? It contained, in 1850, 6 acres 15 roods.

1470.

J. Stewart, Esq.
12 Aug., 1879.

1470. What quantity of stock did it contain? In 1847 there used to be from 4,000 to 5,000 cattle, and 12,000 to 30,000 sheep in the market at one time. About an acre of ground was allowed for 1,000 head of cattle. But the market was suppressed because they could not make it large enough to accommodate the stock offered for sale.

1471. At that time the slaughter-houses were near to the market, were they not? In 1849 there were 148 slaughter-houses in London; sixty-one were in cellars or vaults, eighty-seven on ground floors, twenty-five were in Aldgate-street, twenty in Newgate Market, five in Leadenhall Market. All were registered and subject to inspection. The blood was all sold, partly for food and partly for use in sugar-refining. The price it sold for was 3d. per ox, the buyer collecting and carrying it away.

1472. Do you know anything about Islington Market? Not personally; I only know that it is about 2½ miles from Smithfield, which is now a dead meat market. Islington Market has 15 acres within the walls, and 12 or 14 acres outside, which are used as lairs. It can accommodate 7,000 cattle and 40,000 sheep.

1473. At one time? Yes.

1474. Do you know of any publications which supply information respecting abattoirs or cattle-markets? There is a brief notice of abattoirs in the last edition of the *Encyclopædia Britannica*, which I have had extracted, and which I produce. There is also some useful information in Sir Francis Head's "Faggot of Sticks" of various abattoirs. There is also much information about cattle markets and abattoirs to be found in evidence taken before Select Committees of the House of Commons; also about the transit of stock by railway. There were reports laid before Parliament in the years 1828, 1834, 1835, 1847, 1849, 1850, and 1856, and there is much information to be obtained from those reports which would be very valuable to any persons charged with the erection or management of abattoirs or sale-yards, valuable also to legislators should further legislation on these subjects be deemed advisable.

TUESDAY, 2 SEPTEMBER, 1879.

Present:—

THE HON. GEORGE THORNTON, Esq., M.L.C., CHAIRMAN.

JOHN STEWART, Esq., | ALEXANDER BRUCE, Esq.

John Rennie, Esq., examined:—

J. Rennie, Esq.
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1475. *Chairman.*] You have been a resident of Sydney for a number of years? Sixteen years.

1476. Engaged in the carcase butcher's business? I was a retail butcher previously.

1477. You have been a retail butcher? Yes, but for the last ten years a wholesale butcher.

1478. Doing a good deal of business? Yes, pretty good business.

1479. Have you had occasion to visit Glebe Island much? Every day nearly.

1480. You are aware that the object of this Board is to make inquiry as to the general suitability and management of Glebe Island Abattoir, with a view to any improvements possible to be made; and the Government through this Board is anxious to elicit any and every information tending towards that object. We therefore should be glad if you could give us some information from your practical experience which will assist our efforts? I will be happy to do so. Anything you ask me I will answer to the best of my ability.

1481. What is your opinion as to the size, construction, and general arrangements of the Abattoir as at present situated, for the purposes of slaughtering for the city? As far as slaughtering cattle is concerned I think there could not be anything better, if the sheds at the back were covered in better than they are and the lane were wider. The lane in the front where we load the meat is too narrow.

1482. You think that the back part should be covered in? Yes.

1483. And the lane made wider so as to admit of free ingress and egress? Yes. I have some difficulty now in getting my vans into the lane. I am in the first slaughter-house, and we have got to back the vans in; there is not room to turn round. The lane is far too narrow, even if the old carts are used.

1484. I believe it was your firm that introduced the new system of meat van and meat conveyance? Yes.

1485. For the conveyance of meat from the Island? Yes. We are the only ones who have adopted them as yet, except that Richards has also got one.

1486. You were the first to adopt it? Yes.

1487. And these vans convey the meat in a cleaner, covered, and altogether better manner? Oh, yes. They give much more satisfaction to the trade, and to everyone concerned. The meat looks better; it is not exposed to the weather.

1488. It must be better for the consumers? Oh, yes; it must be. Anything that tends to cleanliness must be better for consumers.

1489. And you find it a great improvement upon the old system of open carts? Oh, a great improvement. I consider it a very great improvement.

1490. What is your opinion as to the conveyance of meat by the old open cart system; do you not think it should be abolished? Well, I would not like to give any opinion upon that; they might think I am interested. I considered the improvement I introduced necessary, and therefore I adopted it.

1491. As to the suitability of the Island itself for the purposes of slaughtering—what is your opinion of that? I think you could not get a more suitable site anywhere.

1492. For what reasons do you think so? Because it is out of the town; it is away from everything; the Island is by itself—isolated. You could not get a more suitable place, unless you went out to Bondi Beach.

1493. And it is easy of approach? Yes. Parties from the suburbs go there for their meat. One-fourth of the meat slaughtered at Glebe Island goes to the suburbs, and the butchers come and take it away.

1494. Then as to the conveniences of the buildings for slaughtering cattle, sheep, and pigs,—can you suggest any improvement in regard to those? I could not suggest any improvement as far as cattle are concerned, because I think that for killing cattle they are perfect; but for sheep and pigs I think there is not room enough.

1495. And calves? And calves. And there should be more sheds; they are not large enough; the meat has to be hung so close in them.

1496.

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1496. Do you slaughter many cattle during the summer-time? About 140 a week on an average.
1497. Are you not often compelled during the hot months to slaughter at very early morning, and deliver before daylight—or what are your necessities in that respect? On Monday mornings we have to commence at 2 o'clock to kill, and to deliver to a few shops before the shops are open.
1498. What time would that be? The meat is delivered generally before 6 o'clock, and it would leave the Island before 5 o'clock. We have got to do a deal more than others. I have supplied Kidman for about four years, and have to supply meat very early to a greater extent than others have.
1499. Then the meat killed at 2 o'clock in the morning in the summer months has to be removed before 5 o'clock in the morning? Yes; we deliver at the railway, at the boat, and at the gaol every Monday morning, before 6 o'clock.
1500. Consequently it must leave the island before 5? Yes; and it was partly for that reason I got the new vans, so that the meat would cool going along.
1501. But is not the meat at that time in a state of muscular action—warm? It is warm, but you cannot help yourself.
1502. It cannot be helped—it is warm, but it cannot be helped? Yes; but I do not think it is injurious, for many a time I have eaten hot meat.
1503. Has it ever occurred to you that it would be much better for all concerned—for yourself in particular, the retailers, and the public, if this meat could be set before it was taken away? It would.
1504. Then it has occurred to you? Oh, yes.
1505. Well then, what would your opinion be of a cooling process on the Island—some refrigerated chamber or store, into which the meat could be put, and where it could receive the action of a cold atmosphere and thereby become set before delivery? I think the meat would require too much handling for that. To kill in the slaughter-house, then cart the meat away to the cooling-room would cause too much handling, and the less meat is handled the better—it keeps the longer.
1506. Then you think meat to go through the process of cooling and setting would be injured by over-handling? If it could be done in the slaughter-house, where the animals are killed, I believe it would be an improvement; but to be cut down, handled, and mauled about from shed to shed, I do not think would do.
1507. It does not follow that the meat would of necessity be mauled—as you term it—or handled; it might be conveyed on a trolley or traveller from the slaughtering place to the refrigerated room? It could be done that way. It would cost some money to do it.
1508. Do you not think this setting and cooling would be a great improvement? I do.
1509. Would it not make the meat keep longer? It would make it look better, and it would keep longer if cooled properly to the bone.
1510. And would it not be more wholesome? I cannot see that it would be more wholesome than the other, because I do not think that the meat is unwholesome though cut up hot. And it is not often cut up hot.
1511. Have you ever considered the subject of a wholesale meat market in the City of Sydney? I have, and I do not think it would suit at all in the summer-time.
1512. You do not think it would suit in the summer-time? No.
1513. You think the hot weather would be too powerful to enable the market to be a success? Yes, for six months in the year.
1514. For six months in the year you think it would not succeed? No; not unless the meat was in a cool room.
1515. As I can conceive no public meat market for the storing of meat to be perfect without its atmosphere being reduced to a low temperature, suppose the meat market were so fitted with cold rooms, what would be your opinion then? I think it would be success. If you had a fine room, fit for the reception of the quantity of meat consumed in the city every day, and had it down to a temperature of about 40 degrees, I believe the meat would keep much better and longer.
1516. And then the meat market would be a great success? Yes, but not without those appliances.
1517. Without refrigerating appliances it would not be a success? No.
1518. What is your opinion as to the new trade lately developed in the sale of carcasses of meat brought from the country to the metropolis by railway? Well, I can hardly say much about that beyond this: those that are doing it will find it out to their disadvantage. I do not think they will be able to carry it on in the summer-time.
1519. Suppose the meat is put into refrigerated carriages, and kept at a low temperature during transit, and then put into a cold meat market, what would your opinion then be? That might do. I do not think the meat killed in the country would be a bit better than the meat killed in Sydney under the same process. This country killed meat is only a cry.
1520. Do you not think meat killed at the place where the beast is fed, and without having been driven or fevered, cool, and in its normal state, must be better than that of an animal driven two hundred or three hundred miles, starved, and over-heated by driving, and harassed by dogs;—do you not think the meat of the one would be much superior to that of the other? Yes, but you are over-drawing it somewhat.
1521. I do not think so. We have very powerful evidence as to the driving of cattle? Allowing the meat to be killed at Bathurst, how long would the cattle fatten at Bathurst for the supply of Sydney—not two days. So, if abattoirs were established at Bathurst the cattle would have to be driven there; and the same at Orange, or anywhere else. They would need to have slaughter-houses at every station to kill the cattle in the vicinity, because there is no place between here and Wagga Wagga, or on the Western line, where the cattle locally fed around any of the stations would supply Sydney for two days. So the cattle would have to be driven to these stations to be killed.
1522. What is the probable daily consumption of beef for Sydney? About 250 a day.
1523. Of beef alone? Yes, Sydney and the suburbs.
1524. 250 carcasses? Yes, that is as near as I can go by; it might be a little more.
1525. Have you any knowledge as to the quantity of meat that has come from the country by railway per day? I could not say for certain, but I think not more than about 45 a day.
1526. Forty-five carcasses a day? Yes, taking one day with another.
1527. Is there not a very general impression among the people of Sydney and the suburbs that the meat brought from the country is superior to that slaughtered near the town? I believe there is such an impression,

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- impression, but it is only a cry. It is something new that always takes in Sydney; better cattle are being killed on Glebe Island this week than anything that has come from the country.
1528. Finer cattle? Yes, fresher and everything; and these cattle came by road.
1529. But do not you think great improvements could be made and ought to be made in the mode of slaughtering and dressing the cattle at the present time? I cannot see any improvement; it is the usual thing. I have been working in a good many countries, in a good many different places in the world, and do not see any difference here from there.
1530. Where were you engaged before coming here? I came from Glasgow here, but have been working in America and in England.
1531. Did you work at this trade in Glasgow? Yes.
1532. And in what part of England? Darlington; and I was working in Canada.
1533. How long is it since you were in Glasgow? Seventeen years.
1534. And is the system in Glasgow similar to that at Glebe Island? Not similar. In Glasgow the cattle are quieter, and we roped them, drew them into a ring, and knocked them down and pole-axed them. Here the cattle are so wild we cannot do that.
1535. But the blood was taken from them, and the offal removed in the same way as here? Not exactly, for the blood in Glasgow is all saved for dye purposes. Here it goes to waste.
1536. Was the system pursued in Canada similar to that pursued in Glasgow? Yes, the cattle were roped and pole-axed.
1537. Have you never heard of the system carried on in the large slaughtering establishments of the United States? No; I never was working in the United States. I have read of it in Chicago.
1538. Are you aware that in a great slaughtering place in the United States, where they kill infinitely more than are killed in England, not so much as a spot of blood or a stain from the offal of the beast is ever seen? It cannot be done, I think; I do not think a butcher can stick a bullock without his hands being stained.
1539. You do not think it could be done? I do not think you could stick a bullock without making your hands bloody.
1540. I mean splashes about the walls and floor? It splashes about the floor, but not about the walls, here. If there were a market here for the blood it would be saved. We have no market, and consequently the blood runs to waste.
1541. Have you ever worked at slaughtering in Edinburgh, or seen the slaughtering there? Yes, it is precisely similar to that in Glasgow.
1542. How do they save the blood in those slaughter-houses? They catch it in flat pans; they just hold up the skin of the neck when they cut it, and the blood is caught in the pan.
1543. It is sold for dye purposes, not for manure? For dye purposes, not for manure.
1544. Have you been in Edinburgh since the new slaughter-houses have been in operation? No.
1545. Then you do not know what is carried on in those new slaughter-houses? No.
1546. Are you aware that there are new ones there? Yes, and in Glasgow.
1547. You do not know whether any new or improved system is practised there? No, I do not know how you could improve it—killing a bullock; you knock it down and kill it.
1548. I do not know what your opinion would be if you read an account of the mode adopted in the United States. We have very valuable evidence upon this. The bullock is first pithed, and then it is hoisted by the hind legs, which renders the animal incapable of doing any harm to the workmen, his head is put into an iron vessel, and his throat having been cut he is allowed to bleed in that way. The hide and the offal are taken from the carcase, run out on trollies, the offal being conveyed to hermetically sealed carts. There is no spot of blood at all on the beast, which is kept cleansed from beginning to end of the operation? Well, then there would be some spots of blood; when the bullock is skinned, and chopped down, there are always veins running for a little while.
1549. Well, going back to the subject of Glebe Island, can you offer any suggestions as to the improvements necessary for the convenience of the trade and for the benefit of the public at large—that is to say, improvements in the buildings and the surroundings? The only thing I would suggest as far as the cattle killing is concerned is to have a shed over all the cattle. The shed there now is no good, it is too high; it would be just as well to be without it.
1550. The weather penetrates it? Yes, either wind or rain; and the back place ought to be kept a little more clean than it is. If there were more labourers and fewer officers on the island it would be better.
1551. The back place is kept very dirty? Yes.
1552. Your suggestion is that the cattle should be covered over, so as to be screened from the rain and the sun? Yes, and that the yards and lanes be properly paved, and a hydrant laid on with a hose, and the place be washed every day.
1553. There should be a constant supply of water to keep the yards and lanes cool and clean? Yes.
1554. What is your opinion of Glebe Island—it is a very large place; we were surprised to find it contained 33 acres of land—as a site for the cattle sale-yards? I do not think it would do at all.
1555. Why not? In the first place there is not room enough, and in the next place, if the cattle were not sold how are you to get them out of the yards again. Look at the population about Glebe Island.
1556. We would assume that the Island would be so arranged with stock-yards and paddocks that the cattle could not get out; could they not be fed in the stock-yards? I do not think it; I do not think Glebe Island would do at all for stock-yards; there is no better place than Homebush—anywhere between Homebush and Parramatta Junction.
1557. But do not cattle get very much harassed between Homebush and Glebe Island, and suffer very much from want of water and food? They do not want water and food. I have a paddock at Five Dock, in the Ashfield Municipality, containing 2 or 3 hundred acres, and the cattle get plenty of water and rough stuff to feed upon; I take them from there—a day's killing at the time—to a paddock near the Island. My cattle are not harassed.
1558. If all people did as you do there would not be so much complaint? We take our cattle to the one paddock on the sale-day, and then to the other as we want them. There is a law in force just now that tends to greatly harass the cattle, and it is that which makes it necessary to drive the cattle after dark along the Parramatta Road. It is a perfectly iniquitous thing altogether.

1559. The law which compels people to drive cattle at night-time along the Parramatta Road is iniquitous and hurtful to all concerned? Yes, and should be remedied without delay.

1560. What would be the remedy? To allow the cattle to be taken along the Parramatta Road as formerly. There was less danger, no one was hurt, and there have been several occasions lately of people being hurt by cattle in the dark.

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1561. You say there is much less danger in driving cattle along the road by day-light than by night? Yes.

1562. And the results have proved it to be so? They have; and that is the reason why the cattle get so harassed. The men who have charge of them try to be as quick as possible; they know they cannot get inside the Municipality of Ashfield until after 6 o'clock, and mob after mob are waiting for 6 o'clock, and then they are rushed. None of this happened years ago when the yards were at Fullagar's.

1563. Do you not think these evils would be remedied if there were cattle sale-yards at Glebe Island, and the cattle were brought all the way to Glebe Island by rail? Of course it would remedy that evil; but there is no necessity to go to that expense when the thing can be done by merely rescinding that by-law in the Municipality. The Municipality of Leichhardt had me up four years ago. They beat me at the Police Office twice, and I appealed to the Supreme Court and beat them there on the point that they could not make a by-law to stop trade; and I believe if the butchers would stand out now they could get the Municipality of Ashfield on the very same footing, although I was fined last week 30s. for the same thing—for coming into the Municipality of Ashfield 10 minutes before the time. The man mistook the boundary; he thought the Iron Cove Bridge was the boundary, and instead of that it was a shop half a mile along. If they would do away with that by-law and allow us to drive the cattle along the road at any time, there would be no danger to the public, and no racing of the cattle.

1564. The cattle would be quietly driven, and the public safety would be less endangered? Yes; there was a man nearly killed about three weeks ago on the Parramatta Road. Fancy coming round a turn of the road, with two lamps, and coming on a mob of cattle—what chance have you got. Then the cattle turn and rush about, and we lose some. All of us have lost cattle.

1565. *Mr. Bruce.*] Speaking of those paddocks—you say you have a 200-acre paddock? It is Mrs. Ramsay's bush; I think it is about 200 acres.

1566. How many cattle have you in it, on an average—would you have a week's supply? Never less than a hundred at a time. There is never much grass for food, but there are pickings off the trees, and there is plenty of water. There is enough to keep them from famishing; their paunches are always full when they are killed; and when we have more cattle we rent Roberts' paddock at Homebush, and put the cattle there.

1567. In point of fact what food is there really in the paddocks? Well, there is just scrub, and a bit of grass just now in it. In our other paddock on the Balmain Road we have horses quite fat that have been in that paddock all the winter. They are in good condition now, and there are milch cows there also.

1568. Is that the general description of paddocks in which cattle are kept waiting to be slaughtered? No; in some paddocks there is not much.

1569. You said there was not room on Glebe Island for sale-yards;—do you know the extent of ground the present sale-yards cover? Well the present sale-yards are not near large enough.

1570. Have you any idea of their extent? I could not say; they do not cover more than an acre.

1571. If it were told you that they covered about 3 acres, and that there were 33 acres on Glebe Island, you would not say then that there was no room on Glebe Island for them? Though there are 33 acres on Glebe Island, still there is not room for them, and Glebe Island would not be a convenient place at all. If ever they are established there they will find that out.

1572. How would that be? Because there is not room, and the place is thickly populated, and there are no paddocks along the Balmain Road to put cattle in after they are bought.

1573. They get nothing in the present paddocks? Oh yes, they get a little. If you come over and see our cattle you will find their paunches full.

1574. I have been through the paddocks and seen the trees stripped of the bark, and no grass, and in some paddocks no water? If you go through my paddocks you will find plenty of water and plenty of scrub; and Turner and Davidson, and York and Walsh have good paddocks for their cattle.

1775. Davidson's cattle get no more than there is in this room; Davidson's paddock is at Petersham? Yes, but he has got another paddock at Homebush.

1576. You know the paddocks at Petersham;—is there anything in them? Nothing but the water, and in Davidson's paddock I daresay ten hungry bullocks could eat all there is there.

1577. Do you know how many acres to the bullock go on a station? Two to the bullock; but there is plenty of land in New South Wales where 80 acres would not feed a bullock, and there is plenty of land where 1 acre would feed four bullocks, as, for instance, on Liverpool Plains in a good season.

1578. I am speaking of the general average all the year round? If there were yards established between Homebush and the junction the auctioneers would find paddocks, and so would the wholesale butchers. There would be a lot of the paddocks cleared and laid down as grass paddocks. Allowing that the sale-yards were to be established at Wallerawang, would not a week's supply of cattle for Sydney eat all the grass within 50 or 60 miles of Wallerawang.

1579. It would be something like Sydney. But suppose the sale-yards were at Glebe Island, and the cattle got 4d. or 5d. worth of hay a day, would they not be twenty times better than in the paddocks, where they are now? I daresay they would be better if fed on hay; sometimes in the cold weather we take a little hay to the Balmain Road paddock.

1580. *Mr. Stewart.*] Do the cattle eat it? Yes; and if I have any cattle left over on the Saturday, and do not want to take them out, I take over lucerne hay to the slaughter-houses, and the cattle eat it.

1581. *Mr. Bruce.*] Can you say, on an average, how long an animal is kept alive after it leaves Homebush until it is killed? Well, three days.

1582. Before it is taken to the Abattoir? Yes; some are taken the next day; some are kept more than three days.

1583. Going to another subject;—are the yards at the cattle slaughter-houses thoroughly convenient in their arrangements? Well, as far as I am concerned, if what I have before mentioned was done, the yards are convenient enough for killing.

1584. Are they quite convenient for those men who kill for others—convenient for drafting out the particular animals they want? No, I do not think they are. Where there are a great many animals killed in one slaughter-house there is too little room.

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1585. And better arrangements might be made in the yards? Yes; where there are perhaps 30 bullocks belonging to ten different butchers, there is great bother in drafting them out, and the cattle do get knocked about.
1586. Would it not be a great convenience to draft two ways? Yes; the present yards are not suitable for that, but as far as we are concerned, and the other lessees, nothing could be better. The capping of the fence, however, is often in bad repair and quite rotten, and not safe for the men.
1587. Can you describe to the Board the details as to how you would alter the shape of the killing-houses? I never did kill any sheep; Mr. Walsh or Mr. Elliott will give you that information.
1588. Would it tend to the convenience and cleanliness of the slaughtering if there were a separate gut-house;—the guts and the hides could be run in a trolley to be dealt with afterwards, and the offal could be taken away also as it dropped from the hand of the man that was running the guts into a receptacle? That would be an improvement.
1589. It would tend much to cleanliness? Much to cleanliness; but where the cattle hang after they are slaughtered there could be no better arrangement over there.
1590. Except in regard to a chilling-house? Except a chilling-house. We have a beautiful asphalted floor, and mine and all are constantly washed down. No bad smells arise from it. It must be better kept than any country slaughter-house, because there the drippings from the bullock going into the cart cause bad smells which must affect the meat. There is nothing more sensitive than meat; it absorbs bad smells. There are no bad smells on Glebe Island.
1591. Mr. Stewart.] I suppose that depends on the time you leave the offal? It is taken away every day. It is better looked after now than it was a while ago. There are no bad smells on the Island.
1592. Would it not be better to take it away at once? Well, the Government have one or two carts taking away the offal from one and the other.
1593. That is not the question. It is whether it would not be better to take the offal away at once from the beast? I do not think that matters—an hour or two's difference. The blood is let away directly the bullock is struck, into a drain. The drainage is very defective; it is all nearly level. There is a place where they could have a splendid fall. The place is well suited for drainage, and yet advantage has not been taken of it.
1594. Chairman.] Since the public agitation in the newspapers, and by the Government appointing this Board, have you observed any alteration or improvement in the management of affairs at Glebe Island? Well, the places are kept cleaner at the back. I cannot see any other improvement. The place was never badly managed. Mr. Oatley had plenty of men under him, but too few labourers and too many officers—too many men in command.
1595. You remarked just now that the place was slightly improved of late? Yes.
1596. You do give that answer? Yes, it is cleaner at the back, but the whole of the slaughter-houses ought to be white-washed—lime-washed at least every three months, for there is nothing so healthy as lime.
1597. Whom do you think unnecessary there as officers; that is, not the parties but the situations they fill;—what situations do you think superfluous? Well, there are Mr. Oatley and Mr. Jager, they have got little to do; and there is Gilchrist, I do not know what he does. There is another man for opening and shutting the gates, and I do not know what he does. Then there are carpenters and others; I do not know what they do. They are all officers and no laborers.
1598. There is a great want of other laborers? Yes, a few more laborers to keep the place thoroughly clean, and the lanes and other places should be paved and a hydrant placed there; and if the drains were led out to the back instead of to the front it would be much better, because the front drain which takes away the blood gets choked, and the floor has to be broken up, putting us to a deal of trouble, and the country to a lot of expense. If the drains were led out at the back so as to be easily got at when choked it would be much better.
1599. And there should be an abundant supply of water with hydrant appliances for the yards and lanes? Yes.

Mr. Frederick Oatley, Inspector of Glebe Island Abattoir, further examined:—

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1600. Chairman.] You requested the Board when sitting at Glebe Island to hear some further evidence from you? Yes.
1601. And the Board promised to give you an opportunity on a future day for that purpose; hence your presence here to-day? Yes, I was anxious to make some explanation in connection with the evidence already given.
1602. The Board have no desire to put any further questions to you, but you are at liberty to make any explanation. Of course it must be of a limited nature, and in reference to some subject upon which you yourself have been misunderstood, or which you wish to explain in fuller language, or in any manner that may appear to you to be necessary in justice to yourself? My desire was to reply to some of the evidence I read in the Progress Report.
1603. I do not think we would be right in allowing you to do that. If you have been misrepresented or misunderstood in any evidence of your own, we can hear any explanation; but I put it to you—if you give evidence in opposition to some evidence which has been given against you, what is to prevent those parties from being brought up again to contradict you and so on, *ad infinitum*; there would be no end of it? I wanted to clear myself respecting the two carcasses which I have been charged with passing after they had been condemned.
1604. Very well, make your statement in regard to that? I was anxious to call in witnesses, as I wrote to you, who would be able to prove that I did condemn the carcasses—that they saw me condemn them.
1605. Those carcasses of meat to which reference has been made were condemned by you? They were condemned by me as stated in my former evidence, and I am now prepared to bring four witnesses whose names I mentioned in a previous letter, to prove that they saw me condemn them.
1606. You say that the two carcasses which have been referred to by other witnesses as having been passed by you were really condemned by you? Yes, and sent away and destroyed. I have suggested witnesses who can prove that, who saw me condemn them, and also one witness who boiled the two carcasses down.
1607. They were not used as human food? No, nor did they go to any shop in Sydney.
1608. But they were boiled down for the tallow? For the tallow; yes. I was anxious to clear myself on that point, and that was why I suggested witnesses to prove that what I said before was true. 1609.

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1609. We are not doubting that. We are only giving you an opportunity of explaining anything you have not sufficiently explained. Now you have stated, with regard to those two carcasses, that you really did condemn them; that they were taken away and boiled down for the tallow, and were not used for human food? Yes.

1610. Well, that ends that part of the business. Have you any desire to explain any other portion of your evidence? There is some other evidence which I would like to allude to. I see Mr. Seymour states that when he was over on the 9th of March last year the punt was there and he found the place in a filthy state. I desire to say that the punt was not there till seven months after his visit.

1611. Mr. Seymour said that the punt was there on the 9th of March, and that the place was in a filthy state, and your statement is that the punt was not there till seven months after that period? Yes, not until October, which was seven months after.

1612. Therefore, you say Mr. Seymour's evidence must be wrong? Yes, the punt was not brought to the Abattoir till seven months afterwards.

1613. You see if we allow you to contradict that evidence, what is to prevent Mr. Seymour from coming here again to contradict you, and you coming again to contradict him. If you desire to supplement any evidence you have given, or to correct any misinterpretation of your evidence we will allow you to do it; but our duty is a plain and simple one, and at the same time a very important one; we must not allow you to travel outside your own evidence? Just so; but there are points I am desirous of clearing up.

1614. Well, you have explained that; is there any other point in your evidence you desire to amend or explain? I wish also to allude to Swan's letter, which appears in the appendix. During the period referred to therein the matter was not under my charge, but in that of Mr. Moore, who had also charge of the removal of the offal and blood. It was not under my control at all from December, 1876, until July, 1878.

1615. Never mind that; you are not responsible if the thing is not in your charge. Is there anything else you desire to refer to? I wish to say also, that, although the management was not in my hands, yet I instructed my men to lend every assistance they possibly could to Swan in carrying out his scheme.

1616. Is there anything else? There are several other things. I refer to some reports in the *Herald* where I am charged with passing those two bodies of beef.

1617. You have already explained that, and do you not see how improper it would be to allow you to give rebutting evidence. We would then establish the principle that other people might come in and give rebutting evidence against you? Quite right, sir; I fancied there would be that objection.

1618. We have every desire to do justice to all concerned, but you do not expect us to do that which would be foolish, and make us look foolish? Still I hope the Board will grant my request, and examine the witnesses who will prove that I condemned the carcasses.

1619. *Mr. Stewart.*] You are not being tried here? But it would show you that my evidence is true.

1620. It is for the parties who will sit in judgment on you to find out whether it is true or not.

1621. *Chairman.*] Your evidence and explanation may be considered in exculpation without additional evidence being given, and we cannot burden the proceedings unnecessarily. We are deputed to do a certain thing and we cannot go beyond it? Just so, but I would like these gentlemen to be examined. They might give you other valuable information in respect to the Abattoir. One of them was the lessee of the Abattoir at Melbourne.

1622. What could he tell us? How the abattoir is conducted in Melbourne, and he might suggest many improvements.

1623. But would it not be for you, with your practical experience of the Abattoir, to offer to the Government or to the Board any suggestions as to improvements which might occur to you? I have offered a great many.

1624. I would ask you again—I think I did ask you before—what is the average time of your reaching the Abattoir to commence your duties? At 9 o'clock, with the exception of when my duties call me away to the Treasury and other departments.

1625. What time does your assistant commence? 6 o'clock.

1626. When does he leave off? At 4, and sometimes after, when business requires it.

1627. There is no one else to inspect but you two? No, but there is Gilchrist, who renders much assistance.

1628. But he is not an inspector? No, although he is instructed to assist me in carrying out the regulations, and I find him a very faithful good man. He apprises me of all that is going on.

1629. Then there is no inspection before 6 in the morning of cattle slaughtered? Not before 6.

1630. And none after your assistant and yourself leave in the afternoon? None after that, but Gilchrist goes round and reports anything that he thinks ought to be reported. He remains until the Abattoir closes.

1631. Is there anything else you wish to state? If it would not be out of place I wish to allude to Mr. Dempster's evidence. He said he suspected that some of the dried blood we had at the Abattoir was being converted into black puddings and sausages, and I have brought you a sample of the dried blood to satisfy you as to the impossibility of such a thing taking place. [*The witness produced a large piece of coagulated blood of extreme hardness.*] I felt rather astonished at Mr. Dempster saying that he suspected such a thing. If you moistened that in water you would not be able to sit in the room for the smell of it.

1632. *Mr. Bruce.*] In what state of progress is the machinery for desiccating in? The machinery for the experiment which Swan is going to try is nearly completed. It will be completed to-morrow, and we will get up steam and try it at once.

1633. What quantity can be desiccated by it? Probably not one-third of what will be required.

1634. But sufficient to see whether it will do? Yes, sufficient to see whether it will be a success, which I sincerely hope it may. You saw where the manure was deposited down a shoot—I think that is a bad place for it. I would suggest that the manure pit be placed on the hill at the back of the Abattoir, the drawing out from there would be very little, whereas it is terrific from the place where the manure now is. I thought I would mention that to the Board.

1635. *Chairman.*] If you will supplement your evidence by sending in a letter suggesting any improvements that occur to you the Board will be glad to have it.

TUESDAY,

TUESDAY, 9 SEPTEMBER, 1879.

Present :—

THE HON. GEORGE THORNTON, Esq., M.L.C., CHAIRMAN.

JOHN STEWART, Esq.,

ALEXANDER BRUCE, Esq.

Alexander Bruce, Esq., Chief Inspector of Stock, and a Member of the Board, examined :—

A. Bruce,
Esq.
9 Sept., 1879.

1636. *Chairman.* } I understand you have given considerable attention to the carriage of live-stock by railway? I have, and frequently reported on it during the last ten years.

1637. Do you consider it an important branch of the railway traffic? Yes, the carriage of stock, alive or dead, is one of the most important branches of the railway traffic, and that which is to be the chief means of carrying our railways into the far interior, being, as it is, a large and growing source of daily revenue.

1638. Has this branch of the railway traffic been cultivated as it ought to have been? No, it has been the most neglected and the worst managed of any, and it is quite within bounds to say, that through this neglect the department lost, during the eight years from 1868 to 1876, revenue to the extent of over £20,000 a year, which would, under proper management, have been secured, and that the owners of fat stock during that time have sustained a loss of twice that amount through having to send their stock to market by the road instead of by rail; while during all that time the stock were subjected on the road to a very great deal of cruelty which would have been avoided had they been sent by rail.

1639. How are these statements proved? Their proof lies in the simple fact that it was eight or ten years after the railway had reached Goulburn, Bathurst, and Murrurundi before the trucking of stock from even these distances became at all general. I submit a statement of the stock traffic from 1858 to 1877 (*See Appendix*), which shows that the increase in 1876 and 1877 is most marked, and I believe that for 1878 it will be very much more so. I should imagine the revenue for this traffic for that year is over £40,000.

1640. What should have been done to secure this traffic? There were three things which had to be done before this traffic could be secured to the railway and which were not done during all that time. (1.) It was the duty of the railway authorities to make such arrangements at the proper stations as that the trucking of the stock could be easily and safely effected without knocking them about. (2.) To see that the stock were carried speedily and safely to their destination. And (3.) To charge at first at least moderate rates for the carriage of the stock, and make it plain to owners that it was very much to their advantage to send their stock by rail instead of by the road.

1641. Can you show in what respects the accommodation for loading, carrying, and discharging the stock was defective? Yes, it was so in the following very important respects, namely :—

1. There were too few trucking stations.
2. The sites of the trucking-yards were, as a rule, and still are, exceedingly ill-chosen. They were too near the passenger station, and too much in the midst of the ordinary traffic. It was difficult to get the stock to the trucking-yards, and when there they were frightened and maddened by the sights and noises which they were continually seeing and hearing. The trucking-yards should be at least 400 yards from the station.
3. The form of the yards was most unsuitable and inconvenient for loading and discharging the stock in the following among other respects :—
 - (1.) The number of small yards erected was insufficient and those which were erected were badly planned.
 - (2.) The gates were far too heavy, badly placed, and the fastenings unhandy and liable to damage the stock.
 - (3.) The forcing yards and crushers were too wide and allowed the stock to turn round. This retarded the loading and roused and irritated the stock. And
 - (4.) At even the larger and more important stations there was no convenience for loading more than half a truck of sheep at a time; and the upper tier had to be loaded by means of a moveable stage or plank.
4. The cattle trucks were badly constructed for loading, being provided (as they still are) with heavy unmanageable flaps instead of sliding doors,—which allow the cattle to turn round and come out again, thereby greatly retarding the loading, endangering the men engaged in trucking, irritating the cattle, and leading to their being kicked about and bruised.
5. The trucks were so badly shaped, and so roughly finished as to damage the stock on the passage—especially as the cattle-trucks were frequently shunted on the way.
6. The arrangements for unloading the stock—more especially at Homebush, where the greater part of them are discharged,—were (and to a large extent still are) quite as bad as those for trucking, and the result was that the stock were often hurt and sometimes killed outright in discharging, through the defects in the form and construction of the sidings and yards; while these again were placed close up to the station, and right in the teeth of the general traffic, to the great risk of the passengers and injury to the stock themselves.

1642. Will you state in what respects the second requirement “that the stock be carried safely and quickly to their destinations” was not carried out and the necessity for its being so? It may be said that the necessity for this was almost wholly ignored. As there were very few special (all stock trains) the stock trucks were attached to the goods trains, and the stock were treated as so much goods, totally devoid of feeling; for the trains stopped, as goods trains do, at every other station; and this of course led to the cattle trucks being frequently shunted and the stock hurt and bruised, and often thrown down by the sudden stopping and starting of the trains; while, as a rule, the trains were very long on the way. Stock ought to be carried right through with as little stopping and shunting as possible, at an average speed of 20 to 25 miles an hour.

1643. You said that the third requirement was to make it evident to owners of stock that it was very largely to their advantage to send their stock by rail. Will you state how this could have been done? A low scale of charges for five or six months, if there had been proper accommodation provided, would have done this; and if anything else had been necessary a fair division could have been made of a few little lots of cattle, their brands and descriptions taken, and some sent by rail and the rest by the road. Then these cattle could have been followed from the railway station at which the division was made to the sale-yards, and

and thence to the Abattoir, and their weights ascertained and published. The same course could have been taken with some small lots of sheep, but in their case the test could have been much more exactly made, as the sheep could have been weighed alive at the station at which they were parted, and afterwards at the Abattoir; and the question could in their case have been put to a still further test by comparing the carcasses when the sheep were slaughtered. I am not aware that a single experiment of this sort was ever made, although this test was suggested to the railway authorities; and as the great saving effected by trucking was not generally known to owners they were for a long time very sceptical with regard to the advantages of the rail over the road.

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1644. Then when and how did owners begin to use the railway for the conveyance of their stock? They only did so, as it were, through compulsion, during the severe droughts of 1876-7 and '8, when there was no feed on the roads for their stock, and when they had to be sent by rail to reach the market in a state at all fit for slaughter. The stock were thus forced upon the railway authorities when they were quite unprepared for it, and they were compelled to provide better trucking accommodation and more trucks.

1645. What is the present state of the accommodation for the railway stock traffic? The accommodation is still very defective at many of the stations, and at none more so than at Wallerawang and Homebush; while the greatest mistake of all continues to be made in selecting the sites for the trucking-yards. They are still being erected quite close to the passenger stations, and in the midst of the general traffic; and as a rule provision has not been made for the stock reaching or being in the trucking-yards, without being roused and alarmed by the general traffic at the station, and on the line.

1646. Has the attention of the railway authorities ever been called to the circumstances which you have here stated? As early as 1869 the attention of the railway authorities was called in my annual report to the great importance of this traffic, and to the waste going on in the condition of the stock travelling on foot to market. It was so also, in 1870, in my report for that year and in a special report made by me in 1871. Then it was again so more recently in reports made by Mr. George Maiden, of Messrs. Maiden, Hill, and Clark, and Mr. George Lewis, of the Survey Department, and myself, under the direction of the present Minister for Lands and his predecessor; and suggestions were offered by us for the improvement of this traffic; but our reports and suggestions were not acted upon.

1647. How do you propose to bring about the necessary improvement in the accommodation for and conduct of the railway stock traffic? I have good hopes that when attention has been thus pointedly and forcibly drawn to the enormous losses which have been sustained by the Railway Department and the public through the very defective accommodation for this traffic previous to 1877, the very serious mistakes which are still being made in the selection of the sites of the trucking and discharging yards, in their form and construction, and in the form of the trucks, will henceforth cease—that the stock trains will be run as expeditiously and directly as possible—and that this branch of the railway traffic will receive that attention and consideration which its very great importance demands.

1648. Have you any special suggestions to offer to effect these highly desirable objects? Some of the Traffic Inspectors and other officers under the Commissioner for Railways have now had sufficient experience in the conduct of the live stock traffic to advise him with respect to the points to which I have alluded; and these matters (as they belong to the traffic) ought certainly to be referred to them, not to the Engineers who can have no practical knowledge of stock or their management, or even of the stock traffic on railways. If therefore it be necessary that the trucking-yards and other appliances for this traffic should form a portion of the original contracts for lines, I would suggest that the selection of the site for the yards, their size, and shape, should be left to the Commissioner for Railways, as also the form and construction of the trucks; or, as I have more than once suggested, a properly qualified Inspector, possessing a thorough knowledge of the management of stock, should be appointed to supervise and cultivate this traffic, under of course the direction of the Commissioner for Railways.

TUESDAY, 9 SEPTEMBER, 1879.

Present:—

THE HON. GEORGE THORNTON, Esq., M.L.C., CHAIRMAN.

JOHN STEWART, Esq.,

ALEXANDER BRUCE, Esq.

John Walsh, Esq., examined:—

1649. *Chairman.*] You are an old resident of Sydney, I think? I am.

1650. And engaged in the butchering business, wholesale and retail? I have been in the retail business for a good many years, but in the wholesale business only for the last fifteen years or more.

1651. You are one of the firm of York and Walsh? Yes.

1652. You buy and slaughter largely, I think—do you not? More than anyone else in the colony I believe.

1653. In cattle as well as sheep? Both.

1654. Have you had much experience of the Abattoir at Glebe Island? I have. No one connected with the trade has a right to have more. I have acted as a salesman and done our own business as salesman and collector for several years.

1655. Then you have been generally at the Abattoir? Constantly there;—not like my partner, who knows little about it, but I have been there constantly for several years.

1656. And still continue to go there? No; for the last year I have not been so much there. I have been there every day, except when out of town on business, buying stock.

1657. You are aware of the nature of this Board, and the duties that have been deputed to it, namely, to inquire into matters affecting the Glebe Island Abattoir, are you not? I have read a good deal about it.

1658. Have you anything in the shape of information to give to the Board, and thereby to the Government and the public, which will be useful in view of the matters we have in hand? The Abattoir, as it is at present—on the beef side particularly—I do not think you can make it better. I have had considerable experience; I was reared in America, and had considerable experience there in the business, and I have been in every city in Australia nearly; and, being a butcher, the first thing I would do, naturally, would be to see the Abattoirs and the butchers' shops. I do not think that there is, in Australia, a place better kept or better adapted for the business than the Abattoir at Glebe Island; that is, on the beef side; what I say does not apply to the mutton side.

1659.

J. Walsh,
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1659. Then you think the buildings, for the purposes of the beef trade, are sufficient and very good? Superior to anything you can find; but those for the mutton are too small.

1660. We will come to the mutton places afterwards; at present we will keep to the beef side. You say you have been in America? Yes, I have.

1661. For how long? 12 years; I was reared there from the time I was about 8 years of age until I was 21.

1662. In any way connected with slaughtering and the butchering business? Partly.

1663. Did you see much of the mode of slaughtering in the abattoirs in America? I saw a good deal of it. It was down in Connecticut, where I lived. It is a cold climate there, and a great deal of the slaughtering is done in the winter, in the fall of the year.

1664. You have not seen the mode practised in Philadelphia? No, but I have seen Cincinnati, in the days when the principal pig-slaughtering was done there, before Chicago was much of a place. It is mostly done at Chicago now, I believe, but Cincinnati was the place then.

1665. Do you think the mode of killing and bleeding and dressing the cattle as carried out at Glebe Island a perfect one? I do not think it could be surpassed. We have had butchers from Melbourne and many other places, but we can find no men superior to our workmen that we have at Glebe Island.

1666. But I speak of the system, not of the workmen? Oh, superior.

1667. The pithing, the bleeding and skinning, the taking out the insides and offal, and so on;—you think that system perfect? I do, with this exception, that sometimes they put too many cattle down in one fall. That is the men's fault; they sometimes put four or five bullocks down together at a fall. We will say they put five down; well the beast that goes up last out of those five will not keep within a day as long as those that went up first.

1668. For what reason? It is not dressed so quickly. The inside is not taken out so quickly. The quicker the meat is dressed after being slaughtered the longer it will keep. The same remark applies to mutton.

1669. We will keep to the beef at present, if you will forgive me for asking you to do so. Is not the present system, that of cutting the throats of the animals, allowing the blood to run over the floor, the animals lying in the blood, and the blood being carried away by drainage only? The blood runs away as soon as you stick the animals.

1670. Are they not allowed to lie in their own blood? The place is invariably swept down.

1671. Does not the body of the animal, while it is being skinned, lie in its own blood? There must be a certain amount of blood; the floors are not washed down.

1672. Could not that be improved upon? It might be, but I do not see how it can affect the beast.

1673. Not the beast? Nor affect the beef either.

1674. But as regards the cleanliness of the establishment? It would look better no doubt if the place was washed down.

1675. Now, in America, we have evidence that the beasts are killed in this way, and there they kill a great many more than we do, perhaps five or ten times as many. They pith the animal and then immediately hoist it by the hind legs, and allow the head to drop into a large iron receiver. Then the throat is cut and the blood is received into this vessel, thereby preventing any stain or appearance of blood in any part of the building, or on the men who are working there. Do you not think that would be an improvement upon our plan? No beast will keep so long as one that is hoisted on the tackle after the fall, but with regard to catching the blood in a vessel, the vessel will have to be a very large one indeed, because the animals wriggle and twist about, and throw blood all over the floor.

1676. I may tell you that we have authentic evidence that this is done most successfully in America, where they kill, as I said before, at least from five to ten times as many cattle as we do, and yet the slaughtering and dressing is carried on without a stain of blood appearing anywhere? I never saw it.

1677. The blood is conveyed away by the means I have stated into carts or into boats, and there is neither foul smell, nor foul appearance, nor stain nor mess of any sort? I have never seen it in my experience, and as far as the blood is concerned, there is no smell from it until it has lain for a certain time.

1678. Well, if you will read the evidence you will find such to be the case, and I recommend it to you as a practical man, because it must be a matter of interest if not of importance to you? I quite agree with hoisting a beast on the tackle; I know that if I was a retail butcher buying carcasses for myself, I would give more for one that had been hoisted. For instance, in every slaughter-house they put down three, and sometimes five, when they are in a hurry; well if I had a shop of my own, I would give a farthing a pound more for a bullock that went up first on the chain than for the one last put up, provided that the bullocks were of equal quality.

1679. Then experience shows you that decomposition sets in more rapidly in a beast in which the inside is kept longest? Yes; and a beast that is hung up bleeds better. If you will take the trouble to go over to see the Abattoir, and get any man to show you, you will notice in the beast that is put up on the chain at once that when the hide is taken off there are none of the little veins bleeding as in the beast that is left on the ground for a quarter of an hour or so before it is taken up.

1680. Then hoisting the animal is much preferable to allowing it to lie on the floor? Decidedly.

1681. Do you slaughter much cattle during the year? Close on 200 bullocks a week.

1682. What is your practice in the summer months—I mean what time do you commence to slaughter in the hot months? 5 o'clock every morning, except on Monday morning, when we commence at 2.

1683. You commence at 2? Every Monday morning.

1684. And what time do you leave off? 7 in the summer, 6 in the winter.

1685. What time do you get the beef away from the Abattoir? We are carting it away all day, as a rule. For instance, in the hot weather the beef we commence to slaughter at 2 o'clock goes out to the shops for the Monday morning's supply to the customers.

1686. Early in the morning? Yes.

1687. Before 6? Before 6. The gates are generally opened at 4 o'clock, and then they begin to cart away. There is generally a quantity of beef and a number of sheep up by that time, and the carters commence to cart it away immediately. It is in the shops by daylight, sometimes before.

1688. The retail shops? Yes.

1689. But is not the meat at that time, so soon after being killed, almost alive, so to speak. Is it not warm? It is warm sometimes, of course; but when you kill it at 2 o'clock it cools much more quickly than in the heat of the day.

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1690. But, as a matter of fact, is it not the case that the meat at that season of the year is full of muscular action and warm by the time it is delivered to the retail shops? In the hot weather it never gets cold; it is warm all the day. It will not get cold up to the time decomposition sets in, in fact; but a beast killed in the cool of the morning will keep longer than a beast allowed to stand in the sun and killed that same afternoon.

1691. Do you not think it would be a great advantage to all concerned, namely, to yourself as a carcase butcher, to the retailer, and to the consumer, if the meat were allowed to set before being delivered for consumption, say by having a chilling-house on the island, and putting the meat into it for the purpose of cooling or setting it; do you not think it would be a great advantage to all concerned if the meat could be so chilled and set before delivery? If you had such a thing as that you would be able to slaughter on Saturday for Monday's consumption, but at present we cannot.

1692. But I ask your serious attention to the subject? Well, I will answer by saying that I would certainly prefer meat that is hung a little time. I do not myself like meat immediately after it is killed, and it is not profitable to any retail butcher to sell it, because, when you cut a joint of hot meat down, the flesh creeps away from the bone and contracts, and does not look so well. I don't care how good a bullock is, a butcher shall cut you a piece out of it when it is fresh killed, and still it looks bad.

1693. Then will your experience enable you to tell the Board that a chilling-house now is an absolute necessity? No, I do not think it is. I have been in the business since Glebe Island was established, and before that, and I do not think it is an absolute necessity.

1694. Not during the summer months? Not during the summer months. I have kept an establishment for many years, and we know that, in the hottest weather, a man who understands his business will get his beef in in the morning, and it will keep till the next day. I have never seen weather when it would not.

1695. But still, do you not think a chilling-house would improve that state of things? I do not say it would not improve it, but I do not think it is an absolute necessity.

1696. Well, do you not think that meat slaughtered and chilled in the way I have indicated would be far preferable to that killed and offered for sale in the way you speak of? Decidedly preferable.

1697. Then, practically, is it not an absolute necessity that there should be a chilling-house? Well, it would be a great improvement.

1698. I do not want to force an opinion upon you —? I give you my opinion candidly, as I told you I would.

1699. Have you ever considered the subject of a dead meat market for the city? No, I have not; and to be candid with you, I do not wish to see one as long as I can help it, because I do not think it would be for the good of the butchers.

1700. The carcase butchers? Any butchers, retail or otherwise. I know that in the summer-time butchers often have a rough time and hard work to make a living; and in the winter-time, when they can make something out of it, half the people would go to the dead meat market and buy their meat.

1701. Then as far as your interests are concerned you would be opposed to it? I would, decidedly.

1702. Do you not think the business of the supply of meat to the metropolis is in a state of change, consequent on bringing dead meat by railway to Sydney? The only change I can see is that it makes it a great deal worse for us. In our line of business it seriously affects us. It is a fine thing for the retail butchers.

1703. But is it not a good thing for the public at large? I cannot see how it is. Are you getting your meat cheaper or any better?

1704. I will ask you that question;—will the public at large, by this new mode, be likely to get their meat cheaper? I do not think they will. If I had a shop to-morrow, and I could get beef given to me almost, I would keep the price up as long as I could.

1705. But will not the meat itself necessarily be better? No, why should it?

1706. I was going to suggest to you why it should be. Of course I cannot argue with you, but from your experience as a practical man do you not think that a beast slaughtered where it has been fed, without being fevered by over-driving—slaughtered in its best condition—and the carcase sent to Sydney, must be better meat than that which is driven a long distance and perhaps ill-treated? Yes, but where will you find that? You cannot find such a place. There is no place where they slaughter meat where they can fatten.

1707. We will not go into that; I am asking if meat of that description can be introduced into Sydney? Yes, if you had a railway to Liverpool Plains or other fattening stations it would be better, but I cannot see that it is any better to drive them to Riverstone or Orange than it is to drive them to Orange and then train them here. We have the best workmen and every supervision, and I say that the public have greater protection in that way than they have in regard to meat slaughtered in private slaughter-houses where there is no inspection.

1708. But are not the cattle which are brought by train from Homebush subjected to great cruelty even after they reach Homebush;—for instance, do they get food as a rule? That is a point I would like to speak upon.

1709. Are there any feeding places? Yes; I have seen it stated by gentlemen who are supposed to know, that there is no more grass than would fill your hat, but it is not true. We had the Newington estate for years until Mr. Weatherill bought it; we have had paddocks from Mr. Walker of Concord, and paddocks of Mr. Lackey's at Duck River, and we never bring down stock for more than one or two days' supply at the furthest. The same remarks apply to others; Rennie and Williams, Davidson and Turner, and Mr. Elliott all have paddocks where their cattle are fed, for I need not tell you that any man who knows his business would not be mad enough—we might as well throw our money into the street as bring stock here to starve. It is not true that the cattle are cruelly treated. They get more cruel treatment at Homebush than they receive at the hands of the butchers.

1710. Are not the sale-yards at Homebush unwholesome? A disgrace to the country.

1711. Cattle are up to their middle in slush and mud? I have seen cattle bogged there. I think it expresses everything when I say they are a disgrace to the country.

1712. Then from there to the Abattoir are not the cattle driven furiously and tantalized the whole way by the drovers and the dogs? I cannot tell you that they are. Plenty of people will tell you it is a fact, but they never see it. There is a law which prevents us from bringing the cattle down until after 6 o'clock at night, and there are very few gentlemen about then. No gentleman can say, from practical experience, that the cattle are ill-treated. I would not keep a stockman one hour if I knew him to do such a thing.

1713.

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1713. How long does it take to drive the cattle from Homebush to the Abattoir? If we buy cattle at Homebush—we buy largely outside and they rarely go into the yards—but when we do buy cattle at Homebush, they go to the paddocks at Newington or Concord, and they are left there till they are wanted, and then they are brought down early in the morning or at night, just as we require them.

1714. You say your cattle are driven quietly and carefully to the Abattoir? Yes, and so are many others. There are some exceptions. Davidson and Turner, Rennie and Williams, and our firm are the only butchers, I think, who keep their own stockmen. There are no other people's cattle "boxed" or mixed with ours.

1715. We will go back to the Island if you please. What is your opinion as to the position of the Island for the purposes of an Abattoir? I think it is a very grand one; I do not think you could find anything better.

1716. You say it is a grand situation for the purposes of a public Abattoir? I do.

1717. Near to the city and convenient to the trade? Convenient to the trade and a good road.

1718. And sufficient for all the purposes required of it? For all the purposes required of it. People from the Liverpool Road, Parramatta Road, and Balmain, have to come there.

1719. To make their purchases? To make their purchases.

1720. Are you aware of the extent of the Island? Yes.

1721. Do you know how many acres it contains? No, I don't know that.

1722. It contains 33 acres of land? It runs down to a long point at the back of the fat-house we have there.

1723. I will take you to the buildings again before I forget that part of the subject; do you think the buildings erected there are sufficient for the present and the prospective trade—I mean for the beef? Yes, I do.

1724. Do you not think the paving and drainage require amendment? Do you mean the patent floor there?

1725. It seems to be more mud than patent floor as far as we could see? Perhaps you went at an unfortunate time; in the front do you mean where the vehicles go?

1726. Yes? That is very bad, and the lane is not at all applicable; it is too narrow.

1727. It wants more room for access? Yes; you see when there is a row of carts on each side there is barely room for one cart to go up and down.

1728. One cart would monopolize all the space? Yes; and speaking of the carts, there is no doubt that those waggons in which you can hang the meat up are preferable, but when a man goes to the Abattoir he cannot turn his waggon in the lane. Rennie and Williams use them, but they have the first slaughter-house.

1729. You say there is not room for more than one at a time, and that the width of the road should be doubled? It wants to be considerably wider.

1730. What about the drainage of the place? Well the drainage is not particularly good just on the roadway.

1731. Are there not sometimes offensive smells from the drainage? Not so much lately, but there has been, recollect, only one old man as scavenger, and he was supposed to keep the place clean. Now there are a number of men, and the place is certainly kept very clean.

1732. Do you think the cattle-pens are sufficient for the purpose required? I do, and for many years to come; and as a proof of it we have occupied two of the beef slaughter-houses for years, until last year, as mutton slaughter-houses on that side, and prefer to pay the higher rent for them to kill mutton in, and then there was room enough for the beef.

1733. I mean the yards in which the cattle are put for the purpose of slaughter; they are what I call the cattle-yards? They are jammed in there very thick at times.

1734. Have you any difficulty sometimes in getting cattle up to the slaughter-houses? No; but there is sometimes great difficulty in getting in enough for the day's supply. As you can only bring them in once during the day you have to put in whatever you intend to kill; you cannot bring more.

1735. Then you think the cattle-yards could be improved? They could by being made larger.

1736. Now with regard to the mutton-houses, what is your opinion of them? Well, the mutton-houses I am quite clear are too small, considerably so.

1737. Much too small? Much too small from my experience of them. We slaughter 4,000 or 5,000 sheep a week at least, and there is no room there. The men go to slaughter in the morning; they are supposed to have a couple of hundred sheep ready before the carting out begins, and these sheep are hung so thickly that they have not a chance to cool in fact.

1738. They are hung in contact, and thereby become deteriorated? Yes; we have to what you call double-bank them, that is hang one on top of another.

1739. Well, in consequence of the mutton-houses being so small, the quality of the meat is necessarily damaged thereby? It certainly is; there is no question that it will not keep so long when it is damaged in that way; there is no manner of doubt about it.

1740. The meat will not set? It will not set.

1741. Is there not a great want of cleanliness too, in the mutton slaughter-houses? There is a great difficulty in keeping them clean.

1742. In consequence of the deficiency of room there is a great amount of uncleanness, which you say cannot be avoided? Under present circumstances; I would like you to ask me some questions upon that point.

1743. Well, tell us what you think you ought to tell us on that point? I think I should tell you that every two of those mutton slaughter-houses should be thrown into one.

1744. That is to say, you think the size of the mutton-houses should at least be doubled? I think if you want to make the lane wider you could do that by taking the front wall of the mutton slaughter-houses away, and letting the back wall be the front one. That would give additional width to the lane without any great expense. I think then that you might throw two of those houses into one.

1745. That is to say, that the accommodation for the slaughtering of sheep should at least be doubled. Should be doubled. They are very badly done those mutton slaughter-houses.

1746. To keep the meat wholesome and for purposes of cleanliness the places should be at least doubled in size? Yes. I believe the roofs are badly constructed. During easterly or southerly bad weather you might as well be out in the rain.

1747.

1747. Are they not too low? They are too low, and the rain beats in so that actually the mutton might as well be hung out in the rain. You cannot get one dry place in the slaughter-houses. They are too small, but the greatest objection still is to the lanes. Now this I know to be a fact. We are fellmongers and we take away our own skins. Well, there is a slaughter-house here, and another here (*showing the situations*), and there is one little narrow lane barely wide enough for a cart to back up. We are supposed to throw all the offal and skins of the sheep into this. They are simply thrown in a heap there, and whenever one of our big drays gets up to take a load of 300 or 400, it stops until it gets loaded, keeping possession of the lane, and consequently the men who want to get the offal away cannot get at it, and it is sometimes allowed to remain there longer than it should.

1748. Then in consequence of the narrowness of the lanes the whole work of the establishment is sometimes obstructed? Yes. If you could throw two of the slaughter-houses into one, and have one lane at one side for the offal to go, and another lane at the other side for the skins to go, it would do away with all that difficulty.

1749. And I gather from what you say that the carts and the men employed ought to have constant and uninterrupted access to the place all day long? All day long, to get at the offal.

1750. And to do that the width and extent of those places require to be increased? They do; they want a lane specially made to keep those places clean, to get at the offal. On Monday morning they commence at 2 o'clock. As a rule, in each of the slaughter-houses 200 or 300 sheep are killed before breakfast. The offal is thrown into the lane and the skins on top. Well, if the skin man comes first, the offal man has to wait until the skins are taken away, and sometimes it is the afternoon before the offal can be removed. That is a great nuisance to those houses, and if you can remedy that you will do a public good.

1751. Well it is from a practical man like you that we expect to get useful information? I believe if you ask Mr. Elliott upon this point he will bear me out. He is a man who has had a great deal of practical experience.

1752. With regard to the conveyance of meat from the Abattoir to the retail shops, have you not noticed that the plan of conveying it in open carts is very objectionable? It is; although I use them I know it is objectionable.

1753. The men themselves who drive the carts are in a state of filth? I know it is objectionable; I am quite aware of it, but if everyone had waggons they could not get in and out of that lane.

1754. Under the present arrangements there would not be room for the new meat waggons to work there? There is not. We send a waggon there every day or so for hides, and they have sometimes to wait hours before they can get the waggon in.

1755. What is your opinion about the waggons for the conveyance of meat;—do you not think it would be more proper and better for all parties if the meat was conveyed in those newly-constructed waggons? There is no room for a doubt about that.

1756. It would be an improvement, but you say it cannot be carried out in consequence of the want of accommodation on the Island? There is not room.

1757. I think there is only one other question I want to ask you. You say that the buildings, especially the mutton-houses, are in such a state of disrepair that they are no protection from the weather? I do not say disrepair; they are badly constructed. The construction is bad.

1758. They are so constructed that they do not keep out the rain or the bad weather? They do not. They are too small, ill-constructed, and the lanes at the back are not at all adapted for the business.

1759. By the way, there is one more subject I want to ask you about. Have you formed any opinion as to the advisability of having cattle sale-yards at Glebe Island. Assuming that the cattle would be brought all the way by rail and delivered on the Island from the trucks, have you considered the subject as to the advisability of having cattle sale-yards on Glebe Island? I have; I have seen something about it, and I think it would be the act of madmen. To start with, you cannot get a supply every day. You get the cattle there, and you have no water and no food, and you have to take them out again. I think it would not at all suit.

1760. But supposing that hay and an abundance of pure water were supplied, what would you think then? You may get the best hay that Australia will grow, and station-fed cattle will not tackle it until they are almost actually starved. I think the place is not at all adapted for it; it would not do at all.

1761. Then you disapprove of the idea of erecting cattle sale-yards at Glebe Island? I do, decidedly; you should have yards where you have paddocks and water.

1762. The cattle sale-yards should be where there are paddocks and water? Yes, and you should not bring cattle into thickly-populated places, where people are knocking about. Cattle require rest, and if cattle brought down from the country in warm weather are killed just after their arrival, the flesh will be of a kind of red, foxy colour—what we call foxy. But let the same cattle go into a quiet paddock, where they get rest and water and a little scrub, and the meat is of quite a different colour.

1763. And the quality of the meat is better? It must be.

1764. *Mr. Stewart.*] I would like to know where the carcase butchers sell the meat? On Glebe Island.

1765. Do the retail butchers go there to buy? As a rule they do, except on Monday morning.

1766. Then it is the only wholesale meat market we have in Sydney? We have now one at the railway-shed, where they sell by auction. On Saturday the retail butchers generally order from the carcase butchers what they want on Monday morning the first thing.

1767. Glebe Island is a convenient place for selling carcases? It is.

1768. And the butchers go from stall to stall to select their meat? Yes, if a man does not see what suits him in one place he goes to another.

1769. *Mr. Bruce.*] About the keeping of the cattle;—how many cattle on an average are there between Homebush and the Abattoir and on the Island? Well, I do not think you would find 200 head to-day between Homebush and the Abattoir, all those on the Island included.

1770. Yesterday was sale-day;—how many would there be to-day? The market was a little firm, I suppose. I do not believe you would find over 200 head between Homebush and the Abattoir, including all those there to-day.

1771. Then what becomes of the cattle sold at Homebush? They generally go into the paddocks; for instance, Rennie and Williams have a paddock where they send them to, and so have Davidson and Turner.

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1772. Is not Rennie and Williams' paddock between Homebush and the Abattoir? Oh, yes; they have paddocks at Ramsay's.

1773. And Turner and Davidson's paddock? It is at Homebush, at the back of the yards.

1774. I have seen another paddock of Davidson's at Petersham, where there are about 100 head of cattle;—how much feed is there in that? They never bring them down there for more than a day or two—a couple of days' supply at the most.

1775. Would you believe it if anybody told you that they had seen cattle there for about a week in that paddock? I would not believe that it was in Davidson's paddock, it might have been in some other. There are butchers who kill for a number of small butchers, and who do not pay the same attention to the business. I do not believe you have seen cattle for a week in Davidson's paddock.

1776. I do not say I have seen it, but a party who lives close by says that he did? I could not believe it, because I am sure that Davidson would not allow it, and his partner, although a rough man, is a thoroughly practical man, and as a butcher is very clever.

1777. How many acres of grassed paddocks are there between Homebush and the Abattoir? There are a great many acres, but there is not a great deal of grass.

1778. Is there any grass? Oh, yes; you must not judge by what you see going along the road. There is grass and scrub, and you must recollect that in no instance are cattle kept there for more than a week at the furthest.

1779. They are sometimes kept a week? They may be sometimes kept a week, but not in the small paddocks down here.

1780. Do you think it right that a beast should be a week without anything to eat? I do not, but I say there are none of those outside paddocks where they get nothing to eat.

1781. Between Homebush and the Abattoir? Yes, in Ramsay's bush is there not scrub and a little grass and water, and in Mr. Walker's paddocks is there not grass?

1782. Then there are four or five small paddocks nearer to the Abattoir;—is there any food in them? Not much.

1783. And there are sometimes 40 or 50 head of cattle in them? Well, they belong, perhaps, to twenty different people, and there is only a day's supply.

1784. But is it not a rule to keep a supply in hand and not kill out? I like to kill out.

1785. Are you aware of the practice? It is a great mistake if it is done. I like to kill out every week if I can. I had several on my hands at one time, but it was against my will.

1786. We have evidence that the cattle do eat the hay? They will eat the hay sometimes. We give it ourselves sometimes. We may have 20 or 30 bullocks in on a Saturday morning, and if we cannot kill them all we leave some hay for those that are left, and on Sunday, when everything is quiet, and no one knocking about, they will eat some of it.

1787. If they did eat 10lbs. or 12lbs. of hay a day it would be better for them? It would.

1788. And that would not cost more than 4d. or 5d.? It does not cost much now.

1789. Would not the cattle-yards be better covered? Well, they are pretty well covered, though not entirely.

1790. It would be an improvement if they were? Yes, it would be an improvement. In hot weather or in wet weather the cattle try to get under the shed.

1791. Might not the paving of the yards be a little better? Well, I don't know that you could make it better. The yards are paved with free-stone; if you paved them with blue metal it would be harder. The lanes at the back are sometimes a bit of a nuisance. They are paved with this free-stone, which gets cut into holes, and the stuff which gets into these holes sometimes makes a very offensive smell.

1792. The driving or forcing yards are convenient enough, are they not? Yes.

1793. Are they so for the men who kill by contract; can they easily get out the beast they want? That is a different thing. The man who kills by contract is perhaps killing for a dozen or twenty different butchers, and the chances are that the beast which runs in first he does not want killed, while the one he wants will not go in.

1794. Supposing the yards could be made to draft two ways, would that be an improvement? It would, to all parties concerned, if there was room.

1795. You mentioned the great jam there was between the offal carts and the skin carts;—could not that be remedied by having a place to convey the guts and skins to on a trolley? Yes it could be, and if you can devise some means of getting rid of the offal and not having it mixed with the skins, you will do a great good I can assure you. That is the great nuisance of those mutton slaughter-houses.

1796. It would tend also to the cleanliness of the place? Yes, it would. Sometimes a lot of sheep come in with their paunches full of grass and water, and often the paunches burst and the mess runs through several yards.

1797. Is the ground such as to leave room for widening out the buildings as you suggest? There is room if you adopt the suggestion I made to throw two slaughter-houses into one. There would be plenty of room for the mutton-houses if you took away that pig-killing establishment.

1798. Have your men sufficient accommodation for the purposes of cleanliness—washing and all that—on the premises? Oh yes.

1799. Would it not be an advantage to get a few shower-baths for them? It would be a great advantage, no doubt.

1800. Would you kill during the night or early in the morning if the place was properly lighted with gas? I would prefer it; it would be better for all concerned if we could kill at night or early in the morning, during the hot weather particularly. But the Government gives us no chance at all. There is a man at the gate and he goes by the clock in the office; it is immaterial whether it is half an hour fast or half an hour slow. If you have a cart at the Abattoir waiting to load beef or mutton, no matter how good the customer is, that man will not wait one moment, no matter what the right time is, if the clock in the office says it is time to close.

1801. Referring to a subject the Chairman mentioned, supposing you could get meat chilled at 3½d. per 100lbs. at the Abattoir, would you patronise the chilling-house? Certainly; it would pay you to give six times that price for it sometimes in the warm weather. Decidedly, I don't think there is a butcher in the trade but what would. It is hardly a question that needs asking.

1802. *Chairman.*] Do you not think the establishment, to be perfect, should be lighted with gas? I think it should.

J. Walsh,
Esq.

1803. And do you not think that an abundant supply of fresh water, with hydrants, is necessary? I was going to suggest that, but it slipped my memory. The remark with reference to the clock also applies to this. When the time comes for shutting off the water, and sometimes a quarter of an hour before the time, it is shut off, and if you want a bucket of water you cannot get it.

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1804. By whom is it shut off? By some of the officials on the Island. They are very exact. As for gas it would be a great boon indeed. There is no one connected with the island but would be quite willing to pay for the cost of the gas. It would not cost us one quarter of what it costs for the fat or slush lamps.

1805. And you get light now from those fat or slush lamps? Yes, the butchers put the fat or slush into a can with a wick, and get a light from that.

1806. And there is smoke and a bad smell from it? Yes, besides a bad light it is offensive. If we had to pay for gas it would not cost us a tenth-part so much.

1807. And the slush lamps are dirty and filthy? Yes, and not alone that, but the men cannot see what they are doing.

1808. And you think there should be an unlimited supply of fresh water all over the establishment? Oh yes.

1809. With hydrants? Yes.

Thomas Elliott, Esq., examined :—

1810. *Chairman.*] Are you in business on your own account, or are you one of a firm? On my own account.

T. Elliott,
Esq.

1811. Wholesale or retail? Wholesale.

1812. A mutton butcher? Mutton only.

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1813. Have you been many years engaged in the trade in the colony? About twelve years on Glebe Island, I think.

1814. Have you had a large business and much experience? I have done a very large business.

1815. And are now doing a large business? Yes, a large business; about 2,500 sheep a week.

1816. What is your opinion as to the suitability of the Abattoir, especially the mutton-slaughtering part of it, for the purposes intended? Well, it is very badly laid out. It is too small, much too small for the business that has to be done there; and the buildings being so small there is not sufficient accommodation at the back to get the skins and the offal away. If the slaughter-houses could be enlarged so that there should be a lane each side of a slaughter-house, one for the skins and the other for the offal, we would then be able to keep the place clean; but the way the slaughter-houses are now they are too small for the amount of business to be done.

1817. You say the present lanes are not large enough for the cart traffic and for the purpose of getting the skins and the offal away? No, certainly not; there is only one lane to two slaughter-houses, and two carts have to go there to load skins every afternoon, and every forenoon likewise. They take them away twice a day. Only one cart can load at a time, and the offal cart is kept waiting, and there is no way to throw the skins and offal but into the lane where they lie together in one heap.

1818. How long is the offal cart kept waiting by the skin cart? When there are two carts to load in one lane it makes my cart remain two hours at least, and the offal which is placed there from 4 o'clock to 6 cannot be got away after 6, and has to remain there all night.

1819. Becoming a great evil and nuisance? Not in weather like the present.

1820. I mean in the summer season? We have longer hours in the summer—an hour later; that gives us more time. We have two hours longer to do the work.

1821. Would you recommend that the size of the slaughter-houses be increased to double the present size? Well, it would be too much.

1822. However, they require to be increased in size considerably? They would require about three thrown into two, to give us sufficient accommodation for the work.

1823. Then they want increasing in size at least one-third? Yes.

1824. And the accommodation for the road traffic at least doubled? That is the lanes to let the skins and offal away.

1825. So as to admit of access by the carts at all times without obstruction or delay? Yes, that is what it requires.

1826. What is your opinion as to the necessity for introducing gas into the buildings? That is a thing that is very much required indeed.

1827. Your present system of lighting is by means of grease pots? Not now. This year we have got a sort of tins made in which we burn kerosene oil.

1828. But even those do not afford sufficient light? They give a much better light than the fat cans, but not sufficient.

1829. And not so clean as gas? Nothing near.

1830. An abundance of light is necessary I take it for those slaughter-houses, in order that you might carry on your business during the hours of darkness? Yes.

1831. Before the light of day sets in? Yes.

1832. Have you sufficient water appliances for the slaughter-houses? We have while we are doing the slaughtering quite sufficient, but for cleanliness there ought to be a good hose to wash down each slaughter-house.

1833. You think there should be an abundant supply of water with hydrant and hose? Yes, with a good hose.

1834. And the supply of water should be unlimited? Yes, and not cut off at times five or six minutes before the hour of closing. There are times when if we are killing close up to the hour we have given us the water is cut off about five minutes before the time, and we cannot wash down at all of an evening.

1835. Sometimes the water is cut off a few minutes before you finish your work, making it very inconvenient and unpleasant? Yes.

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1836. By whom is that done? By one of the officers; I do not know whose duty it is.

1837. What about the buildings generally—are they not very defective or insufficient for the purposes required—I mean in regard to the roof and generally? The buildings are much better adapted for the business since we had that big wall taken out about two years ago. They were very badly adapted for the work as mutton slaughter-houses until that was done. Now they are much better, but being so small if we are killing any way strong at all we are compelled to hang the sheep on top of one another, if the carts are not there punctually to the time.

1838. Is that not detrimental to the quality of the meat? They are not allowed to hang long, but it might be if the cart is not there at the time.

1839. Is it not detrimental? I should not think it was to their advantage. It is not often that it occurs, but it does occasionally.

1840. That could be remedied if you had additional room? Yes, larger room.

1841. Your business is confined to the mutton slaughtering? Yes.

1842. And you know nothing of the beef slaughtering? No, I do not interfere with that.

1843. Have you noticed within the last few months that matters as regards the Island generally have improved or otherwise; what is your opinion with regard to that? I think there is a larger staff of men on; I think they are a little better than what they used to be; they seem to try all they can to take the offal away but the carts cannot get up to take it away while the skin carts are there.

1844. Have you ever considered the subject of a chilling-house on the Island? No.

1845. Do you not think it would be an advantage to have an establishment for the purpose of cooling the meat slaughtered—both mutton and beef—before delivery,—setting it by means of cold appliances? I do not think it would be much advantage to it, unless you had the chilling establishment of such dimensions as to hold for instance a week's supply of meat—all the meat that would be required by the city for a week.

1846. Then it would require to be of large dimensions? Very large. Because if the meat were merely put into the cooling-house, and then carted away immediately and sold in the shops, it would not be benefited much as to the eating of it when cooked.

1847. At what time do you generally begin to slaughter mutton in the summer months? From 5 in the morning to 7 at night; on Monday morning from 2 in the morning until 7 at night; Saturday the same.

1848. Then you slaughter night and day? Only on Monday morning; we do not make use of it on Saturday morning.

1849. Is not the mutton sometimes taken away in the summer-time soon after being slaughtered, before being set; in fact, while it is warm? Yes.

1850. Necessarily so? It must be so. That is why we get up at 2 o'clock, in order to deliver it fresh. We have to deliver it before 6 o'clock; and should we kill it on Saturday for Monday it would want to be carted away in the bone cart.

1851. What is your opinion of the position of Glebe Island as a site for the Abattoir? Very good.

1852. Sufficient for all the purposes required of it? Yes; the establishment could be enlarged to double the size; but, as far as Glebe Island itself is concerned, I do not think you would find in the colony a place so suitable for the Abattoir.

1853. Had you any experience in this trade before you came to the colony? I was slaughtering in Scotland.

1854. You carried on the business in Scotland? Yes; I used to send to London when I had more stock than I required for home consumption.

1855. You used to slaughter mutton for the London market? Yes.

1856. What part of Scotland were you in? I was on the Borders.

1857. With regard to the conveyance of the mutton from Glebe Island for delivery, as at present carried out by some of the butchers in open carts? They are all open carts.

1858. Do you not think that could be improved upon? Well, I don't know.

1859. Have you seen that conveyance used by Rennie and Williams? I have.

1860. Do you not think that would be an improvement for the purpose of conveying the dead mutton to the city? It would be a very slow process, much slower than at present.

1861. You could not go quickly enough? I think not. There is not so much beef as there is mutton to hang up. Generally speaking, we have the men in the carts very clean; we have got a careful man along with the cart.

1862. Some carts, it has been represented, are kept in a very filthy state, as also are the drivers, who sit upon the meat whilst driving the carts conveying the meat for delivery? They must sit on the front of the cart; but in the mutton cart the meat is stacked up; they cannot sit on the meat.

1863. And you think the new cart system would not be an improvement on the present system? It might be an improvement, but all the carts would have to be built close up the same as those of Rennie's, or a little closer, because on days like the present (when raining), the meat would get covered with mud unless there is something to keep it from the mutton.

1864. *Mr. Stewart.*] Do you ever buy sheep at Homebush yards? Yes.

1865. Frequently? Every week.

1866. Is Homebush a convenient site for selling yards? None more so. There could be no site more suitable than Homebush for the sale-yards I think, because it gives us a chance to get paddock room for our sheep.

1867. If room could be made for them at Glebe Island would that suit as well for sale-yards? If you brought a supply there and sold them every day, and we took them and killed them, it would. There is no paddock room there.

1868. What is to hinder them from being sold every day? If you could regulate the supply every day so that they could be sold, and we could kill them, then Glebe Island is suitable.

1869. There are only two sale-days a week now, and that compels you to buy in one day sufficient until the next sale-day? Yes.

1870. But if the sales were every day you need only buy for the day? Yes. We have now to find paddock room to keep the sheep in.

1871. *Mr. Bruce.*] Where are your paddocks? I rent from the railway-line at Petersham out to Canterbury. I had all that at one time, but a good many plots have been sold since I rented it off Mr. Davies, right out through the scrub. I pay a yearly rent for it, and keep the sheep at Mr. Charles Hearne's at Petersham every night, bringing what I want to slaughter for the day to the Island every morning.

1872. The sheep do not get very much feed there I suppose? Plenty of food and water. Last year, when there was a drought everywhere, there was not much feed, but in anything like a season there is plenty of feed.

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Esq.

1873. How many acres have you got? Oh, there is plenty of country and plenty of scrub; I have never myself been over half of it.

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1874. But with all the stock between that country and the Abattoir the country must be very bare? The cattle paddocks are very bare, and some of them I think ———

1875. But the sheep get something? The sheep go out as far as Canterbury every day.

1876. Returning to the subject of the Abattoir, are the sheep-yards there sufficiently convenient and roomy for your business and that of others? They are more so now, as far as I am personally concerned, than they have been. I got a yard divided last week.

1877. Then there is not a sufficient number of sheep-yards? There were only three, and four slaughter-houses are rented. I was without a yard, but I have one now.

1878. Are there only four parties killing sheep at the Abattoir? That is all.

1879. Do you mean altogether; do none of the butchers kill their own sheep? That is a very rare occurrence. They generally buy them cheaper killed than alive.

1880. Would you recommend any alteration of the buildings themselves, besides throwing three into two—alteration in the roofs or walls, or in any other part of the sheep-houses? Well, if we were going to make new slaughter-houses the lane where we have to take the carts in to load is far too narrow. We can scarcely stand two horses in a breadth, and leave a passage for another cart. Should the new waggons be brought into use on Glebe Island I do not see how you can use them with the lane we have there now. That is one thing against these waggons or waggonettes, unless it could be arranged that they should go right down the lane, and come out at the bottom.

1881. They might do that way? Yes. With regard to the slaughter-houses they would have been much better if they had had a larger door for air, and for the carts; it should be more roomy for our carts.

1882. How is the roof? The roof in the main building, in the front slaughter-house, is right enough, but the skillion roof comes down very close on our heads.

1883. Too low? Yes, the skillion roof at the back.

1884. It would be an improvement to heighten it, and if more air were admitted? Yes, it would be an improvement to shift the slaughter-houses back about 10 or 12 feet.

GLEBE ISLAND ABATTOIR INQUIRY.

APPENDIX.

A.

DESCRIPTION OF ABATTOIR, PHILADELPHIA, U.S.

Messrs. Wilson, Brothers, & Co. to The Secretary for Public Works.

Sir,

No. 410, Walnut-street, Philadelphia, Pa., 29 May, 1870.

In accordance with a telegram recently received from Edward H. Williams, Esq., to forward to you information relative to the Railway Abattoir in Philadelphia, we have the honor to send with this a general ground plan of the grounds, a photograph of the main building and yard, a plan of basement and main floor of abattoir proper, and a printed description in Report of the Board of Health of the City of Philadelphia, for the year 1875.

The ground plan shows location of railroad tracks and all buildings. The sheds for cattle, as will be noticed by the photograph, are of wood, and so arranged as to cover only part of the space. By this arrangement the cattle can get sun and air, and still have protection in stormy weather. All fences and partitions in these cattle-sheds are of boards, 1½ inches thick. The whole surface of ground under the shed is graded to give perfect drainage, and paved with cubical blocks of stone, arranged with gutters from each separate pen to a street, where the drainage is passed into the sewers, and by them led to the river. In the sheep and hog pens the roofs cover the entire surface. In the hog-pens all the posts and division fences are of iron. In each block of hog-pens the stone pavement, laid in cement, is graded to the gutter in the middle, which has a constant stream of water flowing through it, and which gutter is tapped into the sewers at short intervals.

Please note that along all railroad tracks there is a retaining wall of stone, behind which the ground is filled in so as to make a landing wharf at level of floor of cars.

In the upper right-hand corner of plan is located a well and pump, which forces water to a reservoir on a hill at some distance, and not shown on the plan, from which the supply water-mains lead to the various parts of the yard. In addition to the foregoing the establishment contains a building for hotel and offices, stabling for horses, hay barn, coal platform, scales, and all the necessary adjuncts.

The sheep-pens noted as "sale-pens" are not covered like the others, but are merely enclosures. The cow-market is a series of covered stalls, each stall for a cow and calf.

We hope the foregoing, in connection with printed statement referred to, will give a clear idea of the arrangement. This establishment is of course arranged to suit the special piece of ground on which it is located. In preparing a plan for a different locality it would be necessary to have a correct map, with levels of ground, position of railroad tracks, drainage, lines, &c., &c., and modifications would be made to suit local requirements.

Referring again to the cattle-pens, those fronting on Thirtieth-street are entirely receiving-pens, where the cattle are placed when they first leave the cars. After a train has been unloaded the cattle are distributed from these pens to other parts of the yard. You will notice that the cattle-pens are of different sizes. Regular dealers rent one or more pens, as their business demands, and as soon as possible after unloading each man's cattle are transferred to his own pens.

All through the grounds in streets and along unloading wharfs the wooden gates are made large, and are so arranged that they can be swung across the streets, closing them up, and thus turning the cattle into the proper pens. This arrangement of gates, which is very simple, allows of the rapid and convenient transfer of cattle from one part of the yard to another.

The manure from the yard, and the contents of stomachs of animals slaughtered, are deposited together on the wharf along the river, and carried away in boats. The yards are cleaned up daily and swept by a rotary sweeping machine. Water-pipes are run through the yards as required, with fire-plugs and other outlets at convenient points; and in cattle pens each pair of troughs (see plan) is supplied by one hydrant. The overflow of these troughs is direct into the underground drainage.

The photograph shows the main building of abattoir, with the cattle-pens on the left, beyond which is a large grain depot not belonging with this establishment. In the wood-cut on page 31 of Board of Health Report the hotel and sheep and hog pens to the right of main building are shown.

The abattoir building proper is shown in the photograph. It is a brick building, resting on stone foundations, windows and doors of wood; columns in building and roof framing are of wrought iron; the roof covering is of tin on wood sheeting and purlins. All cornices, pinnacles, and other ornamental work are of galvanized iron. Basement floor is asphalt pavement. Main floor is wooden joists and flooring, covered with asphalt, excepting at the point where the killing is done, when the floors are of wood, caulked. Basement story is divided by a brick wall—one portion is used for slaughtering sheep—in the other hides are salted and packed for shipment, and the machinery for rendering tallow, &c., is placed.

The main floor is used entirely for slaughtering cattle. Hogs are not killed at this abattoir, but only housed and sold, and are driven off by the purchasers to other places.

The following is the general plan for handling business, &c.:—Cattle are shipped from the west by the dealers, who land them at the stockyard, and place them in their pens. Here the cattle are sold. Those going to other points are again loaded on cars, or are driven off on foot. Those intended for local use are purchased by the butchers, who do the killing and dressing of the animals in the abattoir building, subject to the rules of the establishment, one of which is that the butcher shall remove nothing but the dressed meat. The time of killing is regulated somewhat by the weather, but is generally done in the evening and during the night. The cattle are driven into the killing-pens, each of which will hold ten animals. A platform of plank over the top of the pen gives standing place for a man, who strikes the animals on the forehead with a hammer of peculiar shape; the animal drops at the first blow; instantly a clasp attached to a rope is fastened around one hind leg, and the rope being wound up on a drum, worked by hand from above, elevates the animal until its head is clear of the ground, when its throat is immediately cut by a butcher. Sometimes the animals are speared in the back of the head instead of striking with a hammer; and if the cattle are not wild they are often elevated into position for cutting their throats without any preliminaries.

The blood is caught in large sheet iron pans and is poured into an iron tank on wheels, which when full is run to the receiving room, where it remains until the proper time comes for putting it into the tanks in the basement, which is done by a pipe.

The beeves are dressed and quartered, hung up to cool, and taken by the butchers in their own waggons to market.

The disposition of the rest of the animal is as follows: The hides are passed to the basement, where they are salted, packed in layers, and afterwards shipped away in cars. The contents of stomach are emptied into small iron waggons and dumped on the manure pile, as previously stated. The entrails are placed on a hand waggon, and taken to the receiving room. The fat, which comes in masses, is stripped off by hand and placed by itself, to be rendered into tallow separately. The process in the receiving room is fully described in the Report of the Board of Health.

The residuum which has been obtained after the drying process described is packed in bags and sold for manure.

A variation from this process is to reserve the blood and dry it separately, as there is now a demand for it for sugar refining, calico printing, and other purposes in the arts. Recently, dried bullocks' blood has been used extensively in the manufacture of door-knobs, knife-handles, and similar articles. Horns and hoofs, with trimmings of the hides, go to the glue factory.

It will thus be seen that every part of the animal is utilized.

After the day's killing is over the floor is carefully and thoroughly washed and flooded with water from a hose.

The foregoing describes more particularly the operations on the main floor.

The sheep are killed in the basement. A man enters the pen, seizes a sheep, lays it down on the edge of the killing-table, with its head hanging over the edge, below which is a trough to catch the blood. He lays one after the other on the edge of the table, close together, and strange as it may seem, they make no attempt to get up or move. A butcher, standing on the floor below, walks along and cuts the throats of the animals in succession. The trough catches the blood and conducts it to the tank. Sheep, being light, are hung up by hand.

The same disposition as heretofore described for beeves, is made of the blood and offal, which is carried off in tanks and waggons, and elevated to the floor above so that it can be dumped into the rendering tanks.

The Abattoir Company furnish all feed for animals, and make a certain charge for storage.

We hope the foregoing, in connection with the accompanying papers, will furnish the information you require. Should you wish to construct an abattoir and stock establishment, we shall be pleased to furnish general and detailed plans, with specifications, and can procure for you and ship the necessary machinery ready to set up in place, together with such parts of the buildings as you may not have the facilities for manufacturing at the place of erection.

Very respectfully yours,

WILSON, BROTHERS, & Co.,
Civil Engineers and Architects.

A 1.

THE PHILADELPHIA SLAUGHTER-HOUSES.

(From the Report of the Philadelphia Board of Health, 1875.)

UNTIL very recently the slaughtering of cattle for the markets of Philadelphia has been conducted exclusively in private slaughter-houses. These are numerous, and are situated in all parts of the city. Even the thickly populated districts are not entirely exempt from these establishments. There is no law restricting their location within certain defined boundaries. In the choice of locality private interests are alone consulted, and the manner of conducting the business is subject to private direction, provided the rules and regulations prescribed by the health authorities are not violated, and no nuisance is created. While the premises are occasionally inspected, there is no systematic inspection of cattle before and after being slaughtered. On account of the large number of these establishments, their widely separated localities, and the irregular and unsystematic methods of conducting the business, satisfactory inspection is an impossibility; hence nuisances arise, particularly in the summer season, which, after being corrected, may and do recur, from radical defects in the premises and absence or non-observance of proper regulations.

There are many private slaughter-houses in the populated parts of the city which, on account of the locality, are nuisances, and will remain nuisances in spite of all remedies used for their improvement, and no matter how well they may be conducted. The driving of cattle through the crowded streets, the stabling of the cattle, the tardy removal of refuse and putrescible matters, the defiling of the drains by blood and even solid substances,—are powerful objections against the location of any slaughter-house in a compactly built and densely populated neighbourhood. Meat prepared in such places is liable to become tainted on account of the want of free ventilation, and the absence of facilities for most scrupulous cleanliness. There can be no doubt that all private slaughter-houses located and conducted as above-described should be abolished after due notice,—a measure which the Board feel obliged to enforce in the interest of the health and welfare of the community. Until the present time such action, although necessary, might have been deemed harsh, arbitrary, and premature. But since the most liberal and complete provisions have been made in the public slaughter-house recently completed in West Philadelphia, for all who choose to avail themselves of them, no valid objection or reasonable opposition can be made against this contemplated procedure of the Health Board. Ignoring the question of public health, which is the one of paramount importance, on the ground of economy alone the change will be exceedingly advantageous.

"Whether on the ground of public health or on that of economy," says a recent writer, "there can be no question of the superiority of public abattoirs over private slaughter-houses—a superiority acknowledged and acted upon in Paris as long ago as 1810." This is a well-established fact, which has been appreciated, accepted, and corroborated by a number of the large cities of this country. Boston, New York, Chicago, and New Orleans may be mentioned among the cities which now have abattoirs in successful and satisfactory operation, and the experience of these cities might be detailed, if it were necessary, to furnish fresh proof of the manifold advantages which the improved system of slaughtering possesses. This city has not been unmindful of the benefits to be derived from the inauguration of such a reform, but not until recently has the opportunity been presented. In 1873 the Board of Health, in their annual report, pointed out the urgent necessity for the establishment of communal abattoirs, and the gradual abolishment of the numerous ill-managed private slaughter-houses. Subsequently, a movement was set on foot, having in view the consummation of this most desirable object. In 1875, after considerable opposition, arising solely from objections to the site selected, the Herculean work of preparing the grounds for the present abattoir in West Philadelphia was commenced, and pushed forward with energy to the close of the year. By the early part of 1876 the buildings were sufficiently completed to be occupied, and the work of storing and slaughtering cattle has been in successful operation ever since. By the middle of the year it is expected everything will be in perfect order, and Philadelphia will then be able to boast of having one of the most thoroughly equipped, commodious, and complete cattle-yards and abattoirs in the world. This great scheme was projected and carried into effect by the Pennsylvania Railroad Company, and furnishes another evidence of the ability, energy, and progressive spirit of that great corporation.

The location of the new stock-yards and abattoir is on the west side of the Schuylkill River, a few hundred feet north of Market-street. It is bounded on the north by Vine-street, on the south by Arch-street, on the east by the river, and on the west by Thirtieth-street. Some idea of the magnitude of the establishment may be formed from the statement that the grounds occupy an area of 21 acres. The advantages and facilities afforded by the location are unsurpassed. It is central, yet to a considerable extent isolated by the river and the extensive grounds of the Pennsylvania Railroad Company. In the rear, or along the west side of the premises, there is a railway track, from which cattle are discharged. The track is so depressed as to bring the deck or platform upon the level of the storage pens. A railway track is also run eastward from this line, for the delivery of sheep and hogs to that part of the premises set apart for these animals. This entire enclosure is laid out in streets, substantially paved with Belgian blocks, and lighted with gas.

For the storage of cattle there are 172 pens. These enclosures are plain frame structures, partly covered, in order to protect the animals from sun and storm, and are paved with granite blocks, and so graded as to secure quick and complete drainage. Each apartment is provided with feed and water troughs. The telegraph anticipates the arrival of each train of animals, thus enabling the superintendent to designate and prepare the apartments for their occupancy, with the required rations of forage and supply of water, so that they are on their arrival at once made comfortable by food and rest after their long journey. This department has a capacity for the comfortable storage of 7,000 head of cattle, and is provided with all the necessary requirements, as hydrants, fire-plugs, and hose, in order to insure safety, comfort, and cleanliness.

The enclosures for the storage of sheep occupy the northern end of the premises. They consist of two frame structures, 350 feet by 130 feet, covered with a gravel roof, and provided with a granite pavement. These buildings are divided into compartments and pens for wholesale and retail storage, and have the necessary scale enclosures. Streets and alleys divide the premises at convenient distances. Each storage pen is provided with a rack for fodder and troughs for water. The entire division affords capacity for the comfortable storage of 10,000 sheep.

The hog department is just east of the sheep enclosure. Every provision has been made to insure cleanliness and facilitate the thorough renovation of this part of the establishment, and at the same time preserve ventilation and the free circulation of air. The roof of the building is supported by wrought-iron columns, and light iron railings are used in making the subdivisions. The wide openings at the sides admit a free current of air. Another important feature, from a sanitary point of view, is the means devised for securing thorough drainage. For this object the floors are laid with Belgian blocks, grouted in cement and slightly inclined from either side toward a central depression, along which fresh water constantly flows, thus providing against the possibility of offensive accumulations. These animals are also provided with all the comforts of food, water, &c. This section of the yard is likewise laid out with streets, lanes, and passage-ways, and is divided into large and small enclosures for general and special storage, and is provided with scales and all the necessary conveniences for the accommodation of buyers and sellers.

Centrally

Centrally located, and upon one of the broader avenues, is the office and exchange building. This is a brick structure, two stories high, and 100 feet long by 40 feet in breadth. The lower floor is divided into telegraph, post, and business offices. On market days this building presents all the activity of the stock or gold exchange.

Close adjoining the exchange building is a range of offices for the use of the dealers in sheep and hogs.

There is a brick stable upon the premises, 31 feet by 115 feet, for the storage and sale of horses.

Immediately adjoining these buildings is a covered enclosure for the accommodation of 500 cows and calves. This enclosure is also well paved and drained, and provided with all the conveniences for watering and feeding the animals. Large platform scales for weighing the stock are situated at convenient localities about the premises.

The most important and interesting feature of this vast establishment is the abattoir. This highly ornamental brick building has a frontage on the river of 110 feet, and runs back 195 feet. The nature of the ground rendered it necessary to lay the base of the foundation upon heavy timbers and concrete, upon which stone masonry is built up to the level of the ground. Above this the walls are of brick. The main floor (which is four feet above the level of the ground) is supported by cast-iron columns. The roof is supported by two rows of wrought-iron columns, which divide the building into 4 central aisles, 50 feet in width, and two side aisles, each 30 feet in width. The central aisle is open to a height of 40 feet, to the eaves, and is covered by an arch roof, erected on a new principle of construction that previously has seldom been used, the rafters being cut to the curve of equilibrium for a uniform load. The side aisles have a height of 20 feet to the square, and the rafters have also base curvatures. The building is provided, along its sides, with a series of doors, 6 feet wide and 15 feet apart, to allow of the loading of the meat into waggons. Over each of these doors is a transom for the admission of air and light. The centre aisle has a large clear window which can be opened and closed, and also a ridge-roof ventilation. The great essentials of light and air are thus provided for. The basement, 11 feet in depth, extends under the whole building. The main and basement floors are covered with Filbert's patent asphaltum pavement, 4 inches thick, and sloped so as to insure perfect drainage. The upper or main floors are used exclusively for the slaughtering of cattle. On each side of the middle aisle, and immediately adjoining it, is a range of pens enclosed by an iron-pipe-railing, which are provided with gates opening upon the centre aisle, and with sliding doors opening toward the slaughtering bed or floor. The cattle are driven from the stock-yards through a door in the end of the building, which opens into the centre aisle, and from thence into the slaughtering pens. Along the outside of these pens, running the entire length of the building, is the slaughtering floor, which is laid with heavy yellow pine planks, and caulked in the same manner as a ship's deck. Opposite each slaughtering pen are the apparatus (all of the most approved patterns) for hoisting the carcasses, and a range of baulks or beams for the hanging of the dressed beef. Each slaughtering division is provided with hose, and hot and cold water for the use of the butchers. Men are in constant attendance upon the butchers, whose duty it is to catch the blood, and to immediately remove it and the refuse to that part of the building used for the utilization of these substances. This vast slaughtering floor has a capacity for killing and dressing 1,200 oxen per day. For the comfortable heating of the building in winter a range of steam-pipes has been placed against the outer walls between each of the doors.

The basement of the west end of the building is arranged for the slaughtering of sheep. A range of elevated pens has been erected, which are enclosed by an ornamented wire fence supported by cast-iron posts, and provided with a floor of stone flagging. Running along the front of these pens is a stone table with a galvanized iron gutter immediately beneath it, for the slaughtering of the sheep and the gathering of the blood. The space occupied by the butchers in this apartment is paved with cement; it is open, roomy, and light, and has a capacity for the slaughtering and hanging up of the carcasses of 3,000 sheep.

The east end of the basement, or lower story (for at the end next to the river the floor is level with the surface of the ground), is occupied by the engine and boiler room, and by the apparatus used for the rendering of the tallow and the utilization of the blood and the other animal matters. Here are placed the boilers of one hundred horse-steam capacity, and an engine of sixty horse-power.

The most interesting and novel feature of the machinery department, however, is the apparatus for rendering tallow and utilizing refuse. Placed upon pillars are two horizontal cylindrical tanks, or boilers, 5 feet in diameter and 15 feet long. These tanks have each 3 sixteen-inch openings, or manholes; two in the upper, and one in the lower side. They are elevated so that the upper openings in each of these tanks are on the level of the upper or cattle slaughtering floors. In each of these tanks there is a shaft provided with radial arms and a broad bar running along the inner walls of the vessel. The shaft passes through the end of the tank, and is provided with a stuffing box, and, at the end, with a gear wheel which is connected by a shaft, belt, and pinions, with the engine. The tanks are jacketed, or surrounded with a steam space of 3 inches in width.

As soon as the slaughtering is finished each day, the rough fat is carried in trucks and placed in one of these tanks; steam is then passed into the surrounding space, and in four hours the tallow is rendered from the tissue. Water is then introduced into the bottom of the vessel, the melted tallow elevated and passed through a dome in the top, and from thence through a pipe, and carried some 50 feet into the centre of the basement to the necessary vat, from whence, after settling and cooling sufficiently, it is run into casks or commercial packages. In the pipe used for decanting the tallow, there is a glass section that brings to the view of the person in charge the exact condition of the material passing over, thus enabling him to determine the moment of the displacement of the tallow. When all of this product is discharged, the water is drawn out from the tank through a large pipe at its base, and carried to the bottom of the river. As soon as the water is run off, the refuse of the slaughtering floor is put into the tank and subjected to the rendering process, and all the fatty matter extracted therefrom, in the same way as the first. The water is then run off, and the blood accumulated during the day is put into the vessel with the refuse resulting from the two rendering processes; the tank is closed up, steam turned in the jacket, the shaft and arms put into motion, and the process of drying commenced. The steam generated by the heated walls passes from the tank through a 4-inch pipe, and is delivered at the bottom of the river, thus thoroughly condensed and rendered harmless. The animal matter is thus dried, and, by the constant beating of the revolving arms, rendered pulverulent. As it is poured out of the apparatus it has the consistency, dryness, and appearance of ground coffee, and, strange to say, these several operations are performed with this machine without a breath of odour, and without any of the noxious emanations that have always accompanied these operations, thus rendering the tallow and turning the residuum, known as scraps, together with the blood, into a useful and profitable product, without offence. This apparatus is the invention of Dr. J. J. Craven, of Jersey City, who has given his attention, since the war, to improving the sanitary condition of slaughtering establishments, and the utilization of animal matter. This apparatus, together with the engine and boiler, was constructed and erected under the supervision of Dr. Craven, by the People's Ironworks of Philadelphia, and in design and workmanship reflects credit on the inventor and builder. The abattoir lately established at the foot of Thirty-fourth-street, New York, is provided with the Craven apparatus, and has been under the inspection of the Health Board of that city, and recommended and approved by them.

The abattoir at West Philadelphia was designed and constructed under the superintendence of Messrs. Wilson and Thorne, and presents a tasteful appearance. The whole arrangement of grounds and buildings has been under the supervision of the Philadelphia Stock Yard Company, who, by their constant efforts and attention, have endeavoured, and succeeded, in erecting an establishment that embraces all the improvements that modern science has developed, and for neatness, convenience, and safety is not surpassed in this or in any other country.

A 2.

Messrs. Wilson, Brothers, & Co., Philadelphia, to Dr. E. H. Williams, Sydney.

Dear Sir,

No. 410, Walnut-street, Philadelphia, Pa., 29 May, 1879.

Your telegram was handed us a few days since by Mr. John Converse, and we have collected together as full information relative to the abattoir as we could in time for the next steamer.

We understand from your message that general information as to the arrangements and working of the abattoir is what is needed, and we hope what we send will be satisfactory.

If the Government of New South Wales desire to construct an establishment like this, we should be pleased to prepare all necessary plans for same, with specifications, and full directions for constructing it, from which it could be built by parties in New South Wales.

We

We could procure and ship the machinery all ready to set in place; also any parts of the building which cannot be made at place of erection. It would be necessary for us to have a correct ground plan of site, with levels, drainage lines, nature and source of water supply, street and railroad connections, and any local information which would affect the character of the establishment, also required capacity. Our charge for such work would be 3 per cent. on the estimated cost of the work if constructed here.

We forward the information under cover to you, as suggested by Mr. Converse, and would be pleased to have you examine it before making such disposition of it as you think proper.

Respectfully yours,

WILSON, BROTHERS, & Co.

B.

*Mr. C. F. Pierce to Dr. E. H. Williams.

TIFFANY REFRIGERATOR CARS.

Chicago, 30 May, 1879.

THE purpose of our cars is to protect perishable freight of all kinds, as well as beef, while in transit, from heat or cold. It is not their purpose to receive freight until it is properly prepared.

For instance, if beef is the article to be shipped, it must be hung for twenty-four hours, until the animal heat is taken out of it, after it is slaughtered, and the temperature reduced to 40° Fah. This operation must be slow, in order that the gases from the beef may all leave it, while, if the chilling was rapidly done, it would drive the gases inside, closing up the pores of the skin.

For this purpose we have built a large number of what we call chill-rooms, where the beef can be hung, and after the first heat has left the meat, a cool temperature produced, and the beef chilled to 40°. Then the beef is placed in the car, the car iced and tightly closed, and the same temperature will be maintained, no matter how long the time on the road, in extremely warm weather—say 85° to 95° in the shade. The car will need to be examined, and if necessary, re-iced at the end of about every three days.

We have carried dressed beef from Denver to New York, distance 2,400 miles, and have made a great many trips with fresh beef from Kansas City to New York, Boston, and Philadelphia, about eight or nine days on the road, in both extreme hot and cold weather, protecting the meat from the heat of summer and from freezing in winter.

I send you a plan of the chill-room. The ice you will see is carried overhead, and a method provided of closing the access of the air in the room to the ice floor, so that the temperature can be controlled at will.

We have built in this city several such houses for the storage of butter, eggs, cheese, fruits, and meat, dividing the house into different rooms, where the articles can be held in a temperature most desirable and most suitable for preserving them the longest time, keeping eggs perfectly fresh for six or eight months, cheese and butter from nine to twelve months or longer, as desired, improving in their condition all the time.

The expense here for building such a chill-house 30 ft. square runs from £2,500 to £3,000, with capacity for 175 to 200 tons of ice. This quantity is only needed where a large business would be done, and the ice can better be put in during cold weather than to be obliged to replenish during the heated term.

As I told Mr. Barney, we are now building 100 cars for the Hat. Dispatch, which runs from Chicago to Boston, and by refrigerating rooms on steamships to Liverpool. The Central Vermont are also building cars for their local trade. The Chicago and North-western R.R. build fifty Tiffany cars to start with. The Denver and South Park, and a number of other roads I could mention, are now building our cars for their perishable freight business.

Our cars are the most economical in the consumption of ice, carrying the most even temperature of any, and the lightest and cheapest car to build, which repeated trials have demonstrated.

Yours truly,

CHAS. F. PIERCE,
Manager.

B 1.

Mr. E. J. Barney to Dr. E. H. Williams.

Dr. Williams,

St. Louis, Mo., 29 May, 1879.

We have built quite a number of these cars. In fact, the first ones made for Tiffany and Zimmerman (the two leading styles used in this country). They are running successfully on some of our prominent roads. The Tiffany Company have applied twice to us this spring, once for twenty and once for fifty. Our contracts with other Companies were such, and the prospects for more profitable work were such as to lead us to refuse to bid. Those we furnished in 1877 were very thoroughly built and much attention given to all the details. They paid us \$905 for each in Dayton.

There is so much wood-work about them that we hardly think it would justify the New South Wales Government to ship them complete; nor have we the time *this* year to build them, having refused during past sixty days more work than we could do in a year, the demand far exceeding anything in our experience. Our facilities for turning out iron-work having been doubled the past two years, will enable us to do more of this class of work than our erecting shops can take care of. This enables us to make the propositions we send herewith.

The cars in appearance are not different from those in general use. They weigh, when complete, with 33-in. cast wheels, master car-builders' axles (6 ft. 11½ in. long, journal 7 x 3¼, wheel gear 4½ in.), iron transoms, swing-beam truck, French's elliptic springs, 24,400 lbs. I enclose a cut showing cross section of the car. This gives an idea of its general construction. The principle upon which it is built we think rather better than the Zimmerman, although they have quite a demand for their cars also. The Erie and Pacific, who dispatch a fast freight train, applied to us in March for 200 of this pattern, and we refused to bid, because it would keep our carpenters at work double the length of time occupied in the iron departments.

We make our price on not less than twenty-five cars; if less should be ordered, price to be increased 10 per cent. We shall take great pleasure in giving special attention to all the parts of their work, and see that it leaves our works in the best of shape.

Yours truly,

E. J. BARNEY, Superintendent.

B 2.

Messrs. Barney and Smith Manufacturing Company, to The Commissioner for Railways, New South Wales.

Dayton, Ohio, U.S.A., 29 May, 1879.

WE will deliver in New York City, U.S.A., all the iron-work needed for twenty-five refrigerator cars of the Tiffany Patent, including hammered scrap axles, cast-iron chilled wheels, 33 in. diameter, bronze journal bearings, double elliptic steel springs, all bolts, washers, and screws, all sheet-iron work, piping, &c., needed to complete the car for use, boxed and marked, for the sum of six hundred and twenty dollars each (\$620), and \$50 each for royalty for use of the Patent.

With the above work complete working plans to be furnished in detail, and written directions for putting the work together.

BARNEY AND SMITH MANUFACTURING COMPANY,

(By E. J. BARNEY, Superintendent.)

C.

C.

REFRIGERATING APPARATUS AND COOLING ROOMS.

E. D. Nicolle, Esq., to The Chairman of the Glebe Island Abattoir Board of Inquiry.

Sir,

Whiteheath, near Wollongong, 23 July, 1879.

I beg to forward you enclosed answers to the questions referred in your letter of the 18th instant, and regret not being able to give you a full answer to the questions No. 12 and No. 16, not knowing the quantity of meat to be operated upon.

You will see by my answers that ice cannot successfully be applied in carrying out this great scheme, but dry cold air will afford simplicity with economy, and ensure success.

I remain, &c.,
E. D. NICOLLE.

C 1.

Answers.

1. The meat should be set hard by cold before being placed in the meat van; this cooling can be effected by the natural atmospheric temperature during the winter months, but in summer it will be necessary to provide artificial cold.
2. A meat-cooling room should be constructed in the form of a cube, or as near this geometrical figure as possible, in order to offer the least external surface to radiation, and to obtain the greatest amount of storage. The building should be composed of three walls, with an air space between each, of not less width than 6 inches. The ground floor should also be made on the same principle. All these structures should be made air-tight by cementing. No solar light should be admitted in the cold room, only artificial light. No doors or windows should be built in the side walls. One main entrance should be provided on the top floor of the cold room, fitted with hydraulic lifts, connected with a complete system of tranways. The cubic form of the cold room will allow the construction of several floors, which should be made of lattice work, and should not exceed the height necessary for the storage of meat, still allowing free access to it. By these arrangements the circulation of dry cold air will take place, and its diffusion will be perfect.
3. The meat should be placed in the meat-van at the temperature of 32° Fahrenheit. If this van be constructed on the same principle as the cooling-room there will be no need of refrigerators; the meat will travel safely under these conditions, namely, 32° Fahrenheit.
4. The meat-vans constructed for the Fresh Food and Ice Company may be inspected, but they are not intended to be used for the transport of meat without the assistance of ice. However, the construction of these vans will give an idea of upon what plan vans intended for the carrying of fresh meat, already cooled, should be made.
5. About 500 cwt. of ice per van will be sufficient.
6. Ice would become a very expensive item if sent from Sydney; first, on account of carriage; secondly, through the great waste which would be inevitable during a long transit. It would be cheaper to manufacture ice on the spot. But my opinion is that ice should not be used at all, only dry cold air will be sufficient, and would reduce the expenses at least 50 per cent.
7. The Fresh Food and Ice Company will give you the answer as to what price they would be willing to supply Government at per ton, and quantity.
8. As the quantity of ice required to carry on a supply of meat to this city would be so great if ice, as a means of cooling, were to be used, it would, under these conditions, be more economical to manufacture ice specially for the purpose.
9. The Fresh Food and Ice Company could tender and supply Government with ice, but they would have to enlarge their present works.
10. Ice could be sent anywhere in the interior, but the loss by waste during transit will be serious.
11. The cost of erecting a cooling-room in the interior will depend upon the number of tons of meat to be despatched per diem, and the dimensions of the building will be determined by that quantity.
12. Cannot answer this question, as it refers to quantity of material to be noted upon, which in the question is not named.
13. I do not think it would pay to buy occasionally ice to preserve fish when the supply exceeds the demand, but a fish market must inevitably be a department of perishable food, and should be placed under the same roof as meat cooling, where the expense of keeping the same would hardly be felt.
14. Butchers could easily provide themselves with ice chests at moderate price, and keep their surplus meat. Of course they would soon acquire the best way of using ice, or else they would find it expensive.
15. The consumption of ice increases with the facility of transmission, but distance increases the cost of the article in two ways by carriage and waste.
16. The cost of ice to customers would materially decrease by the increased demand, as the manufacturer would be able to depend upon a certain supply, and regulate his operations.
17. A temperature of 45° Fahrenheit would ensure the preservation of meat during fifteen days, providing the cooling air was made dry by the apparatus. The situation of the meat market should be near to the bay, where the refrigerating water could be had in abundance during the summer months, a question of vital importance, considering that it requires 40 tons of water to produce cold equivalent to 1 ton of ice. From the opinions I have formed on the matter I believe the refrigerating apparatus would have to be one of considerable power, requiring a large supply of water, and as sea-water answers well for that purpose the meat and fish market should be in proximity to the bay.

E. D. NICOLLE.

C 2.

E. D. Nicolle, Esq., to The Chairman of the Glebe Island Abattoir Board of Inquiry.

Sir,

Whiteheath, near Wollongong.

In reply to your letter of the 11th instant, referring to No. 11 question, namely:—Would it cost much to provide a cold meat store at Railway Station in the interior fit for receiving meat intended for Sydney?

Supplementary information, 11th August:—The quantity of meat to be dealt with per diem at 100 bodies, say 65,000lbs.

In the absence of working drawings and specification of quantities and material, which are necessary for arriving at a precise cost of buildings, I have computed the gross expense, which I think will give you a sufficiently near approximate of cost to enable you to consider the project, having reduced it to a practical form.

From my calculations I have arrived at the cooling power required to operate on the quantity of meat above named, taking the reduction of temperature of the meat to be from 80 degrees Fahrenheit to 32 degrees ditto, which reduction I consider will meet all demands.

This cooling apparatus should be equal in effect to the production of 10 tons of ice per diem; but to arrive at the prime cost of this machinery the system of apparatus should be first determined, as there are now a great many different systems in the field of artificial refrigeration which are more or less applicable to your project, affecting also the cost. To this point I have given full consideration, and as no actual freezing will be required, the work to be performed being comparatively light, consisting merely in producing a certain cubic quantity of dry cold air during a given time, I deemed it necessary to select as a bases for my estimate Messrs. Giffard and Berger's compressed air apparatus. I have seen this apparatus daily at work at the last Paris Exhibition during six months. I have investigated every organ, and although I am adverse to air machines for freezing I am in favour of this one to produce in a simple and direct manner dry cold air, which is all you need. I am aware that the consumption of fuel is greater in the compressed air system for producing cold than it is with our patent ammonia machine working at low pressure, but this apparent economy is insignificant when compared with the simplicity and direct manner by which dry cold air is obtained, and as this system involves only mechanical engineering knowledge I have given it the preference, considering it is to be erected in the interior.

It will be necessary to have the cooling apparatus made in duplicate so that in case of accident and occasional repairs the operations may not be interrupted; also, I would strongly recommend the use of smaller apparatus, working in pair, and made so as to be disconnected, instead of using ponderous large single apparatus, as in the former the time required to effect ordinary repairs is of short duration and less expensive. Besides the variation of temperature of the weather is met under more favourable conditions than in using a single large machine, as during hot winds it may be necessary sometimes to work three machines, whilst during southerly winds one may be sufficient.

From

From these bases I have made my estimate, and have arrived at the following sums :—Two coupled cooling apparatus as above-described, erected ready for work, £11,600; buildings constructed in accordance with plan for enlarging the meat-cooling store, to meet future requirements, including hydraulic lift, tramways, winches, shambles, £15,500—forming a total sum of £27,100 sterling.*
I remain, &c.,
E. D. NICOLLE.

C 3.

E. D. Nicolle, Esq., to The Chairman of the Glebe Island Abattoir Board of Inquiry.

Sir, Whiteheath, near Wollongong, 23 September, 1879.
In reply to your letter of the 12th instant, I beg to inform you that the estimate I have had the honor of submitting to you, referring to the establishment of refrigerating works in connection with the meat supply for Sydney, amount to the sum of twenty-seven thousand one hundred pounds sterling (£27,100.)

An estimate given under the present conditions can only be considered as an approximation of cost, but sufficiently near to assist you in your deliberations, although I believe the whole of this sum may not be required; still it is prudent to fix a sum which may not be exceeded.

With proper plans and specifications you can at a future time ascertain the absolute cost, as the expense of building and erecting a plant entirely depend on the appliances to be provided, but in order to ensure regular action and economy in the working of the business the first outlay should be taken into consideration only with ultimate accomplishment in view: for example, the cooling-rooms, if built of suitable material and properly designed, will economize 20 per cent. of the cold produced, and as cold is produced at the expense of fuel, labour, wear and tear of machinery, it is necessary, in order to secure commercial success, to admit nothing but first-class design, buildings, and machinery, and use nothing but suitable material.

The cooling-rooms in my estimate are calculated to deliver meat at the temperature of 32° Fahrenheit every 48 hours, which time I consider ought to be allowed to secure an even temperature throughout; for if the meat be only superficially cooled there would not be sufficient cold store in it to insure its safety during the travelling; therefore you will see at once that two separate refrigerating-rooms must be provided.

The quantity of meat given in your question is estimated at 100 bodies, or 65,000 lbs., can only refer to beef; but mutton is as necessary for the trade as beef is, and cooling-room capacity should be provided for. I have allowed room for 150 sheep; besides every Saturday will require double delivery, which extra quantity must be gradually accumulated during the week; this also requires storing capacity.

The next consideration is the handling of this quantity of meat, which with beef and mutton will reach over 45 tons. You will now see that such weight can only be dealt daily, but with perfect appliances, as 45 tons of cold meat will have to come out of the room whilst 45 tons of warm meat must be admitted, making the total weight 90 tons; but during this operation the cold can be profitably applied; it follows a natural consequence that the time occupied in discharging and charging the rooms should be shortened to the greatest extent possible, and unless the buildings are fitted with lifts, tramways, steam winches, and travelling shambles, made capable of extracting and storing the whole quantity in 3 hours, there would be a great risk of failure; besides the handling of such quantity of meat as 90 tons by hand labour would require a small army of labourers if it was to be done in three hours, and an adequate expense would be incurred, as these labourers could not be employed again until the next day. Again, the receiving-room at the Sydney Terminus must be faithfully built, and of a sufficient capacity to allow for extra demand, and be provided also with perfect steam gear for storing and delivering meat.

I have only allowed in my estimate one refrigerating-machine for maintaining this room at the temperature of 45° Fahrenheit, and have allowed a special compartment for storing 6 tons of fish.

From my past experience in this matter I feel convinced that my estimate is about correct, and that it would be imprudent to represent the expense under a smaller sum than the one above named. I cannot describe at length in a letter all the important details, which such undertaking necessitate such ventilating apparatus with temperature exchanger, lighting the rooms by electricity in order to avoid the introduction of deleterious gases, and reducing the source of heat to its minimum. All these details I have studied and provided for at the Fresh Food and Ice Company's establishment.

Hoping these informations will assist you in your deliberations, and enable you to consider and recommend the expenditure of a sufficient sum to provide for an establishment which will ensure success in this important undertaking,
I remain, &c.,
E. D. NICOLLE.

D.

[To Mr. H. B. Swan's Evidence.]

Cost connected with the blood and offal from beginning of January to the end of June, 1879.

	£	s.	d.
Officer, half salary.....	62	10	0
4 labourers for 155 days, at 7s. per day.....	217	0	0
1 " 70 " "	24	10	0
1 " 27 " "	9	9	0
Time	24	15	0
Chemicals	32	10	0
Chandlery, &c.	3	0	0
	£373	14	0

425 tons prepared. Cost of preparing per ton.....	0	17	7½
Revenue for 328 loads, at 2s. 6d. per load.....	41	0	0

Men for collecting offal and going to sea with punt, for half-year ending June, 1879.

	£	s.	d.
Officer, half salary.....	62	10	0
2 labourers, for loading and discharging punt at sea for 180 days, at 7s. 6d. per day.....	135	0	0
1 labourer, 156½ days, for collecting offal and manure, at 7s. per day	54	15	0
" 87 " " at 7s. per day	30	9	0
" 15 " " "	5	5	0
Hired horse and cart.....	16	0	0
The punt costs at the rate of £32 per month for towage.....	192	0	0
	£495	19	0

There are other sundries that I have not charge of. The blood would never have cost 5s. per ton if pipes had been laid, as I suggested, two years ago, to run all to one place. The plant that is being erected will not be complete until two large drying-pans are added to it and the other spare boiler that is on the ground. When they are added I shall be able to deal with it for years to come. The reason they are not added at present is to see if my plans are satisfactory.

Officer

*NOTE.—This estimate appears to the Board to be far in excess of what the real cost would be as estimated from the published prices of Messrs. Giffard and Berger's apparatus.

Officer charged with duty of coagulating blood, collecting offal, and general cleansing of the establishment in year 1877.
Salary divided equally between blood and offal.

The following shows the net cost of preparing blood per ton :—

	£	s.	d.
Officer, half salary.....	125	0	0
7 labourers for 290 days, at 7s. per day.....	710	10	0
Lime	96	0	0
Chemicals	84	0	0
Total.....	£1,015	10	0
996 tons prepared; cost per ton for preparing.....	1	0	4 $\frac{5}{8}$
Revenue for 730 loads, at 1s. per load	36	10	0
For year 1878.			
Officer, half salary.....	125	0	0
6 labourers for 288 days, at 7s. per day, and 1 labourer for 229 days, at 7s. per day	684	19	0
Lime	74	15	0
Chemicals	96	0	0
Total.....	£980	14	0
893 tons prepared; cost per ton for preparing.....	1	1	11 $\frac{5}{8}$
591 loads sold, at 1s. per load	29	11	0
32 loads sold, at 5s. „	8	0	0

D 1.

The useful and worthless parts of an Ox.
Live weight of ox—1,158 lbs.

	lbs.
Useful for food, &c.	
Ox (body beef).....	730
Hide	88
Tongue	9
Tail	3 $\frac{1}{2}$
Skirt	5 $\frac{1}{2}$
Liver and gall	14 $\frac{1}{2}$
Scrag.....	4
Paunch	29
Fat.....	37
Gut	11
Horns	3
Heart.....	7
	941 $\frac{1}{2}$
Not used as food.	
Head	43
Feet	28 $\frac{1}{2}$
Dung from paunch	74
Blood.....	48
Guts, waste	12
Waste pieces from dressing carcase	9
Melt	2 $\frac{1}{2}$
	217
	1,158

E.

[To John Stewart, Esq.'s, Evidence.]

ABATTOIRS.

(From the *Encyclopædia Britannica*, 9th Edition.)

ABATTOIR, from *abattre*, primarily signifies a slaughter-house proper, or place where animals are killed, as distinguished from *bougeries* and *étaux publics*, places where the dead meat is offered for sale. But the term is also employed to designate a complete meat market, of which the abattoir properly is merely part.

Perhaps the first indication of the existence of abattoirs may be found in the system which prevailed under the emperors in ancient Rome. A corporation or guild of butchers undoubtedly existed there, which delegated to its officers the duty of slaughtering the beasts required to supply the city with meat. The establishments requisite for this purpose were at first scattered about the various streets, but were eventually confined to one quarter, and formed the public meat market. This market in the time of Nero was one of the most imposing structures in the city, and some idea of its magnificence has been transmitted to us by a delineation of it preserved on an ancient coin. As the policy and customs of the Romans made themselves felt in Gaul, the Roman system of abattoirs, if it may be so called, was introduced there in an imperfect form. A clique of families in Paris long exercised the special function of catering for the public wants in respect of meat; but as the city increased in magnitude and population, the necessity of keeping slaughter-houses as much as possible apart from dwelling-houses became apparent. As early as the time of Charles IX. the attention of the French authorities was directed to the subject, as is testified by a decree passed on the 25th of February, 1567. But although the importance of the question was frequently recognized, no definite or decided step seems to have been taken to effect the contemplated reform until the time of Napoleon I. The evil had then reached a terribly aggravated form. Slaughter-houses abutted on many of the principal thoroughfares, the traffic was impeded by the constant arrival of foot-sore beasts, whose piteous cries pained the ear, and rivulets of blood were to be seen in the gutters of the public streets. The constant accumulation of putrid offal tainted the atmosphere, and the Seine was polluted by being used as a common receptacle for slaughter-house refuse. This condition of things could not be allowed to continue, and on the 9th of February, 1810, a decree was passed, authorizing the construction of abattoirs in the outskirts of Paris, and appointing a Commission, to which was committed the consideration of the entire question.

The result of the appointment of this Commission was the construction of the five existing abattoirs, which were formally opened for business on the 15th September, 1818. The Montmartre Abattoir occupies 8 $\frac{1}{2}$ English acres; Ménilmontant, 10 $\frac{1}{2}$ acres; Grenelle, 7 $\frac{1}{2}$; Du Roule, 5 $\frac{1}{2}$; and Villejuif, 5 $\frac{1}{2}$. The first two contain each 64 slaughter-houses and the same number of cattle-sheds; the third, 48; and each of the others, 32. The dimensions of each of the slaughter-houses is about 29 $\frac{1}{2}$ feet by 13. The general arrangement of the abattoirs will be understood from the plan of that of Ménilmontant.

The component parts of a French abattoir are—1. *Echandoirs*, which is the name given by the Paris butcher to the particular division allotted to him for the purpose of knocking down his beasts; 2. *Bougeries et bergeries*, the places set apart for animals waiting to be slaughtered, where the animals instead of being killed at once, after a long and distressing journey, when their blood is heated and their flesh inflamed, are allowed to cool and rest till the body is restored to its normal healthy condition

condition; 3. *Fondeurs*, or boiling down establishments; and 4. *Triperies*, which are buildings set apart for the cleaning of the tripe of bullocks, and the fat, heads, and tripe of sheep and calves. Besides these a Paris abattoir contains *logements des agens, magasins, réservoirs, voiries, lieux d'aisance, voates, remises et écuries, parcs aux bœufs, &c.*, and is provided with an abundant supply of water. All the abattoirs are under the control of the municipal authorities, and frequent inspections are made by persons regularly appointed for that purpose.

The abattoirs are situated within the barriers, each at a distance of about $1\frac{1}{4}$ mile from the heart of the city, in districts where human habitations are still comparatively few. There are two principal markets from which the abattoirs at Paris are supplied—the one at Poissy, about 13 miles to the north-west, and the other at Sceaux, about $5\frac{1}{2}$ miles to the south of the city. There are also two markets for cows and calves, namely, La Chapelle and Les Bernadins.

The Paris abattoirs were until recently the most perfect specimens of their class, and even now, although in some of their details that have been surpassed by the now Islington Meat Market, for their complete and compact arrangement they remain unrivalled.

The example set by Paris in this matter has been followed in a more or less modified form by most of the principal Continental towns, and the system of abattoirs has become almost universal in France.

The condition of London in this important sanitary respect was for a long period little more endurable than that of Paris before the adoption of its reformed system. Smithfield Market, situated in a very populous neighbourhood, continued till 1852 to be an abomination to the town and a standing reproach to its authorities. No fewer than 243,537 cattle and 1,455,249 sheep were sold there in 1852, to be afterwards slaughtered in the crowded courts and thoroughfares of the metropolis. But public opinion at length forced the Legislature to interfere, and the Corporation was compelled to abandon Smithfield Market, and to provide a substitute for it elsewhere.

The site selected was in the suburb of Islington, and the designs for the work were prepared by Mr. Bunning. The first stone was laid March 24, 1854, and the market was opened by Prince Albert, June 15, 1855. The Islington Market is undoubtedly the most perfect of its kind. It occupies a space of some 20 acres on the high land near the Pentonville prison, and is open to both native and foreign cattle, excepting beasts from foreign countries under quarantine.

In connection with the Islington cattle market are a few slaughter-houses, half of which were originally public, and half rented to private individuals; but at present they are all practically private, and the majority of the cattle sold are driven away and killed at private slaughter-houses. In this respect the London system differs from that of Paris; and it may be said for the former that the meat is less liable to be spoiled by being carted to a distance, and is therefore probably delivered in better condition; but the latter secures that great desideratum, the practical extinction of isolated slaughter-houses.

The Edinburgh abattoir, erected in 1851 by the Corporation, from designs prepared by Mr. David Cousin, the city architect, is the best as regards both construction and management in the United Kingdom. It occupies an area of four acres and a quarter, surrounded by a screen wall from which, along the greater part of its length, the buildings are separated by a considerable open space. Opposite the principal gateway is a double row of buildings extending in a straight line to about 376 feet in length, with a central roadway (marked AA in the annexed plan—See separate Appendix), 25 feet wide. There are three separate blocks of building on each side of the roadway, the central one being 140 feet in length, and the others 100 feet each—cross roads 18 feet wide separating the blocks. These ranges of building, as well as two smaller blocks that are placed transversely behind the eastern central block, are divided into compartments, numbering forty-two in all, and all arranged on the same plan. Next the roadway is the slaughtering-booth (BB), 18 feet by 24, and 20 feet in height, and behind this is a shed (CC), 18 feet by 22, where the cattle are kept before being slaughtered. All the cattle are driven into these sheds by a back entrance, through the small enclosed yards (DD). The large doors of the booths are hung by balance weights, and slide up and down, so as to present no obstruction either within the booth or outside. By a series of large ventilators along the roof, and by other contrivances, the slaughtering-booths are thoroughly ventilated. Great precautions have been used to keep rats out of the buildings. To effect this the booths are laid with thick well-dressed pavement, resting on a stratum of concrete 12 inches thick, and the walls, to the height of 7 feet, are formed of solid ashlar; the roadways, too, are laid with concrete, and cause-wayed with dressed whinstone pavement; and the drainage consists entirely of glazed earthenware tubes.

The ground on which the abattoir is built was previously connected with a distillery, and contains a well 100 feet deep (E), which, with the extensive system of tunnels attached to it, provides the establishment with an abundant supply of pure water. By means of a steam engine (F), introduced in 1872, the water is pumped up into a raised tank (G), whence it is distributed to the different booths and sheds, as well as for scouring the roadways and drains. The steam from the engine is utilized in heating water for the numerous cast-iron tanks required in the operations of cleansing and dressing the tripe (H), and pig slaughtering-house (I). By an ingenious arrangement of rotary brushes, driven by the steam-engine—the invention of Mr. Rutherford, the superintendent—the tripe is dressed in a superior manner, and at greatly less cost than by the tedious and troublesome method of hand-cleaning.

By the Edinburgh Slaughter-houses Act of 1850 the management is vested in the city authorities. Booths are let at a statutory rent of £8 each per annum, and in addition to this gate-dues are payable for every beast entering the establishment. The present rates for tenants of booths are 1½d. for an ox or cow, ¾d. for a calf or pig, and ¼d. for a sheep. Common booths are provided for butchers who are not tenants, on payment of double gate-dues. The city claims the blood, gut, and manure. The tripe and feet are dressed for the trade without extra charge.

The blood was formerly collected in large casks, and disposed of for manufacturing purposes. This necessitated the storage of it for several days, causing in warm weather a very offensive effluvia. It even happened at times, when there was little demand for the commodity, that the blood had to be sent down the drains. All nuisance is now avoided, and the amount received annually for the blood has risen from between £200 and £450 to from £800 to £1,200, by a contract into which Messrs. Smith and Forrest, of Manchester, have entered with the city authorities to take over the whole blood at a fixed price per beast. They have erected extensive premises and apparatus at their own cost for extracting from the blood the albumen, for which there is great demand in calico-printing, and for converting the clot into manure.

In connection with the establishment is a boiling-house, where all meat unfit for human food is boiled down and destroyed. The number of carcasses seized by the inspector and sent to the boiling-house during the five and a-half years ending with the close of 1872, amounted to 1,449, giving a weight of upwards of 400,000 pounds.

Before the erection of these buildings private slaughter-houses were scattered all over the city, often in the most populous districts, where, through want of drainage and imperfect ventilation, they contaminated the whole neighbourhood. Since the opening of the public abattoir all private slaughtering in the city, or within a mile of it, is strictly prohibited.

Few of the provincial towns in Great Britain have as yet followed the example of London and Edinburgh. In some instances improvements on the old system have been adopted; but Great Britain is still not only far behind her foreign neighbours in respect of abattoirs, but has even been excelled by some of her own dependencies. In America abattoirs are numerous, and at Calcutta and other towns in British India the meat markets present a very creditable appearance from their cleanliness and systematic arrangement.

[To Mr. Frederick Oatley's Evidence.]

F.

The Inspector of Abattoirs to The Secretary, Glebe Island Abattoir Board of Inquiry.

Sir,

Glebe Island Abattoir, 12 September, 1879.

I beg respectfully to suggest, for the consideration of the Board, the following alterations and improvements with respect to my Department.

1st. In lieu of No. 14 clause of the present Regulations I would propose the following:—"It shall be competent for the Inspector or Assistant-Inspector of the Abattoir to condemn diseased meat or such other as may be unfit for human food, and the owner thereof or person occupying the slaughter-house in which such meat be found shall forthwith remove or cause the same to be removed from the Abattoir and destroyed by fire or boiling down for the purpose only of extracting tallow. Any person or persons as aforesaid failing to comply therewith shall for every such offence forfeit and pay any sum not exceeding fifty pounds nor less than ten pounds."

1—K

2nd. The site formerly used for depositing the cattle manure having been chosen for the purpose of erecting the plant for desiccating the blood and offal, I would suggest that a receptacle be at once built for the deposit of the same, on the western side of the cattle lane on the hill, which would afford easy access. I believe if this were carried out, persons would come for it as fast as it was collected.

3rd. I would also suggest that a gutter be laid the entire length of the sheep and pig pens, with a view to catching the deposit that runs therefrom, which, at times of wet weather or flushing, flows over the road. If this were done it would greatly facilitate the collection of the muck and in keeping the place clean.

I have, &c.,
FRED. OATLEY,
Inspector.

P.S.—I forgot to mention that it would materially assist in keeping the sheep and pig pens in a cleanly state if they were asphalted.—F. O.

[To Alexander Bruce, Esq.'s, Evidence.]

G.

EARNINGS from Carriage of Live Stock on the New South Wales Railways, from 1858 to 1877.

Year.	Great South-Western Road.	Great Northern Road.	Total.
	£ s. d.	£ s. d.	£ s. d.
1858	75 17 2	10 8 8	86 5 10
1859	41 6 4	26 17 0	68 3 4
1860	101 5 1	37 19 8	139 4 9
1861	176 6 4	68 9 8	244 16 0
1862	72 17 4	95 13 6	168 10 10
1863	233 2 9	182 4 5	415 7 2
1864	744 11 9	421 9 4	1,166 1 1
1865	769 17 3	399 11 8	1,169 8 11
1866	708 7 3	227 15 11	936 3 2
1867	1,330 13 6	124 1 4	1,454 14 10
1868	2,935 4 4	155 18 8	3,091 3 0
1869	3,293 16 11	560 12 5	3,854 9 4
1870	5,232 7 5	961 19 5	6,194 6 10
1871	6,116 12 5	1,755 5 6	7,871 17 11
1872	5,635 3 11	2,623 10 1	8,258 14 0
1873	7,600 2 6	3,064 17 6	10,665 0 0
1874	8,412 8 9	3,357 7 10	11,769 16 7
1875	9,406 7 10	4,181 2 11	13,587 10 9
1876	14,223 2 0	5,609 5 0	19,832 7 0
1877	16,205 18 9	10,098 19 11	26,304 18 8

H.

GLEBE ISLAND ABATTOIRS

(RECEIPTS AND DISBURSEMENTS.)

Ordered by the Legislative Assembly to be printed, 24 July, 1879.

RETURN showing what sums of money have been expended annually in providing suitable accommodation for slaughtering cattle, &c., &c., the nature of the work on which expended, the total expenditure for work, the total expenditure for land, the working expenses since the Abattoirs were opened, and the total working expenses, the revenue derived each year from the Abattoirs since they were opened, and the total revenue derived from the Abattoirs since they were opened, to 31st December, 1878.

[See Parliamentary Paper.]

[Diagrams, &c.]

GLEBE ISLAND ABATTOIR INQUIRY.

SEPARATE APPENDIX H.

Information obtained through Captain Cargill, of the ss. "Australia," with regard to the Dead Meat trade of San Francisco.

THE first and principal portion of this information is a reprint to a large extent of a pamphlet published by the Western Refrigerator Car Company of San Francisco, which conducts the chief dead meat business in San Francisco; and it speaks for itself. To this has been added some additional particulars by Mr. A. T. Spotts, its president; and then there are some details given from a circular issued by the Western Shore Ice Company, with respect to the ice-making machine sold by them.

The California Fruit and Meat Shipping Company.—The meat branch of "The California Fruit and Meat Shipping Company" is now doing an active and prosperous business, at their Office and meat Refrigerator, No. 727 and 729, Fourth-st., S.F.

Object of the Company.—This company was organized for the purpose of introducing to the trade in particular, and to the public in general, a first-class article of beef, possessing all the essence and fine flavour that good mountain feed, water, and health always produce; and now people in moderate circumstances of life can enjoy, from the fine quality of beef furnished by this Company, as healthy and juicy steaks and roasts as can the wealthiest epicure.

Live stock transportation, and the hardship poor beasts undergo.—Great difficulty has always existed among wholesale butchers in getting cattle on the hoof to the San Francisco and other markets in proper condition of health. Ordinary modes of conveyance cause some to perish on the journey, leaving those that get through in such a diseased and feverish state as to be unfit for killing and for food.

Such cattle are driven a distance of 200 miles and upwards, to a shipping point; they have a scarcity of food and water throughout the entire distance, and are then placed in corrals, where they are crowded together; and are forced into a chute about 3 feet wide, and then loaded into cars provided by railroads. From sixteen to twenty animals are put into each box-car, giving an average of less than 2 feet of space in width to each animal. They are necessarily kept standing during the entire trip of 3 or 4 hundred miles by ordinary freight train; and if one or more fall, from exhaustion or other causes, they are trampled to death or terribly bruised, as it is almost impossible for them when once down to get up.

Cruelty to animals.—If cattle are taken out of the cars for rest, during a trip of three days or less, they have again to go through the hardships of "cruelty to animals," in loading and unloading, as they did in the first instance; and when they are delivered in San Francisco and other large cities for slaughter, they are, in consequence of so much crowding, feverish, full of sores, bruised, and are generally diseased.

A few days of rest, although expensive to wholesale butchers, help such animals as are lucky enough to escape the above-described bruises; but even during such rest the cattle are constantly reducing in weight, and consequently in quality.

How meat has heretofore been supplied.—At present almost all the meat consumed in large cities comes from a distance.

From the cars, on their arrival at the freight yard, they are driven by men and dogs to a slaughter-house, where they are killed, and the slaughtering is ordinarily done in the evening, and many families eat steaks for breakfast that were in a living animal at supper-time the night before. It begins to receive heat on the gridiron before it has parted with its animal heat. This haste is indulged in for various reasons. The quicker meat is sold after the animal is killed, the less will be the loss to the butcher in weight, from evaporation. The meat of animals that were bruised, or otherwise injured on cars, will present a better appearance if disposed of immediately, as the effects of the injuries received do not at once appear.

Its appearance under the microscope, and what we have had to eat.—Such meat presents a different appearance under the microscope, from the meat of animals that have been suddenly killed while in a state of repose, and just driven into a slaughter-house from their native pasture.

The meat cannot be preserved as long, and it emits a more disagreeable odour when decay begins. Hunters well know that the flesh of game that has been pursued by dogs cannot be long preserved. The like is true of the flesh of animals that have been caught in traps, where they suffer from pain and fright for many hours.

What this Company now propose to do.—The Meat Shipping Company propose to prove that they will continue to deliver to the San Francisco trade, according to the demand, the fat cattle raised in the State of Nevada, dressed to suit the market, and possessing, when delivered, the rich essence and flavour given to the meat by the nutritious grasses which that State produces.

Who the chief stockholders are, and where the cattle are slaughtered.—The stockholders, composed chiefly of stock-raisers in Nevada and California, possess their own ranches and pastures, and will have the necessary amount of cattle always on hand, ready to send in by slow and easy drives to the Company's corrals at Reno, Nevada, where they have a splendid refrigerator slaughter-house, which is admitted by all to be the finest and most complete that has ever been built on the Pacific Coast, the main building being 40 by 60 feet, and purposely designed and fitted up for killing and preparing cattle for the San Francisco and other markets. The slaughter-house and corrals are situated about three-quarters of a mile from Reno, directly on the railroad for about 1 mile, and an irrigating ditch runs in front of the slaughter-house, furnishing an abundance of pure running water for the use of the cattle.

Merits of the Company's refrigerator slaughter-house.—This refrigerator slaughter-house of the Company is so constructed as to allow a full-sized refrigerator railroad-car to run into the main building, so that meats can be loaded on from either side. The floor of the car stands on a level with the floor of the slaughter-house, making thereby everything convenient and insuring cleanliness in loading the cars with meat.

How the patent refrigerator car is managed.—The car is washed out and dried on the inside every trip before the ice receptacle is charged with about a ton of ice for the journey, and occasionally the car is fumigated before being loaded, by burning charcoal, to insure a pure atmosphere.

Slaughtering and quartering.—At the slaughter-house, cattle for slaughtering are quietly driven to the pens, and not excited, and are perfectly rested and at ease before being killed. When killed, the carcasses are allowed to cool well in the run before quartering and the muscles being contracted, the beef keeps its shape until cut up by retailers. They are handled with cleanliness, and care is taken not to score the hides.

Appearance of the refrigerated beef, and how the animal heat is extracted.—These precautions cause the beef to have a bright white colour, which adds to the value. The carcasses remain on the runs a few hours, and are then placed in a cooling room capable of holding a large number of dressed cattle, with a temperature of about 40 degrees Fahrenheit, where they remain from twenty-four to forty-eight hours before loading in the cars, which have been brought down by the previous icing to about the same temperature as the cooling-room.

How the cars are loaded.—Thirty-five neatly dressed cattle are moved from the slaughter-house, and are carefully swung from rods at the top of the "refrigerator car," and sometimes pieces of burling are passed between the quarters of beef to prevent chafing. This car with its contents is immediately forwarded to San Francisco without disturbance of any kind.

Nature of the refrigerator car.—It may be well to explain the nature of the "refrigerator car," as many people think that meat in it is frozen, which is most decidedly not the case.

By the use of ice placed at the top of the car in a patent V-shaped ice receptacle, and with the proper management of hot and cold air, agreeable to printed instructions pasted in each car, the temperature is reduced and kept at an average of from 40 to 45 degrees Fahrenheit for transporting dressed beef, and with the aid of a proper use of Chloride of Calcium as an absorbent of surplus moisture, and the naked ice for cooling purposes, a dry, cold air of about 40 to 45 degrees Fahrenheit is produced and maintained notwithstanding the thermometer on the outside of the car may mark 100 or over in summer, or may be far below zero in winter.

The patent car and house impervious to extreme heat or cold.—The car and refrigerator house have similar non-conductors, which make the preserving chamber impervious to the extreme heat or cold of the outside atmosphere, and use naked ice without salt, fan, or other chemical or mechanical means to produce natural cold, and both are built under the same patent.

Care is taken to preserve no lower temperature than is required to transport and preserve the article being handled, and especial pains is taken to keep the same temperature day after day, and guard against extraordinary fluctuations.

The meats placed in any of the cars or refrigerator-houses owned by the Meat Shipping Company, and built upon the patent of the W. R. Car Co. of San Francisco, will be warranted to keep fresh and perfectly sound, and on arrival of the cars containing the dressed meats at the Company's depôt, No. 727 and 729 Fourth-street, San Francisco, it will be switched by the Central Pacific on the private track laid by the Company in the rear of the meat refrigerator-house, and the contents, after being weighed, will be carried into the meat refrigerator building and hung up for sale to the trade.

Description of the building and patent that is applied to both cars and houses.—This building is 34 feet front by 87 feet deep, and with 14 feet between the stories. In front is the Company's office, and in the rear of the office is the refrigerator preserving chamber, built upon the patent of the Western Refrigerator Car Company of San Francisco. In this room all meat will be stored, and as it is the most interesting feature of the building, which is the first of its kind built on the Pacific coast, and every care has been observed to render it complete in all its appointments, it seems proper to describe it. The refrigerating chamber is in the main building and on the ground floor, but raised about 4 feet from the earth, and is 60 feet long by 25 feet wide, and 12 feet high. It is sheathed outside and inside the shell with $\frac{3}{4}$ tongued grooved boards, set in thick white lead, and filled in with 8 inches of sawdust on the sides and ends, and 12 inches on the top and bottom, and 1,500 sacks of sawdust, weighing 40 pounds each, were required to fill the shell.

On the inside sheathing were put three heavy coats of white paint, and next to that was fastened one thickness of felt paper, and then stripped with $\frac{1}{2}$ x 2 inches of wood, and covered with $\frac{1}{4}$ inch of straw board, leaving $\frac{1}{2}$ inch space for dead air chamber, and the whole was then lined on the top, ends, and sides with No. 28 galvanized iron, tongued, beat together, and soldered.

On the floor is asphaltum an inch thick. Inside the refrigerator-room, and properly secured to the top, are four airtight, V-shaped, patent ice-receptacles, made of No. 18 galvanized iron, and with a depth of about 2 $\frac{1}{2}$ feet, and an equal spread at the top, which are capable of holding considerable ice when packed, and which run the full length of the refrigerator preserving room. These receptacles owing to the gutter form prevent the water from the melting ice coming in contact with the sound ice in the receptacle and thus wasting same, for as it melts the water, being facilitated by the gutter form of the lower part of the receptacle, passes out through a pipe extending through the floor, and trapped at the lower end to prevent further waste of ice by the admission of air.

Advantages of this patent in countries where ice is expensive and scarce.—As great a benefit is thus obtained by this Company from 3 to 5 tons of ice on this patent principle, as is gained by certain refrigerator-houses in New York, Chicago, and St. Louis, which are not as large, and require from 50 to 80 tons of ice to charge them. Ice being expensive, however, in San Francisco, it is necessary to economize in this respect.

The drying pan or trough.—At the bottom of the V-shaped ice receptacle is placed a desiccating trough or pan of similar shape, and running the full length of the V receptacle, but only a few inches high, and leaving an intervening space of several inches.

This trough or pan has a waste pipe similar to the pipe connected with the V ice receptacle, to carry off all liquid. A layer of desiccating matter is placed in the V-shaped trough or pan, and as it deliquesces, gradually runs out in liquid form, and passes off through the pipe which is trapped at the lower end, as above mentioned. The solution used is evaporated with sufficient frequency to produce a continuous and uniform supply of desiccating material, which adds greatly to the Company being able to maintain a dry cold atmosphere in the refrigerator house and car, and a handkerchief rubbed on the galvanized iron remains perfectly dry. The troughs are also of galvanized iron.

The preserving chamber is provided with patent doors at either end of the house, one of which opens into the office and the other on the rear platform, where the meat will be received and delivered, after being weighed on the scales erected for that purpose. The doors are packed with the same non-conductor as the rest of the house, and have triple closing edges like those of an iron safe, fitted with weather strips, so that when the doors are closed and the patent screw-cap is applied to the thread of the longitudinal latch-bar, it draws the door and the jam so closely and firmly together that no particle of air can enter the preserving chamber, unless it is permitted to enter through the ventilators, which are only opened at the will of the superintendent and under his instructions and orders.

A "thermometer" with "hygrometer" attachment is hung up in the house and carefully watched, so as to enable the superintendent to maintain an even temperature and avoid an injurious degree of humidity which the "hygrometer" accurately indicates and enables him to counteract.

Ice.—Ice is first received from the cars, and placed in an which conveys it to the receiving ice-house on the second floor, which is 12 by 14 feet, and has a water-tight iron floor, and the patent V-shaped ice receptacles are fed from this house from time to time, as required, through the eighteen doors or scuttles opening into the V-shaped ice receptacles, which doors or scuttles are in the same floor as the receiving ice-house, and are fitted and made the same as the main doors to the preserving chamber, so that air is entirely excluded, and the ice, being entirely insulated, melts very slowly.

Where the meat is hung.—Inside the preserving chamber there are three rows of double shambles, with a spread of 18 inches, and fastened to the sides and ends is a half shamble, and all of them can be used at the same time for hanging beef or other dressed meat upon the galvanized iron hooks attached to the 2 x 6 beams that run almost the full length of the preserving chamber, and are grained in, bolted and fitted with 500 hooks, capable of swinging at one time 125 head of dressed beefs when quartered.

It is sold only to the trade at the ruling market rates, and delivered in the Company's four-horse wagon in any part of the city. On the second floor of the building there are five bed-rooms fitted up for the use of the officers and employés of the Company.

How long beef can be kept by the Company at 40 to 45 degrees Fahrenheit.—Several tests have been made as to the length of time the meat will remain fresh. On one occasion the meat, after being killed at Reno, was kept three days in the cooling room of the slaughter-house, and in the car in transit, and remained four weeks in the refrigerating chamber in San Francisco, where it was daily inspected by the butchers and visitors, and, after being taken out, was kept by the retail butcher who purchased the carcass two days before being cut up, making a total of over one month, and was then in perfect order, and there was not a particle of waste. Further tests show conclusively that the beef killed and handled by this process will keep on a butcher's stand longer before being retailed out than beef transported on the hoof and sold at Butchertown or at Oakland.

Some facts about transporting perishable articles by rail.—When railroads were first started in the United States, attempts were made to transport perishable articles in cars lined with sawdust, with boxes of ice in either end, or both ends, of the car, and from that time to date the successful carriage of perishable matter has been the study of inventors and business men, and much money has been expended in experimenting. It would seem, therefore, that public sentiment and enterprise has kept alive the desire to accomplish this great end.

Chief opponents of similar enterprises in Europe and America.—In the East, as well as in Europe, the chief opponents to this mode of a carrying business in the beef line are found among rings of live-stock commission merchants, and parties interested in the abattoirs in large cities, as also stock-yard owners, middle-men, and a large class who receive great benefit by the handling of the farmers' cattle, who, it would seem, have to pay for nearly every breath they draw.

Live-stock statistic of Chicago for 1876.—By examining the live-stock statistics it will be seen that in 1876 there were received at the stock-yards at Chicago about 1,100,745 cattle, 4,190,156 hogs, and 500,000 sheep; and in 1877 there were received about 1,032,855 cattle, and 4,026,000 hogs. At the rate of eighteen head of live cattle to a car, this would give about 60,000 car-loads every year, which, with a shrinkage of say \$50 a car—which is an acknowledged loss on the hoof on a run of say 400 or 500 miles—would amount to something like \$3,000,000, and if you double the distance you would more than double the loss.

To be added to this must be the feed at the several stations, the pay of the drovers, the loss by death, and other incidental expenses, all of which would swell the annual loss about double. If to this be added the loss in San Francisco and other large cattle points in the United States, as also the loss on calves, hogs, and sheep, some idea of the enormous waste to the people of the country in this branch of trade can be estimated.

Consumption of dressed meat in America.—The consumption of dressed meats by the people of this country is greater than any other, and no household feels their meat complete without meat. They are brought up to expect it. And since they will have, and make every sacrifice to get it, they should obtain it as cheap and as good as it is possible for it to be procured.

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In addition to the beef, sheep, and veal received from the Company's slaughter-house at Reno, there have been received and handled on commission several car-loads of dressed beef and one car-load of 385 head of sheep, slaughtered at Winnemucca, and further consignments will probably soon follow. The Company have regular customers in Oakland, Santa Cruz, San Rafael, San Mateo, &c., and forward carcass after carcass to their customers, who report that the meat is finer and arrives in better condition than that they have been in the habit of purchasing and receiving.

Already Eastern business communities accept the inevitable, and while the old method of supplying cattle in large markets cannot be overcome in a day, or perhaps in years, nevertheless rapid strides in favor of the great change are being made, and in Chicago, where refrigerator-cars first became popular, during 1877, there was handled 1,390,500 quarters of dressed beef, 208,000 veal, and 166,500 mutton and lambs, as also a large quantity of dressed hogs. The following shows the average rates in the Chicago and San Francisco markets respectively:—

Prices for dressed Beef during 1877.

CHICAGO.			
	JAN. 2ND.	FEB. 1ST.	MAR. 1ST.
Good	6 to 6½	6 to 6½	6½ to 6¾
Medium	5 to 5½	5 to 5½	5½ to 6
Canning	4½ to 5¼	4½ to 5¼	4½ to 5¼
APRIL 1ST.			
MAY 1ST.			
JUNE 1ST.			
Good	6½ to 7	6½ to 6¾	6½ to 7
Medium	5½ to 6	5½ to 6	5½ to 6
Canning	5 to 5½	5½ to 5½	5 to 5½
JULY 1ST.			
AUG. 1ST.			
SEPT. 1ST.			
Good	6 to 6¾	5½ to 6	5½ to 6
Medium	5½ to 6	4½ to 5¼	4 to 4¾
Canning	4½ to 5¼	3½ to 4	3½ to 4
OCT. 1ST.			
NOV. 1ST.			
DEC. 1ST.			
Good	4½ to 5½	5½ to 6½	5½ to 6
Medium	4 to 4½	3½ to 4½	3½ to 4½
Canning	2½ to 3½	2½ to 3½	2½ to 3

SAN FRANCISCO.

(From the "San Francisco Prices Current," No. 508 Clay-st.)

	JAN. 13TH.	FEB. 10TH.	MAR. 17TH.
1st quality.....	6 to 7	7 to 8	6 to 7½
2nd ,,	4 to 5½	5 to 5½	4½ to 5½
3rd ,,	2½ to 4	3½ to 4½	3 to 4
APR. 14TH.			
MAY 12TH.			
JUNE 16TH.			
1st quality.....	7 to 8½	6 to 7	6 to 7
2nd ,,	4 to 6	4 to 4½	4 to 5½
3rd ,,	3 to 4	3 to 3½	2 to 3
JULY 14TH.			
AUG. 18TH.			
SEPT. 15TH.			
1st quality.....	6 to 7	5½ to 6½	5½ to 6
2nd ,,	4 to 5	4 to 5	4 to 5
3rd ,,	2½ to 3½	3 to 4	2½ to 3
OCT. 13TH.			
NOV. 17TH.			
DEC. 15TH.			
1st quality.....	5 to 5½	5 to 6	6 to 6½
2nd ,,	4 to 4½	4½ to 5	5 to 5½
3rd ,,	2½ to 3	3 to 3½	3 to 4½

HINTS TO SHIPPERS.

Dressed Beef—Chicago and San Francisco.

1st. Cattle for slaughtering should be quietly driven to the pens and not excited; let them rest well before killing; in this way the beef will be a bright white colour, which adds from 25 to 50 cents per hundred pounds on the sale.

2nd. Handle the carcass with cleanliness; don't score the hides. Bad scored and cut hides sell at two-thirds price. In taking out the tongue leave the entire root on, and make it as large as possible.

3rd. Split carefully, and crack the back-bone on fore-quarter. Let the carcass cool well on the run before ribbing or quartering; hence the muscles will be contracted, and when quartered the beef will keep its shape until cut up.

4th. For Chicago market, in ribbing and quartering, leave the short rib on hind quarter and cut slanting; hence the beef will have the appearance of good thickness, and if kept cool, a nice shape.

For San Francisco and New York market leave all the ribs on fore quarter and balance same as Chicago.

5th. It has been supposed that the carcass has stood four hours at least on the runs, and then twenty-four in the cooling-room (of course at certain seasons and in certain latitudes no cooling-rooms are required, but extraordinary care should always be taken not to let any meat freeze) and is ready for loading; that the car has been washed and cleaned out. In handling don't muss the beef. Put fore quarters on the outside rods in car with ribs facing out, and slide hind quarters between, on the middle rods, and number each bullock and quarter with tags, packing it in as close as possible, so as to prevent swinging and chafing. It is cleaner and more economical to use common rope in hanging. In making the hole in fore-quarter to slip the rope through, use some round, sharp instrument; don't slash it with a knife; by this a good purchase is obtained and the beef retains its shape.

Directions for the management of the cars built on the Patent of the Western Refrigerator Car Company of San Francisco.

—1st. Keep the car clean by washing thoroughly and then drying the inside before icing up for a load of perishable merchandise, and by occasional fumigation by burning charcoal and sprinkling a little sugar on same. Examine the waste pipes inside the car, and if either have been injured repair any leak before loading; and in loading the car with beef be particular to see that it swings clear off each waste pipe. See that the small stop-cocks connected with the drying or drip-trough are both shut off.

2nd. Raise the end hatchways on top of the car, just before the car leaves with a load, and if there is any water in the ice receptacle caused by the drain-pipe clogging, clear the waste pipes, to be found at each end of the car in the receptacle. In icing the car, put about a ton of ice in the receptacle for the trip, but in warm weather pack the ice closely in the receptacles, crowding well up at the sides and fitting the chunks well with small pieces. In hot weather it is well to fill the receptacles at least five hours before loading the car. This is unnecessary in loading in a cold climate. Wash or brush off all sawdust or dirt from the ice before putting it in the ice receptacle.

3rd. Beef should remain on the runs about four hours, and should be in a cooling chamber for about 24 to 48 hours before loading in the car. Cooling-rooms should not be at a higher temperature than 40 to 42, nor should the car be at a colder temperature than this when being loaded with beef or when the doors are closed and tightly screwed up. No sunshine or rain should be permitted to fall on beef when loading the car. It is best to load at a time of day when the air is clear and pure, and permit as little warm air as possible to blow against the colder galvanized iron inside of the car when putting in the beef, as it condenses on the iron and causes a sweating until the car is closed up, when of course it stops, but leaves the moisture that has accumulated inside the car to be absorbed by the calcium. The less moisture there is, the better for the load.

4th. A thermometer may be placed inside the car, and pork can be best transported at a temperature of 38 to 40; beef at a temperature of 40 to 45; fruit and vegetables 45 to 50.

5th. When the ice is put in on the first trip, place in the drying-pan under the large ice receptacle about 40 lbs. of chloride of calcium in pieces about as large as a man's fist. This quantity will last several trips, and can be kept up from time to time as it deliquesces.

Pioneer load sent from Nevada to the East, and the cattle resources of the Great Buffalo Ranges.—In one of those refrigerator-cars of the W. R. Car Co. of S. F., the pioneer and experimental load of dressed meat was shipped from Nevada to Chicago, where it arrived sweet and sound more than ten days from the day it was started. And should beef ever be scarce

on the Pacific Coast, from drought, or other causes, this meat company could carry on business in San Francisco by loading its cars as far east as the "Platte Valley," on the Union Pacific, where cattle can be kept all the year without hay, and where the buffalo grass affords the rich nutriment that produces fat, and renders cattle ready for market without grain. The hand of the Almighty has placed its ineffaceable mark upon all this vast region of country as His pasture-ground—adapted, so far as is known, to no other purpose.

Millions of buffalos, and why not millions of beeves?—Millions of buffalos have ranged over these bleak and desolate-looking plains for ages past, and from the short grass, which grows in abundance, have derived a rich sustenance.

They have gone, or are fast going, and the necessities of the civilization which follows calls for beef. Truly they are the Almighty's pasture-grounds, and if there are not a thousand cattle upon a hill, there will surely be "cattle upon a thousand hills." If the buffalos have lived in this country year after year during the flight of centuries, without hay, why cannot cattle do likewise?

Extent of the grazing country of the Plains.—The stock-grazing region referred to comprises all the country west of the 100th meridian of longitude, beyond the base of the Rocky Mountains, and the elevated plateaus, or great parks, lying between the extreme eastern and western ranges of the same mountains; while the extent north and south reaches from the Gulf of Mexico to the northern boundary-line of the United States. The famous buffalo grass in this region covers the plain northward, southward, and westward. It gives the country a dried look, and the very appearance of sterility and desolation, yet it is the richest grass ever known in the world. This buffalo grass is rarely over 2 or 3 inches in height, and its seed is produced on flowers, almost covered by leaves, close to the ground.

It grows in little tufts, broad and dense, and is exceedingly rich and sweet, having no less than 36-10 per cent. of saccharine matter. When making its first growth in the spring it is green, then dries on the stem, and remains the rest of the year like cured hay in the open ground, retaining all its sweetness. Without an exception, stock of all descriptions will forsake all other kinds of grass until all the buffalo grass within reach has been consumed. It can be safely asserted that the supply of cattle in the old buffalo ranges of Wyoming, Colorado, Nebraska, Kansas, Oregon, Idaho, and Nevada is inexhaustible.

Success of the refrigerator-car and dressed meat transportation to Europe.—As to the success of carrying dressed meats in these refrigerator cars and chambers there is now no question.

Fully 10,000 quarters of beef, weighing about 180lbs. each, now leave New York and Philadelphia weekly in refrigerator chambers built on similar principles. This meat arrives in Great Britain sweet and sound, at least two weeks or more after being killed. The Coad Storage Wharf (limited) of London, which has an area of 220,000 superficial feet, divided into twelve compartments, and fitted up at an expense of £8,000, with Mr. D. Tolleran as manager, with a capital of £100,000, and the Fresh and Preserved Meat Company (limited) of London, Mr. James Bruce, manager, with £150,000 sterling capital, invite consignments of fresh beef, pork, mutton, game, poultry, eggs, butter and cheese, fruit, shell-fish, &c., which will be sold in their various departments.

American refrigerated beef in Old England, and what is thought of it.—As to how American refrigerated beef is received in London, a correspondent of a Western paper writes:

"Since arriving, I have endeavoured to gather information upon the subject from various sources, both of vendors and consumers. Of the former class, numbers are selling it as prime English and Scotch beef. Many that I have spoken to upon the subject have told me that they have purchased the American meat, believing at the same time that they were purchasing home-raised and fed meats. Others, again, have told me that they knew they were buying American meat, and speak in the very highest terms of it, and say that should the quality remain as good as at present they will purchase none other. To all whom I have spoken upon the subject—and I have spoken to very many—I have not heard one of them speak otherwise of it than in the most favourable terms. I think it speaks for itself when every day we hear that the demand is increasing and must increase immensely. Most of the large provincial towns are preparing large refrigerator-houses for the reception of American meats."

What the "Daily London Telegraph" says, and the opinion of English Scientists.—From the "London Telegraph" we learn that recently Professor Sheldon, of the Royal Agricultural Society, made a report to the Association, and says that the import of meat to England from New York and Philadelphia began in October, 1875, with a total receipt for that month of 36,000 pounds, and went on increasing until in April, 1877, when the import reached the large quantity of 8,578,216 pounds from New York and Philadelphia during that month alone, and his conclusions were favourable, not only to the maintenance but the definite expansion of the trade, which he says has passed the stage of experiment.

Statistics are given to show that, in 1876, New York, Philadelphia, and Portland exported 19,990,895 pounds of fresh meat to Europe. The past year Boston was added to the list, and the results of that and the increase at the other ports are that the total exports for 1877 have exceeded 100,000,000 lbs., at a cost of over \$11,000,000.

Why not?—Why ought not all the Nevada cattle, and the fat beeves from the old buffalo ranges of Nevada, Oregon, and Idaho, which are driven to the Central Pacific Railroad for shipment to San Francisco and other cities, be slaughtered at Reno, and sent in sweet and clean "refrigerator-cars" to this market as well as the East? Would not the meat be sweeter, tenderer, and more wholesome than if the animal had been bruised, prodded, and punctured, and heated in a stock car for two or three days, or a week, on their way to market. Why not save the acknowledged shrinkage of from 40 to 80 pounds upon every head of cattle caused by a trip on the hoof, and the freight of hides and tallow and refuse, by having the cattle killed at Reno, where the atmosphere is always purified by the mountain air?

The question of price to regulate itself.—The question of price will regulate itself, but consumers must be convinced that refrigerated meat, in a sanitary point of view, and the cruelty to animals while in transit, or in any light you may look at it, is by far the best for consumption, and should be preferred, when obtainable, over the other. Daily telegrams from the East, and from Europe, published in the newspapers, show that dressed meat is transported in fine order, to England, in Ocean steamers, and that the same thing is being done by rail to Chicago, New York, and Boston; and now that San Francisco has fallen into line, and proved that what was supposed to be an experiment is an assured success, other cities on the Pacific Coast will now only await the verdict of the producer and consumer.

In the near future we predict that all large cities will be for ever rid of cattle rings and slaughter-house nuisances, which have always been an incubus to all prosperous communities.

A chilling-house to contain 500 bodies of beef should, Mr. Spotts says, be 60 feet long, 30 feet wide, and 14 feet high. *The refrigerator-car* used in California is, he says, 30 feet long, 6 feet wide, and 6 feet high, and costs from \$1,000 to \$2,000. This car, unloaded, weighs from 24,000 to 30,000 lbs., and holds from 10 to 12 tons of meat or 35 bodies of beef.

The principal dead meat trade in California is that from Reno in the upland or mountainous country to San Francisco, and the distance is about 300 miles.

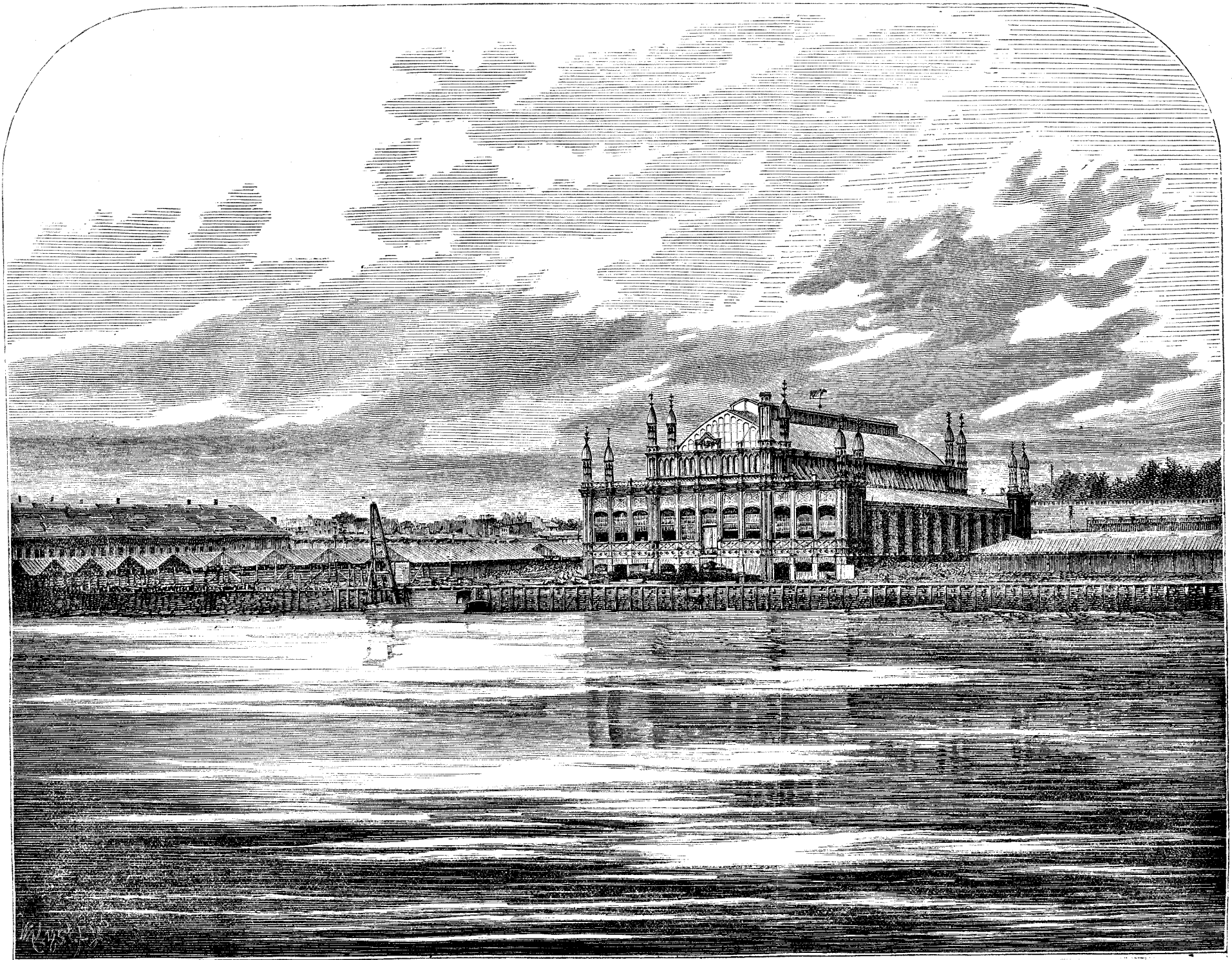
On that length of journey, and with the temperature at 90° in the shade, 1,500 to 2,000 lbs. of ice will be sufficient for the journey, and will leave enough to cool the store where the meat is to be kept. The average temperature at Reno is about 55°. Natural ice is used; and that can be collected and stored most economically in the neighbourhood. Here the circumstances would be reversed. Ice can be made more cheaply at the seaboard than in the country. Besides it is believed that cold sufficient for working a chilling-house will be obtained much more cheaply and easily by the Bell and Coleman process than by ice—at any rate, at all the stores and depôts where the meat is killed and kept for sale; and that ice will not be used except when required for cooling the railway meat-vans, which it is hoped will be very seldom even from the most outlying railway stations; for it is believed that if the meat be set and cooled to a temperature of 45°, placed in properly constructed non-conducting meat vans, and carried to Sydney during the afternoon and night, it will reach its destination sound and in good order without any ice at all.

Mr. Spotts then says that *if there is any secret in the business it is simply in thoroughly chilling the beef and getting all animal heat out of it before loading it in the cars.* If this is done he guarantees their car will carry it for two or three weeks. The farthest they have shipped regularly is from Salt Lake to San Francisco, about 1,000 miles. One car went from Winnemucca to Chicago, about 2,000 miles, and delivered the beef in good order, but net results did not do.

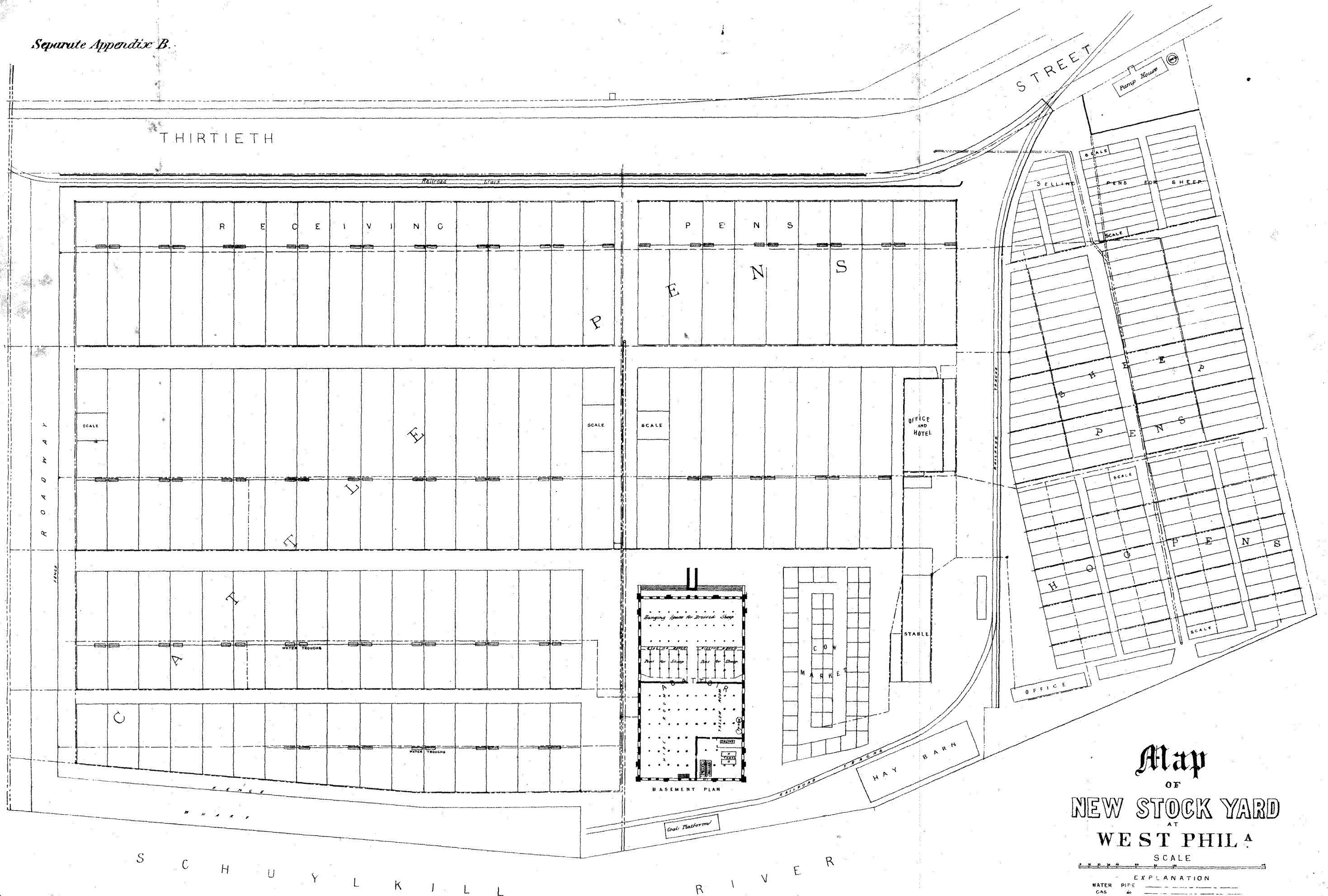
With regard to ice-making machines, Mr. H. Stephenson, the president of the Western Shore Ice Company, San Francisco, says that an ice-making machine manufactured by H. J. West, of London, and sold by his company, capable of making 1 ton of ice at a time, will do so at a cost not exceeding *one quarter of a cent. per lb.*, or £1 3s. 4d. per ton, while a larger machine by the same makers, fit to turn out 20 tons, will make ice at a cost of *one-twentieth of a cent. per lb.*, that is about 5s. per ton.

The cost of the large machine is not given; that of the 1-ton capacity is quoted at \$4,000, in San Francisco, and a 2-ton machine, at \$6,500.

SEPARATE APPENDIX A.—(PHILADELPHIA ABATTOIR.)



Separate Appendix B.



Map
OF
NEW STOCK YARD
AT
WEST PHILA
SCALE

EXPLANATION

WATER	PIPE	---
GAS	LAMP	•
SEWER		---

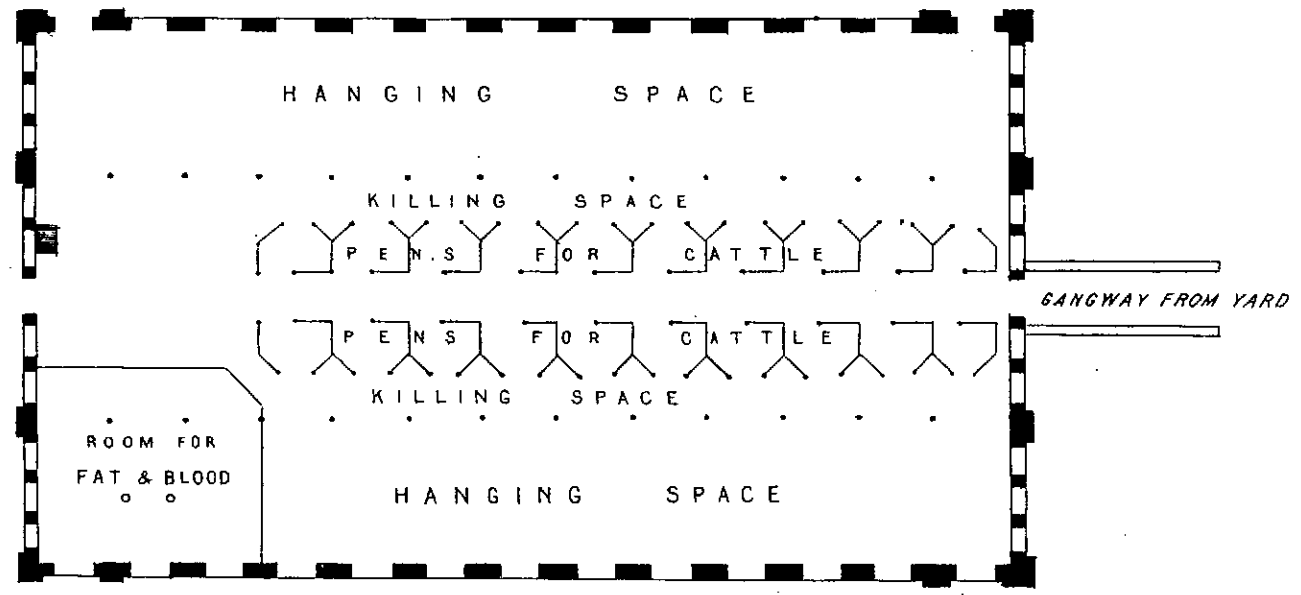
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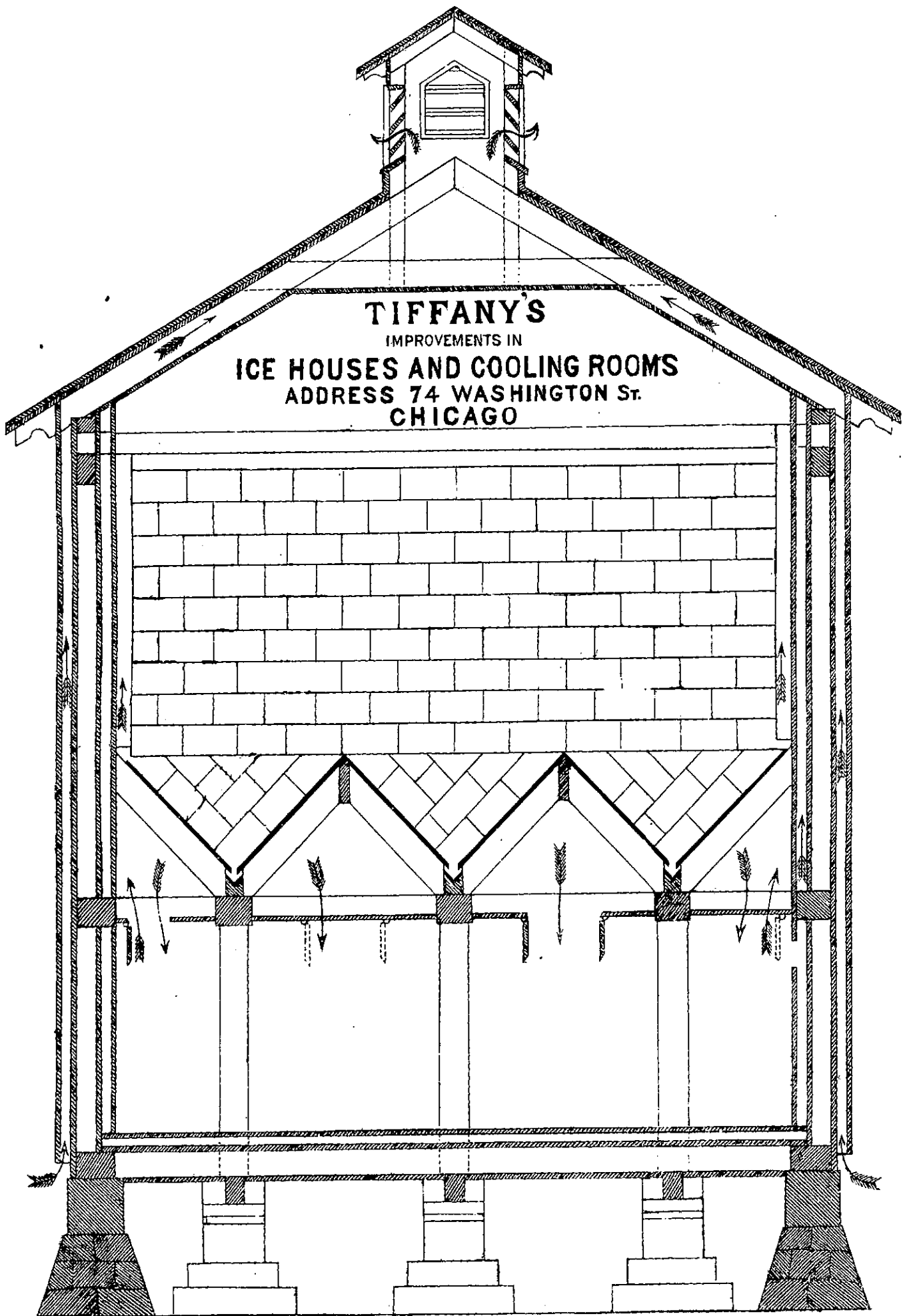
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Separate Appendix C

FIRST FLOOR PLAN





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Separate Appendix E.

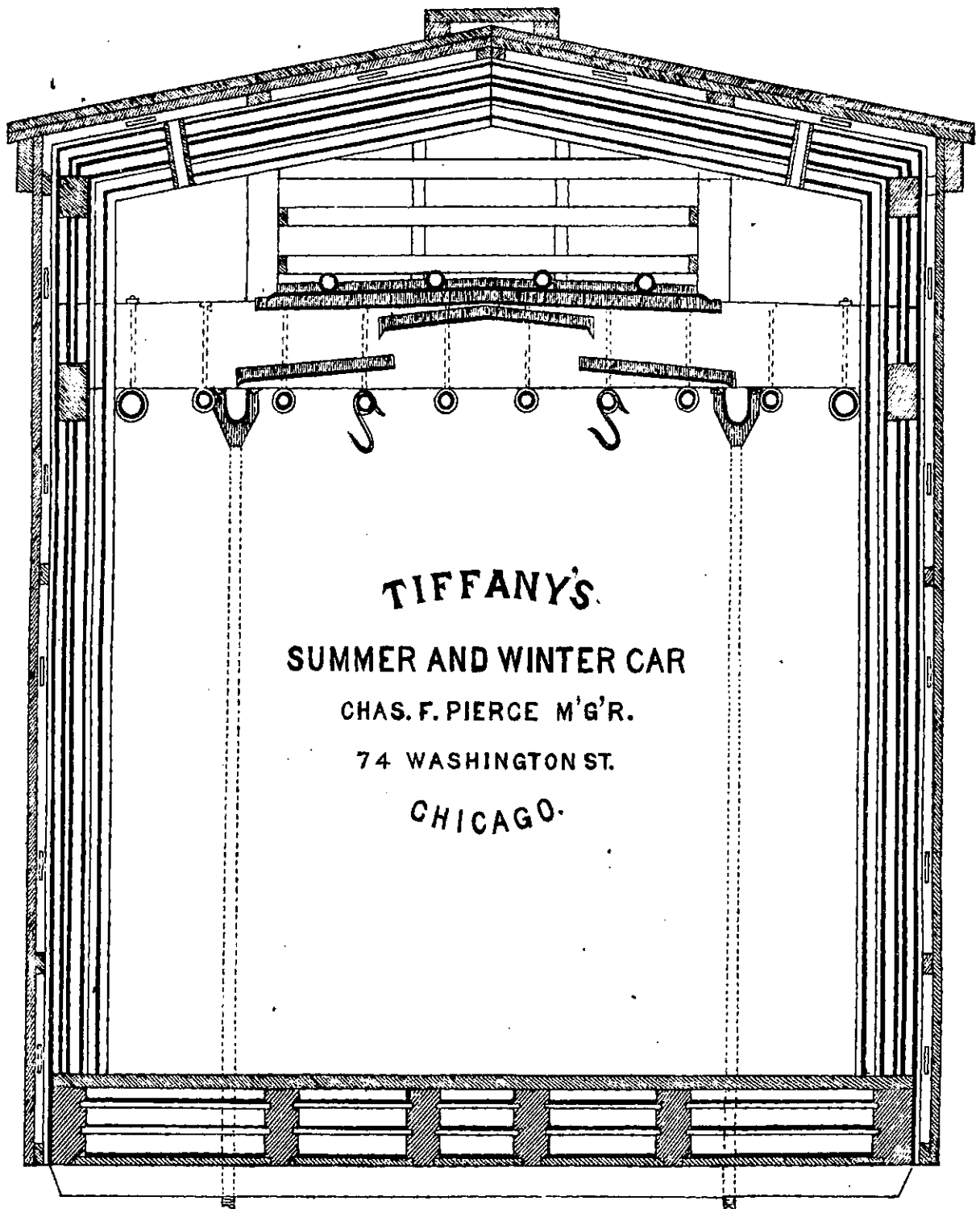
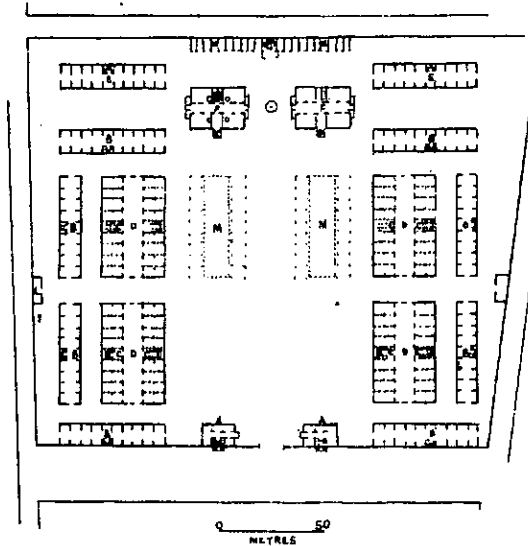


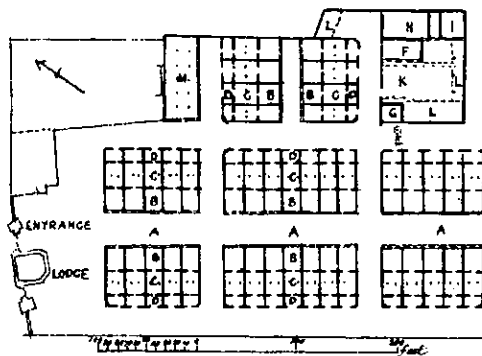
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SYDNEY, NEW SOUTH WALES.

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1. Menilmontant Abattoir.

- | | |
|--------------------------|---------------------------------|
| A Residence of Officials | G Steam Engines |
| B Sheep and Cattle Sheds | H Stable with Water Tanks above |
| C Slaughter Houses | I Drury Pits |
| D Taries to do. | L Privies |
| E Stores | M Linnets for Cattle |
| F Tallow-rolling Houses | |



2. Edinburgh Slaughter-Houses

- | | |
|-----------------------|-----------------------------------|
| A Central Roadway | G Raised Water Tank |
| B Slaughtering Booths | H Tripory |
| C Cattle Sheds | I Pig-Slaughtering House |
| D Enclosed Yards | K Court for Cattle |
| E Well | L Sheds |
| F Steam Engine | M Blood House now Albumen Factory |

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
 SYDNEY, NEW SOUTH WALES.

(Sig. 1)

Separate Appendix G.

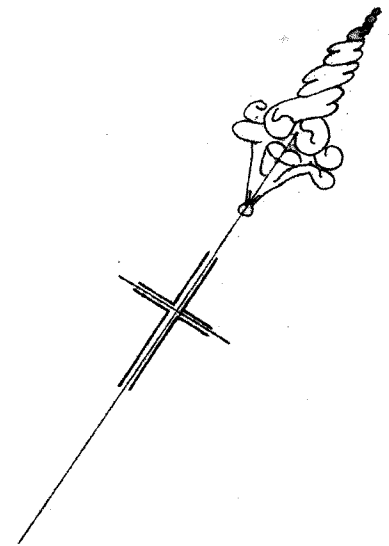
— TRACING —

— OF —

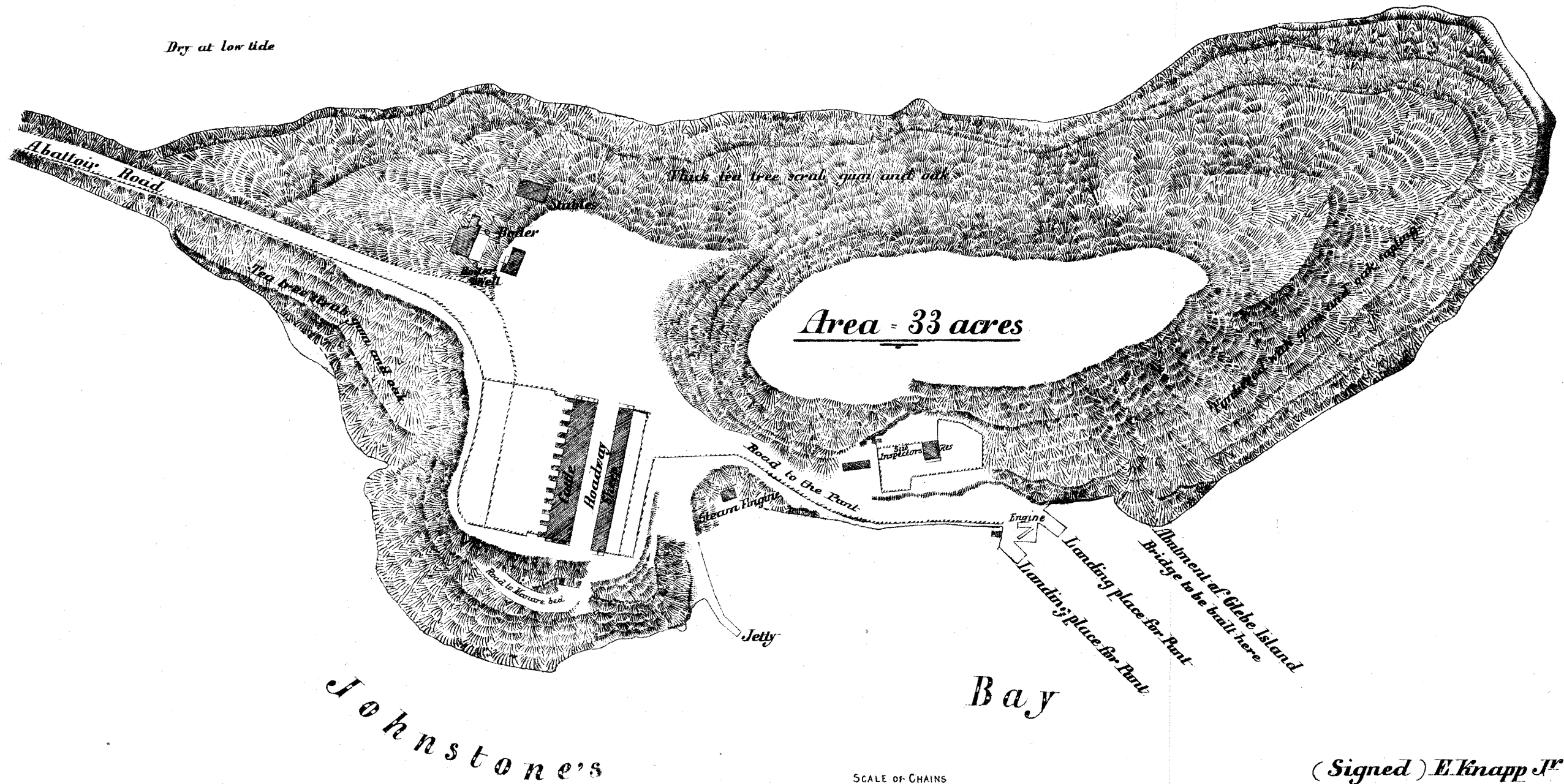
GLEBE ISLAND

— Shewing the Abattoirs and Improvements —

White Bay



Dry at low tide



(Signed) E. Knapp Jr.
L. S.

(Sig. 1)

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

1879.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

GLEBE ISLAND ABATTOIRS.

(AMENDED ORDERS AND REGULATIONS.)

*Ordered by the Legislative Assembly to be printed, 9 December, 1879.*The Treasury, New South Wales,
25th November, 1879.

PUBLIC ABATTOIRS, GLEBE ISLAND.

His Excellency the Governor having been pleased, with the advice of the Executive Council, further to amend the "Orders and Regulations" concerning the Public Abattoirs at Glebe Island, as published in Treasury notice of 17th December, 1877, it is hereby notified that in lieu thereof the following shall be enforced, from and after the first day of January, 1880.

JAMES WATSON.

ORDERS AND REGULATIONS.

1. The Abattoir shall be opened daily (Sundays excepted) for the despatch of business, from the 1st October to the 31st March, from the hours of 5 o'clock a.m. to 7 o'clock p.m. (except on Mondays and Saturdays, on which days the Abattoir will be opened from 2 o'clock a.m. to 7 o'clock p.m.), and from the 1st April to the 30th September, from 6 o'clock a.m. to 6 o'clock p.m. (Fridays excepted, on which day the Abattoir will be open from 6 o'clock a.m. to 7 o'clock p.m.); and no slaughtering of cattle will be permitted during any other hour or day than the days and hours above mentioned, nor shall any person be allowed to come within or remain in the inclosures of the Abattoirs at such times as they are not open for business. Pigs, however, may be slaughtered and dressed at the Abattoir during the whole of Friday nights, between the 1st November and the 1st March in any year. During Sunday it will be permitted to drive in and yard cattle.

2. The slaughter-houses shall, with the exception of six beef and six mutton slaughter-houses, be retained in the hands of the Government, for the use of persons slaughtering therein.

3. Six beef and six mutton slaughter-houses shall be submitted to public competition, by lease, at an upset price of £200 per annum for the beef, and £125 per annum for the mutton, slaughter-houses.

4. An inspection fee of threepence per head shall be charged upon every head of cattle slaughtered in the leased houses.

5. Parties desirous of using the slaughter-houses reserved by the Government shall be permitted to do so on payment of the following fees:—

	s.	d.
For every ox, cow, bull, heifer, or steer (including an inspection fee of 3d.)	1	0
For every calf (including an inspection fee)	0	6
For every sheep or lamb	0	1½
For every head of swine	0	6

6. All fees shall be paid to the Inspector or Assistant Inspector of Abattoirs on demand, who shall pay the same into the Colonial Treasury, under such directions as he or they shall from time to time receive from the Secretary for Finance and Trade.

7. Printed receipts shall be given to all parties paying fees.

8. No person shall slaughter or yard any animal at the reserved Abattoirs, without the sanction of the Inspector or Assistant Inspector.

9. The hours during which cattle may be driven in and yarded for slaughter shall be from 5 a.m. to 8 a.m. between the 1st October and 31st March, and from 6 a.m. to 8 a.m. between the 1st April and 30th September, in each year; and cattle shall in all cases be inspected before slaughter. Milch cows and stall-fed cattle may be driven in between the hours of 2 and 4 p.m.

10. In all cases where cattle are brought to the Abattoirs in curts to be killed or dressed, notice shall be given to the Inspector or Assistant Inspector before such cattle are killed or dressed, and the hours for killing and dressing the same shall be from 9 a.m. to 4 p.m.

11. Any cattle brought to the Abattoir for slaughter which appear to the Inspector or Assistant Inspector to be diseased, shall not be slaughtered without either of their sanction, and at such times only as either of them may direct. In all such cases the owner of the same or the occupier of the slaughter-house shall be held liable for any such offence.

12. No person or persons shall slaughter, or cause to be slaughtered, any cattle in any of the pens connected with the Abattoir without the sanction of the Inspector or Assistant Inspector. In all such cases the owner thereof or persons occupying the slaughter-house, shall be held liable for any such offence.

13. Should any animal die while in the cattle-pens connected with the Abattoir, the owner of the same, or person occupying the cattle-pen at such time, shall immediately remove the whole carcass from the island, and destroy the same forthwith.

14. All animals on which fees are chargeable shall be reported to the Inspector or Assistant Inspector of Abattoirs, at his office without delay, and the fees paid forthwith.

15. Sheep and cattle will not be permitted to remain in the Abattoir-pens for more than forty-eight hours from the time of being brought in.

16.

16. No lessee or occupier of any slaughter-house connected with the Abattoir shall expose for sale diseased meat or any other which the Inspector or Assistant Inspector may have condemned; and any such lessee or occupier shall, when ordered to do so by the Inspectors aforesaid, immediately remove such meat from the Abattoir and cause the same to be destroyed by fire or boiled down for the purpose only of extracting tallow. Any such lessee or occupier failing to comply with any of these conditions shall forfeit and pay a sum not exceeding five pounds. The Inspector or Assistant Inspector is hereby empowered, in the event of non-compliance with the removal of the said meat, to destroy the same at the cost of such lessee or occupier.

17. The lessee or occupier of any slaughter-house shall thoroughly cleanse the same, to the satisfaction of the Inspector or Assistant Inspector, immediately after slaughtering has been carried on, and with respect to the offal and blood, may select and shall immediately remove each day, at such time during the day as may be appointed by the Inspector or Assistant Inspector for the purpose, such portions, not being the whole of such offal and blood, as the said lessee or occupier may require for disposal for human food, and failing such removal, at the time so appointed, the whole of such offal and blood may be removed by the Government.

18. The premises attached to, and the roadways in front and rear of each slaughter-house shall be kept clean by the lessee or person occupying or using the same, to the satisfaction of the Inspector or Assistant Inspector of Abattoirs.

19. The lessees of Abattoirs in which sheep or pigs may be slaughtered shall furnish to the Inspector or Assistant Inspector, at their respective offices, a monthly return of all such animals as shall have been slaughtered at such Abattoirs, on or before the 4th day of each month.

20. No hide, carcass, or spleen of any horned cattle (not having been previously inspected), shall be removed from any slaughter-house until after the same has been inspected by the Inspector or Assistant Inspector of Abattoirs.

21. No meat shall be blown at the Abattoir, and should any be found blown, the owner of the same, or the person blowing the meat, will be held liable.

22. The lessee or occupier of any slaughter-house shall cause the vessels and water used in dressing carcasses therein, to be kept clean to the satisfaction of the Inspector or Assistant Inspector.

23. The lessee or occupier of any slaughter-house shall upon the slaughter of any animal or animals therein, immediately cause the blood of the same to be collected in a pan, provided by the Government for that purpose, free from any water, whether used in the washing of the floor or otherwise, and the blood so collected will thereupon be removed by the Government; the said lessee or occupier may however collect whatever blood he or they may require for disposal for human food, provided the same be collected immediately after slaughter, and kept in vessels provided by said lessee or occupier, and removed by him or them from the Abattoirs under the conditions of clause 17.

24. Should the lessee or occupier of any Abattoir slaughter between the hours of 6 p.m. and 6 a.m., he shall cause the blood of the animal or animals slaughtered to be received into the pan placed there for that purpose, and put aside the same when filled. A sufficient number of pans will be provided by the Inspector of Abattoirs.

25. Cattle as they are brought in for slaughter shall be kept separate from those already in the yards, until the brands of those so brought in shall have been inspected.

26. All hides, skins, heads, feet, and offal shall be removed from the Abattoirs only by way of the road at the rear of the buildings.

27. The hours fixed for driving animals into the pens of the reserved mutton slaughter-houses shall be from 6 a.m. to 6 p.m. between the 1st October and 31st March in each year; and between the 1st April and 30th September the hours shall be from 7 a.m. to 4 p.m. in each year.

28. It is strictly prohibited to place candles or lights of any description upon or against the walls, or upon or against any portion of the woodwork of the Abattoirs, or stables, or any other building or buildings in connection therewith; and the lessee or person occupying the Abattoir or stable where such prohibited candle or light is found will be held responsible for the same.

29. In cases where water is found running to waste in any Abattoir, the lessee or occupant will be held responsible for such waste.

30. Gaming is prohibited at the Abattoirs, also the tossing up of coin, throwing of dice, or playing of cards, under any pretext whatever.

31. Any person wilfully or negligently causing injury to any Government property of any description whatever at the Abattoirs will be held responsible for the same.

32. The use of obscene or offensive language is prohibited at the Abattoirs.

33. Persons are prohibited from throwing missiles or any kind of filth or muck within the enclosure of the Abattoirs.

34. The lessee or occupier of any slaughter-house is prohibited from using, or causing to be used, any instrument for driving in cattle to the Abattoirs other than such as may be approved of by the Inspector or Assistant Inspector.

35. The Inspector or Assistant Inspector, or any other officer connected with the Glebe Island Abattoir, may at any time enter to view any of the slaughter-houses connected with the Abattoir, whether leased or otherwise; and no person or persons shall obstruct, molest, or assail with abusive or offensive language either the Inspector, Assistant Inspector, or any other officer connected with the Abattoir while in the execution of his official duties.

36. It shall be competent for the Inspector of the Abattoir at any time, should any person or persons occupying any of the slaughter-houses reserved by the Government be found breaking or continuing to break any one or more of the regulations made concerning the Public Abattoirs at Glebe Island, to refuse to allow such person or persons to use any of the slaughter-houses reserved by the Government.

37. The owner or driver of any vehicle used for the transmission of meat from the Abattoir shall keep the same and the awnings used therewith in clean and proper condition, to the satisfaction of the Inspector or Assistant Inspector of the Abattoir; and further, the driver of any such vehicle during the transmission of such meat shall keep himself and clothing in clean and proper condition, to the satisfaction of the Inspector or Assistant Inspector.

38. The lessee or occupier of any beef slaughter-house shall cause the contents of the paunches and intestines to be deposited on the manure heap at the rear of the Abattoir; and the lessee or occupier of any sheep or pig slaughter-house shall cause the contents of the paunches and intestines to be deposited in the shoot erected for that purpose.

39. The lessee of any beef slaughter-house or houses shall not slaughter, or cause to be slaughtered therein, any sheep, lambs, or pigs.

40. Persons are prohibited from bringing and depositing offal or other offensive matter on Glebe Island.

41. Any person or persons offending against any of the orders and regulations contained in paragraphs 1, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, and 40 shall for each and every offence forfeit and pay a sum not exceeding five pounds nor less than twenty shillings.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

GLEBE ISLAND ABATTOIR.
(DISPOSAL OF BLOOD AND OFFAL.)

Ordered by the Legislative Assembly to be printed, 29 January, 1880.

REPORT of a BOARD appointed by the Colonial Treasurer to examine and report upon Mr. H. B. Swan's process of deodorizing and desiccating the blood and offal at Glebe Island.

No. 1.

The Inspector, Glebe Island Abattoirs, to The Under Secretary for Finance and Trade.

Sir, Glebe Island Abattoirs, 15 October, 1879.

I have the honor to report that, on last Saturday week, the 4th instant, the plant for the desiccation of the blood and offal was handed over to Mr. Swan, ready for operating.

I have called upon that gentleman for a report as to its working, which, when received, will be forwarded for your information.

I have, &c.,
FREDK. OATLEY,
Inspector.

Seen.—J.W.,-17/10/79.

No. 2.

The Inspector, Glebe Island Abattoirs, to The Under Secretary for Finance and Trade.

Sir, Glebe Island Abattoirs, 22 October, 1879.

In pursuance with my letter of the 15th instant, I have the honor to enclose herewith Mr. Swan's report upon the working of the plant for the desiccation of the blood, &c. As Mr. Shepperd, of the Harbours and Rivers Department, was the gentleman who superintended the erection of the plant, and also witnessed some experiments made by Mr. Swan, I would suggest that the document be forwarded to him for his report.

I have, &c.,
FREDK. OATLEY,
Inspector.

[Enclosure.]

Mr. H. B. Swan to The Inspector, Glebe Island Abattoirs.

Sir, Glebe Island Abattoirs, 21 October, 1879.

I do myself the honor of reporting to you, for your instruction, the working and cost of dealing with the blood and offal with the experimenting plant for the last fortnight, and the cost per ton when dried.

I have dealt with eighty-two loads of offal, or all that was on the Island, with the exception of twelve loads, and also 8,000 gallons of blood and water. All has passed off satisfactorily, so far as my humble judgment goes. The products from this quantity are about 3½ tons when dried.

Now, I would strongly recommend to you the necessity of having the whole plant completed by having the other spare boiler placed alongside the one now in use, or one new one in the place of the two; and also having two large drying-pans capable of holding 1,500 gallons each, and fitted with all necessary appliances; and one large receiver capable of receiving 12 tons of offal; and a machine (or offal-cutter) for dealing with the offal and emptying the sheep's paunches; and one large shed, about 70 feet x 30 feet, with a good cement or asphalt floor, to envelope all, one part of which to be used for storage.

Also, the necessity of introducing the trollies, which I have suggested to you on previous occasions. (These trollies I have seen in use in the large granaries in America). And also of having a 12-inch drain pipe laid the full length of the slaughter-houses, connected with the sink in each by a six (6) inch pipe, or an open drain; all to be connected with the plant.

If this scheme be carried out I am thoroughly confident there would be no difficulty in keeping the houses clear of blood and offal, and it would be a great saving on the present system, which costs about £12 per week for removing and emptying the sheep's paunches, and about £4 4s. for keeping the drains clean.

The trollies could be worked by two men with ease, at the cost of £4 4s. per week. And if the drains were dealt with, it would do away with two men's labour and the blood would run down itself, and there would be no necessity of using the large quantity of clean water that is now used to force the blood down them.

The quantity of blood and water to be dealt with averages 35,000 gallons weekly, and the quantity of blood extracted from this averages from 8,000 to 8,500 gallons, and when thoroughly dried $7\frac{1}{2}$ tons, at the cost of £1 12s. per ton.

The quantity of offal averages 85 loads weekly, including the paunches carted to the shoot; this, when dealt with by the machinery, is reduced to about $3\frac{1}{2}$ tons, which will cost 43s. per ton when dried.

The men that would be needed to turn out this quantity weekly, and the coals &c. that would be required if the plant is completed, are as follows:—

	£	s.	d.
Fireman	2	10	0
Two labourers for working plant	4	4	0
Two „ „ trollies	4	4	0
Chemicals	1	0	0
Oil, &c....	1	12	0
6 tons coal	6	0	0
Sundries	0	10	0
	£20	0	0

If I am right—and I think I am—in the calculations I have made, it will I hope be a saving in revenue, to say nothing of the nuisance hitherto existing which will be got rid of and utilized into a valuable manure, which has been seen and tested by several gardeners and others, who have offered from 30s. to 60s. per ton for it. I think it would be very beneficial to the country people and strangers visiting the Exhibition if you would have a couple of bags of blood and offal exhibited along with the analysis that I have, showing the value of it as a manure, before you fixed a price on it, as I am certain it would command from £4 to £5 per ton when its value is known.

I have, &c.

H. B. SWAN.

P.S.—Until the plant is completed I am compelled to ask for another man on the heavy killing days at the end of the week, as it is impossible for me to keep it clear to your satisfaction with the present staff, and it cannot lie many hours without becoming offensive.—H.B.S.

No. 3.

Treasury Minute.

The Treasury, New South Wales, Sydney, 23 October, 1879.

Subject :—Glebe Island Abattoirs.

THE subject of the removal of the blood and offal from the Abattoirs is one to which I have given some attention and consideration, and it is one which is surrounded with considerable difficulty.

The health of the residents on the Island, as well as those of Sydney and suburbs, is of paramount importance, and I am anxious that everything shall be done which can be devised, with a view to prevent anything arising detrimental to the health of the residents referred to from the removal of the blood and offal from the Abattoirs, or through desiccating the same.

The proposal made by Mr. Swan, and which had the sanction of my predecessor, with a view to utilize the blood and offal at the Abattoirs, as a valuable manure, by desiccating the same, has had every encouragement; and the temporary plant which Mr. Swan asked for this purpose has been erected and brought into operation, and from his report, which reached the Treasury yesterday, it appears to be satisfactory, and he now asks that the permanent machinery for desiccating the blood and offal, together with the necessary buildings and plant, involving a considerable outlay, should be erected without delay.

Before authorizing this, which will involve not only the present but a large prospective expenditure, I am anxious to have some evidence to corroborate Mr. Swan's statements as to the success of his proposals; and in order to attain this, I think a Board should be appointed to report on the practicability of Mr. Swan's scheme, such Board to consist of—Mr. Charles Watt, Analytical Chemist to the Government; Mr. Elliott, of Messrs. Elliott Bros., chemists &c.; and Mr. Shepperd, of the Harbours and Rivers Department, who, I understand, designed and constructed the present machinery; the gentlemen to report to me—

First—Is the scheme proposed by Mr. Swan for desiccating the blood and offal at the Abattoirs such as should be adopted by the Government, with a view to secure the health of the residents, not only of the Island, but generally?

Second—Can the desiccating process as proposed be successfully carried out by the erection of the machinery proposed?—and

Thirdly—Is the proposal of Mr. Swan, assuming it to be practicable, more economical than that of conveying the blood and offal to sea, as now adopted? and I shall be glad if the gentlemen will favour me with their views generally.

J.W.

No. 4.

The Under Secretary for Finance and Trade to Charles Watt, Esq.

Sir, The Treasury, New South Wales, Sydney, 28 October, 1879.

I am directed by the Colonial Treasurer to ask whether it will be convenient for you to attend at the Glebe Island Abattoir, in conjunction with Mr. F. W. Elliott, of Messrs. Elliott Bros., and Mr. Shepperd, of the Harbours and Rivers Department, to examine certain manure, obtained by Mr. H. B. Swan from the blood and offal, under his desiccating process, and to report upon the practicability of the scheme proposed by Mr. Swan.

I am to ask that you will address yourself to such examination with a view to report to Mr. Watson—

1st. Whether the scheme proposed by Mr. Swan for desiccating the blood and offal at the Abattoirs is such as should be adopted by the Government, with a view to secure the health, not only of the residents on the Island, but of the inhabitants of the City and Suburbs generally.

2nd.

2nd. Whether the desiccating process, as proposed, can be successfully carried out by the erection of the machinery asked for by Mr. Swan; and

3rd. Whether Mr. Swan's proposal, assuming it to be practicable, is more economical than the plan now in force of conveying the blood and offal to sea.

I am to say, in conclusion, that the Treasurer will be glad to be favoured with your views on any other points which may suggest themselves to you in the course of the inquiry.

You will perhaps be good enough to place yourself in communication with Mr. Elliott, with a view to arranging a time for the examination—and upon receipt of an intimation from you on this point, a letter will be addressed to Mr. Shepperd, requesting him to attend.

I have, &c.,
G. EAGAR.

No. 5.

Report of the Board.

Sir,

Having reference to your letter of instructions dated October 28th, we do ourselves the honor of stating that we have inquired into the several matters to which it relates, respecting which we have now to report as follows:—

1st. That by the process now employed at the Abattoir the blood is boiled, with the addition of a little common salt, the water which separates is allowed to flow into the harbour, and the solid portion, after passing between rollers, is dried.

2nd. That the offal, after being freed from fecal matter, is steamed with the addition of small quantities of lime and caustic soda, and then dried.

3rd. That such operations may be carried on by the employment of apparatus properly constructed, without injury to the health or even being a nuisance to persons living in the vicinity.

4th. That we are decidedly of opinion that the whole of the blood and offal cannot be effectively treated, day by day, by the plant proposed by Mr. Swan; that it will not be found economical; and that if erected, as designed by him, various alterations and additions would have to be made from time to time, as he gained experience; in fact, that it would still be an experimental plant.

5th. That Mr. Swan places more reliance upon the removal of a portion of the water from the boiled blood by passing the coagulated matter between rollers than the experimental trials which we saw seemed to us in any way to justify,—in fact, they were a perfect failure.

6th. That if a boiling plan be adopted, which we are of opinion would be successful, it would be necessary for the Government to have the machinery designed throughout by some one who can calculate with something approaching to accuracy the work which will have to be done daily, and who is competent to arrange the most efficient and economical way of doing it.

7th. That Mr. Swan does not work out the process for which he obtained letters of registration; but, on the other hand, uses a method which in all its essential and useful parts may be regarded as common property.

8th. That the waste products of the Abattoir would when dried form a manure of value; and that if the operation be economically carried out, and the products be properly dealt with commercially, it should more than pay expenses, and would consequently be a more satisfactory way of disposing of the refuse than taking such matter out to sea.

The Treasurer having expressed a wish that we should state our views upon any other points, we think it our duty to mention that the waste products of slaughter-houses are being successfully treated at the present time in other countries. Among the various methods we may call attention to the Milburn dryer, the Chicago apparatus, and the San Francisco apparatus; and we beg to recommend that the plans and testimonials having reference to these and other methods now in practical use be obtained, and referred to persons competent to form a sound opinion as to the most efficient and most economical method for this purpose before the expenditure of any more money be sanctioned.

In the meantime the blood and offal may be carried out to sea in punts properly washed and looked after.

At the same time we would urge that the investigation with reference to the methods mentioned above be carried on without delay, as the plan of taking the matter to sea must always to some extent involve a nuisance.

F. W. ELLIOTT.
CHAS. WATT.
CHAS. SHEPPERD.

[Enclosures.]

Mr. Swan's evidence.

4 November, 1879.

The process now in operation at the Abattoirs for desiccating blood is the process for which I hold a patent.

I will supply returns of the quantity of blood manure produced since I have been at the Abattoirs, and also the prices obtained for same.

I have not sold any of the blood manure produced by the present plant.

All the manure sold up to the present time has been in the moist state, excepting a little that has been dried on the rocks.

The moist blood manure will keep about six days.

I have been able to sell all the manure (moist) produced, excepting in wet weather, when the roads are in a bad state.

I contemplate drying the whole of the blood by the present process, and also the offal.

Is the apparatus which we now see a model of that which you intend to proceed with in the larger plant? Yes, with the exception that the blood-pan will have to be elevated sufficiently to allow the blood-pipe to enter at the bottom of the pan, and the coagulated matter to descend to the rollers, and from thence to the drying-pan, also the shape of the drying-pan.

The

The drying-pan that I propose to supply will be cylindrical in shape, semi-jacketed, and having an agitator inside.

I have no plans or sketches of the machinery, but will supply them to-morrow.

I suppose I will have to deal with 40,000 gallons of liquid per week.

There are about 250 to 200 men at the Abattoirs using the water-closets.

Mr. Swan's evidence.

7 November, 1879.

In treating the offal:—To every tankful (about $4\frac{1}{2}$ tons) I put in about 14 lbs. of common salt and 5 lbs. of caustic soda, and the time taken to finish this quantity complete will be six hours.

Every ton of offal will produce about $1\frac{1}{2}$ cwt. of dry manure.

In reference to the analysis No. 4 by Mr. Norrie, in report of the Abattoirs Commission, 43 per cent. of phosphates are mentioned as being present in this sample. This is produced by the trotters and the heads of the calves which are boiled with the offal every Monday.

I think the use of an acid is mentioned in my patent, but I do not use any acid, as it would injure the machinery.

The use of the rollers is to break up the coagulum, and to squeeze out all the water in the blood.

I find the present rollers do not squeeze out any of the water; they have been in use now about three weeks.

In treating the blood my reasons for boiling is to bring it to the surface. The salt is to clear the water before going to the harbour, and the caustic soda is to cause the blood to become thicker. The proportions used are 14 lbs. of common salt and $\frac{1}{2}$ lb. of caustic soda to the tankful of liquid, about 500 gallons.

There are about 20 loads of offal in the largest day's work (Saturday) at the Island, and from about 80 to 85 loads per week. This equals about 40 tons per week.

I propose that previous to putting the offal into the pan to pass it through an offal machine.

I reckon I could finish a tank of blood—that is, all coagulated blood—complete, including passing through the proposed drying machine, in about three hours.

The present rollers do not act, either for the blood or the offal, but may act if they were fluted.

I intend to jacket the drying-pan all round. I have never seen a jacketed cylinder drying blood.

In reference to the supply of returns asked for by you on the 4th instant of the quantity of blood manure produced, &c., I now hand in the annexed statement.

In reference to the offers made for the manure (as per statement) from 50s. to 80s. per ton, these offers were based partly on the analysis submitted to the Abattoirs Commission, and partly to the parties knowing the value of the manures.

Memo.

The fluid from the boiled blood which is to run into the harbour will not deposit anything upon the foreshores which can become a nuisance. This fluid contains only about 1 ounce of soluble organic matter in 3 gallons. The solid matter from the boiled blood, after being separated from the before-mentioned fluid, will lose fully three-fourths of its weight by drying, *i.e.*, for every ton of manure obtained more than 3 tons of water will have to be evaporated. The Government may fairly rely upon obtaining not less than £4 per ton for the manure, taking the blood and offal together.

In selecting the plan to be adopted, careful consideration should be given to those plans which involve catching the blood as it comes from the animal and drying it at once—confining the boiling to the blood and water resulting from washing down the houses—and, in dealing with the offal, to those plans of drying it which do not involve the removal of the faecal matter.

CHAS. WATT.

Memo.

The probable quantity of blood and water to be treated per week will not be less than 5,400 gallons, and will contain about 1,600 gallons of blood (pure), having 80 per cent. of water. The quantity of coal required to coagulate and dry this quantity of blood &c. by heat will be about 9 tons, and would give about $8\frac{1}{2}$ tons of dry manure per week; the average quantity of offal per week is 40 tons, and if freed from faecal matter would yield about $3\frac{1}{2}$ tons of dry manure, and the quantity of coal would be $1\frac{1}{2}$ ton; the quantity of coal for engine purposes would be (say) 2 tons—total, $12\frac{1}{2}$ tons; say 15 tons per week.

CHAS. SHEPPERD.

To the Chairman of the Glebe Island Commission.

Sir,

Glebe Island Abattoirs, 7 November, 1879.

I do myself the honor, for your information, of forwarding to you a rough plan of the necessary improvements required to complete the plant.

Having been experimenting for the last three weeks with the present temporary plant, I am in a fair position of stating to you the quantity of blood and offal that can be dealt with weekly, and the cost.

The present machinery is capable of desiccating 5,000 gallons of blood and water daily and 3 tons of offal, which, if some improvements were made, would be capable of doing a much larger quantity.

The additional machinery that would be required with the present to deal with 38,000 gallons of blood and water and 40 tons of offal per week, or all that is taken to sea, will be as follows:—

The other spare boiler that is on the Island be placed alongside the one now in use, or else one large one in the place of the two.

Two double jacketing-pans, 14 ft. x 6 ft., fitted with agitators, &c.

One jacket offal receiver, 9 ft. x 8 ft.

One offal cutting machine, 3 ft. x 12 in., fitted with necessary feeding appliances.

The present desiccating pan to have the spout improved on, and fitted with a valve to make it discharge more freely, and all the pans to be elevated 6 feet higher than they are at present, and fitted with shoots to discharge into the drying-pans.

Also

Also the present rollers to be fluted and fitted with flanges on the ends, instead of being smooth. And one large shed, to envelope all, 70 feet long by 28 ft. wide and 14 ft. high, with a good cement floor, part of which to be used as a store.

The present weekly expenses for men keeping drains clear and collecting offal, &c. :—

	£	s.	d.
Two men, for keeping drains clear	4	4	0
Five ,, collecting offal and emptying paunches	11	10	0
Hired horse and cart	2	2	0
Two labourers working experimenting plant... ..	4	14	0
Coals	3	0	0
Punt going to sea four times a week, £2 a trip	8	0	0
Sundries	1	0	0
Total	£34	10	0

If trollies were introduced, and a pipe laid on the beef side, it would do away with a great deal of the present inconvenience, expense, and labour, and the offal could be brought direct by the trollies to the plant and shot into the receivers while fresh; but by the present system we have to wait hours for our turn to get up the lanes. The necessity of having these pipes is that the ones now in use are much too small to run the blood in.

If this be carried out the expense will be considerably lessened.

The labour required for working the complete plant and turning out 11 tons weekly will be as follows :—

	£	s.	d.
Fireman	2	10	0
Two labourers for working plant	4	4	0
Two do. trollies... ..	4	4	0
Chemicals	1	0	0
Oil, &c.	1	0	0
6 tons coal	6	0	0
Contingencies	1	2	0
Total	£20	0	0

If the alterations be carried out, the average quantity of blood and water to be dealt with weekly averages 35,000 gallons.

The quantity of blood extracted from the water averages about 8,500 gallons, and when thoroughly dry about $7\frac{1}{2}$ tons, at the cost of 32s. per ton.

The quantity of offal averages about 40 tons per week, and when thoroughly dried about $3\frac{1}{2}$ tons, at the cost of 43s. per ton.

I am certain all the blood and offal would command £4 per ton.

There has been from 50s. to 80s. per ton offered for the present samples, which, taking 11 tons at £4 per ton, amounts to £44 per week.

Deducting from this the week's expenditure (£20) leaves a revenue to the Government of £24 per week, or £1,248 per year.

I have, &c.,

H. B. SWAN.

To the Chairman of the Glebe Island Commission.

Sir,

Glebe Island, 13 November, 1879.

I do myself the honor, for your information, of furnishing you with the average number of cattle, sheep, pigs, and calves slaughtered weekly at the Abattoirs, and the blood of which has to be dealt with.

	Blood.	Water.
Cattle, 1,100, averages 48 pounds of blood each, caught pure from the bullock, without any washing water mixed with it, or when treated with the plant averages	18 $\frac{3}{4}$ %	and 81 $\frac{1}{4}$ %.
Sheep, 8,500, averages 3 $\frac{1}{2}$ pounds, or	25 "	75 "
Pigs, about 500, ,, 3 $\frac{1}{4}$,, each, or	21 $\frac{2}{3}$ "	78 $\frac{1}{3}$ "
Calves, ,, 80 ,, 6 ,, ,,	18 $\frac{1}{2}$ "	81 $\frac{1}{2}$ "

When the blood is mixed with the chemical ingredients and brought to a boil there is 40% of water separated from it, leaving the remaining 41 $\frac{1}{4}$ to be pressed through the rollers, which reduces it by 26 %, leaving the remaining 15 $\frac{1}{4}$ to be evaporated. But the rollers want to be good, heavy, and powerful ones. I had some of the blood taken to the City Iron Works and passed through their heavy rollers, and found it to be a perfect success, only leaving 15 $\frac{1}{4}$ % of water in it.

The offal averages about 7 $\frac{1}{2}$ % when treated. The present experimenting plant I stated to the Commission was the one that I held a patent for, on a small scale, but it has been improved upon by me since I had the patent taken out. I also made arrangements with the Government to treat with the offal, which I have no patent for, as well as dealing with all the washing water.

I have, &c.,

H. B. SWAN.

APPENDIX.

A.

(1.)

The Under Secretary for Finance and Trade to The Under Secretary for Public Works.

Sir, The Treasury, New South Wales, Sydney, 11 December, 1879.

I have the honor to request that you will have the goodness to inform me, for the information of the Colonial Treasurer, what expenditure has been incurred in the erection of machinery in connection with Mr. H. B. Swan's desiccating process.

I may add that the information is urgently required.

I have, &c.,
G. EAGAR.

Harbours and Rivers, B.C., 12/12/79.—G.H.

(2.)

To the present time the sum of £404 10s. has been spent herein.—E.O.M., 15/12/79. B.C., Under Secretary for Public Works. Forward to Treasurer.—J.L., 17/12/79. The Under Secretary for Finance and Trade, B.C., 17 December, 1879.—G.H.

(3.)

The Under Secretary for Finance and Trade to The Inspector, Glebe Island Abattoir.

Sir, The Treasury, New South Wales, Sydney, 11 December, 1879.

I have the honor to request that you will have the goodness to furnish me, at the earliest possible moment, with a return showing,—

1. The quantity of manure, &c., produced by Mr. H. B. Swan's process since 1st January last.
2. The quantity sold during such time.
3. The amount realized.

I have, &c.,
G. EAGAR.

P.S.—The return should also state the cost of production.

(4.)

The Inspector, Glebe Island Abattoir, to The Under Secretary for Finance and Trade.

Sir, Glebe Island Abattoir, 17 December, 1879.

In accordance with the request contained in Treasury letter of the 11th instant, P.O. 1,694, I do myself the honor to transmit herewith particulars of the information required:—

Blood manure, produced by Mr. Swan's process, from 1st January to 30th November, all of which has been sold 495 tons

The amount realized for same £ s. d.

Add amount of desiccated blood manure in hands, valued at £5 per ton 30 0 0

Total £93 2 6

The cost of production of the above is as follows:—

Three men, 286 days each, at 7s. per diem 300 6 0

Mr. Swan's salary 229 12 4

Stores, chemicals, &c. 81 16 4

£611 14 8

Add amount expended in experimentalizing, from 1st October to 30th November 65 15 3

Making a total of £677 9 11

I have, &c.,
FREDK. OATLEY,
Inspector.

B.

7

B.

(1.)

Mr. H. B. Swan to The Hon. the Treasurer.

Sir,

Glebe Island, 9 January, 1880.

I do myself the honor of bringing under your notice the report laid before you, stating that three men had been employed at the experimenting plant, which is incorrect, there only being two, from the 6th of October to the 30th November, 1879; and I regret exceedingly that I could not see my way clear to apply for the blood and offal, &c., and for the use of land to erect machinery, when you have already placed it into the hands of other gentlemen. I think I have been very unfairly treated in the matter. Being the originator and the first to bring it under the notice of the Government, I think I should have had the first chance, considering I gave up all my private contracting businesses to endeavour to obliterate this intolerable nuisance. I offered (verbally) two years ago, when Mr. Farnell and Mr. Cohen were in office, to take the whole matter into my own hands and erect my own machinery, or resign; but they informed me that the Government were going to carry it out and erect machinery without delay, and £2,000 was voted for that purpose. At that time delays arose, and the engineers that had it in their hands did not seem to know what sort of machinery to design, and after a long delay I applied to you to have an experimenting plant erected to show them how to prepare a perfect plant so as there would be no mistakes, which was granted and erected, and has been working about three months, and turned out about fifteen tons, where if there had been a small alteration, at the cost of about 30s., there would have been about four times the quantity turned out without any additional expense, which was pointed out before the plant was completed, but was omitted to see if it could be worked without it.

This experiment has given the public a chance of gaining all knowledge and secrets connected with it which would not have been known if I had not shown it, through me placing such confidence in the Government that they were going to erect large machinery to carry it out properly. As for the offal, gentlemen have stated that it was impossible to deal with it, until I showed them it could be dealt with, which it proves for itself.

Trusting you will take me into consideration,—

I have, &c.,
H. B. SWAN.

(2.)

The Under Secretary for Finance and Trade to Mr. H. B. Swan.

Sir,

The Treasury, New South Wales, Sydney, 23 January, 1880.

I am directed by the Colonial Treasurer to acknowledge receipt of your letter of the 9th instant.

I am to state, in reply, that the Treasurer cannot admit that you have been unfairly dealt with. On the contrary, every facility—including the erection of machinery, which was specially provided for you, and which was pronounced by you, after trial, to be satisfactory and in every way meeting your views—has been afforded you with a view to give your process a fair trial.

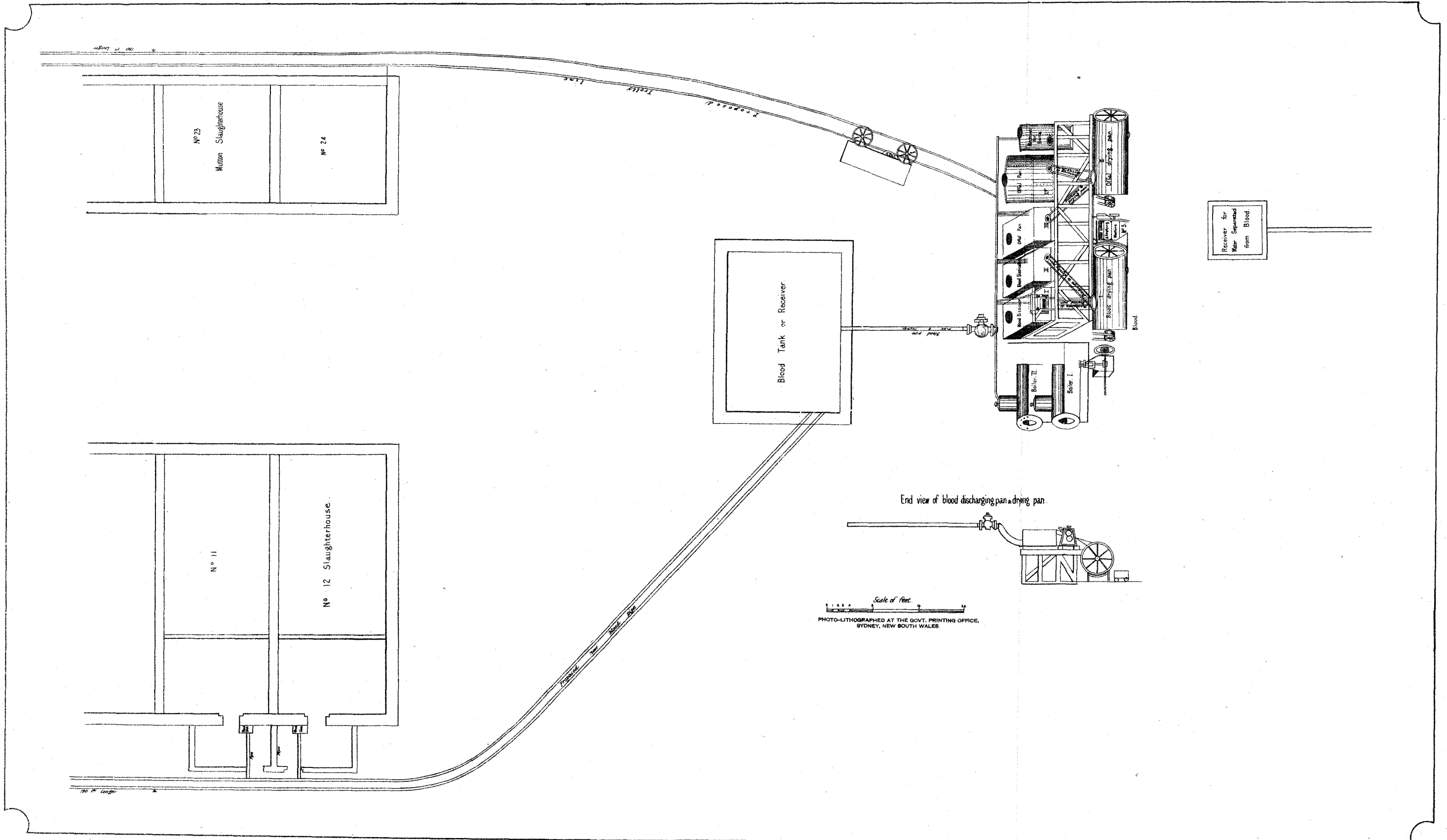
This process having, after such trial, practically failed, and the Board appointed to inquire into the matter having reported that the further machinery applied for by you was merely of an experimental character and would not answer the purpose for which it was intended, Mr. Watson has been compelled, in the interests of the community, to make other arrangements which involve the discontinuance of the work hitherto performed by you from this date.

I am to add that your services will not be required after 30th April next, although, should it be of any advantage to you, there would be no objection to your retirement at once with salary up to the date named.

I have, &c.,
G. EAGAR.

[One plan.]

APPENDIX



1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

GLEBE ISLAND ABATTOIRS.

(PERSONS EMPLOYED DURING 1877, 1878, 1879, AND TO 14 FEBRUARY, 1880.)

Ordered by the Legislative Assembly to be printed, 11 March, 1880.

(Laid upon Table in accordance with promise made in answer to Question 3, Votes 56, 24 February, 1880.)

Returns Nos. 1 and 2.

NAMES of all Persons employed by the Government at the Glebe Island Abattoirs during the years 1877, 1878, and 1879, the occupation of each person, and the salaries they received.

General Staff.

Name.	Occupation.	Salaries.		
		1877.	1878.	1879.
		£	£	£
Frederick Oatley	Inspector	300	300	300
Joseph Jager	Assistant Inspector	150	150	150
Alexander Gilchrist	Engine-driver	120	120	120
James Williams	Jobbing Carpenter	110	110	110
Thomas Young	Labourer	100	100	100
Robert Gallagher*	"	80	.....	.....
Josiah Wickham†	"	80	80	80
Joseph Burrell	"	80	80	80
Thomas Kettleton‡ .....	" .....	.....	.....	80

* Resigned 30th June, 1877. † Appointed 17th July, 1877; resigned 30th July, 1879. ‡ Appointed 7th August, 1879.

Special Staff.

NAMES of all Persons engaged in the Collection and Deodorization of Blood, and the Collection and Removal of Offal, from the 1st January, 1877, to 30th June, 1878, inclusive, under the direction of Charles Moore, Esq., Director of the Botanic Gardens.

Name.	Occupation.	Rate.	Name.	Occupation.	Rate.
Henry B. Swan	Superintendent	£250 per annum.	John Sheehan	Labourer	7s. per day.
William Wested	Labourer	7s. per day.	Charles Tracey	"	"
James M'Gall	"	"	Thomas Salmund	"	"
William Hickey	"	"	John Rohan	"	"
Edward Jones	"	"	Henry Barton	"	"
James Johnson	"	"	James Hayes	"	"
William Muir	"	"	Daniel Doyle	"	"
William Johnson	"	"	Peter Raymond	Carter	7s. 6d. per day.
James Burns	"	"	Thomas Hounsell	Labourer	7s. per day.
Charles Kunath	"	"	John Nowlan	"	"
John Hummond .....	" .....	.....	William Haydon	"	"

NAMES of all Persons engaged in the Collection and Deodorization of Blood and the Collection and Removal of Offal, from the 1st July, 1878, to the 31st December, 1879, inclusive, under the direction of the Abattoirs Department, Glebe Island.

Name.	Occupation.	Rate.	Name.	Occupation.	Rate.
Henry B. Swan	Superintendent	£250 per annum.	Thomas Hounsell	Labourer	7s. per day.
James M'Gall	Labourer	7s. per day.	Josiah Wickham	Coxswain of Punt	7s. 6d. "
William Wested	"	"	Thomas Young	Labourer	7s. per day.
William Johnson	"	"	James Williams	"	"
James Johnson	"	"	Joseph Burrel	"	"
William Muir	"	"	William Murrell	"	"
Thomas Salmond	"	"	John Nolan	"	"
Charles Kunath	"	"	Samuel M'Bride	"	"
Peter Raymond	{ Carter	} 7s. 6d. per day.	Archibald Grant	"	"
	{ Coxswain of Punt				

Special Disbursement.

Robert Gallagher Labourer 1877 Were paid £1 per month to open
 Josiah Wickham " 1877, 1878, 1879 the Abattoirs, in accordance
 Thomas Kettleton " 1879, 1880 with the Regulations.
 Inspector's Office-keeper Mrs. Alexander Gilchrist £1 per month.

FREDK. OATLEY,
Inspector.

10/3/80.

Return No. 3.

OVERTIME payments under the direction of Charles Moore, Esq., Director of the Botanic Gardens.

1877.

Name.	Occupation.	Overtime.	Rate.	
		days hours.		£ s. d.
<i>January—</i>				
William Wested	Labourer	0 5	7s. per day	0 3 6
James M'Gall	"	0 7½	"	0 5 3
William Hickey	"	3 5	"	1 4 6
				1 13 3
<i>February—</i>				
Edmund Jones	Labourer	1 0	7s. "	0 7 0
<i>March—</i>				
James Johnson	Labourer	1 5	7s. "	0 10 6
James Burns	"	0 7½	7s. "	0 5 3
				0 15 9
<i>May—</i>				
Charles Kunath	Labourer	0 5	7s. "	0 3 6
1878.				
<i>January—</i>				
Peter Raymond	Carter	4 0	7s. 6d. per day	1 10 0
<i>February—</i>				
Peter Raymond	Carter	3 0	7s. 6d. "	1 2 6
Thomas Hounsell	Labourer	1 0	7s. "	0 7 0
				1 9 6
<i>March—</i>				
Peter Raymond	Carter	4 0	7s. 6d. "	1 10 0
Thomas Hounsell	Labourer	1 0	7s. "	0 7 0
				1 17 0
<i>April—</i>				
William Wested	Labourer	0 5	7s. "	0 3 6
James Johnson	"	0 5	7s. "	0 3 6
William Muir	"	0 5	7s. "	0 3 6
Peter Raymond	Carter	4 0	7s. 6d. "	1 10 0
Thomas Hounsell	Labourer	1 0	7s. "	0 7 0
				2 7 6
<i>May—</i>				
James M'Gall	Labourer	1 0	7s. "	0 7 0
William Johnson	"	1 0	7s. "	0 7 0
Charles Kunath	"	0 5	7s. "	0 3 6
Thomas Salmond	"	0 5	7s. "	0 3 6
Peter Raymond	Carter	3 0	7s. 6d. "	1 2 6
Thomas Hounsell	Labourer	3 0	7s. "	1 1 0
				3 4 6
<i>June—</i>				
James M'Gall	Labourer	1 0	7s. "	0 7 0
William Johnson	"	1 0	7s. "	0 7 0
Charles Kunath	"	0 5	7s. "	0 3 6
Thomas Salmond	"	0 5	7s. "	0 3 6
Peter Raymond	Carter	3 0	7s. 6d. "	1 2 6
Thomas Hounsell	Labourer	2 0	7s. "	0 14 0
				2 17 6

OVERTIME payments under the authority of the Abattoir Department, Glebe Island,
from the 1st July, 1878, to 31st December, 1879, inclusive.

1878.

Name.	Occupation.	Overtime.		Rate.	£ s. d.
		days.	hours.		
<i>July—</i>					
Peter Raymond	Carter	2	7½	7s. 6d. per day	1 0 7
Thomas Hounsell	"	2	5	7s. 6d. "	0 18 9
					1 19 4
<i>August—</i>					
Peter Raymond	Carter	2	0	7s. 6d. "	0 15 0
Thomas Hounsell	"	2	0	7s. 6d. "	0 15 0
William Johnson	Labourer	0	5	7s. "	0 3 6
James M'Gall	"	0	5	7s. "	0 3 6
					1 17 0
<i>September—</i>					
Peter Raymond	Carter	1	0	7s. 6d. "	0 7 6
Thomas Hounsell	"	1	0	7s. 6d. "	0 7 6
Charles Kunath	Labourer	0	2½	7s. "	0 1 9
Thomas Salmond	"	0	2½	7s. "	0 1 9
William Muir	"	0	2½	7s. "	0 1 9
James Johnson	"	0	2½	7s. "	0 1 9
William Johnson	"	0	2½	7s. "	0 1 9
James M'Gall	"	0	2½	7s. "	0 1 9
					1 5 6
<i>October—</i>					
Peter Raymond	Carter	0	7½	7s. 6d. "	0 5 7
Thomas Hounsell	"	0	7½	7s. 6d. "	0 5 7
					0 11 2
<i>November—</i>					
Peter Raymond	Coxswain, punt.....	6	5	7s. 6d. "	2 8 9
Thomas Hounsell	"	6	7½	7s. 6d. "	2 10 7
Thomas Salmond	Labourer	0	2½	7s. "	0 1 9
James M'Gall	"	0	2½	7s. "	0 1 9
Josiah Wickham	"	3	7½	7s. "	1 6 3
Thomas Young	"	3	7½	7s. "	1 6 3
James Williams	"	3	7½	7s. "	1 6 3
Joseph Burrell	"	3	0	7s. "	1 1 0
					10 2 7
<i>December—</i>					
Peter Raymond	Coxswain, punt.....	1	7½	7s. 6d. "	0 14 1
Thomas Hounsell	"	1	7½	7s. 6d. "	0 14 1
William Wested	Labourer	0	7½	7s. "	0 5 3
Joseph Burrell	"	2	7½	7s. "	0 19 3
					2 12 8

1879.

Name.	Occupation.	Overtime.		Rate.	£ s. d.
		days.	hours.		
<i>January—</i>					
Peter Raymond	Coxswain, punt.....	7	2½	7 6	2 14 4
Thomas Hounsell	"	7	2½	7 6	2 14 4
Charles Kunath	Labourer	0	7½	7 0	0 5 1
Thomas Salmond	"	0	7½	7 0	0 5 1
William Muir	"	0	5	7 0	0 3 6
James Johnson	"	0	5	7 0	0 3 6
William Johnson	"	0	5	7 0	0 3 6
James M'Gall	"	0	7½	7 0	0 5 1
Joseph Burrell	"	1	7½	7 0	0 12 7
					7 7 0
<i>February—</i>					
Peter Raymond	Coxswain, punt.....	3	0	7 6	1 2 6
Thomas Hounsell	"	3	0	7 6	1 2 6
Thomas Salmond	Labourer	0	4	7 0	0 2 10
William Muir	"	0	6½	7 0	0 4 7
James Johnson	"	0	6½	7 0	0 4 7
William Johnson	"	0	4½	7 0	0 3 2
William Wested	"	0	4	7 0	0 2 10
James M'Gall	"	0	4	7 0	0 2 10
Joseph Burrell	"	0	7	7 0	0 18 11
					4 4 9
<i>March—</i>					
Peter Raymond	Coxswain, punt.....	3	8	7 6	1 8 6
— Hounsell	"	3	8	7 6	1 8 6
Thomas Salmond	Labourer	0	2½	7 0	0 1 9
William Muir	"	0	3½	7 0	0 2 1
James Johnson	"	0	3½	7 0	0 2 1
William Johnson	"	0	3½	7 0	0 2 1
William Wested	"	0	2½	7 0	0 1 9
James M'Gall	"	0	2½	7 0	0 1 9
Joseph Burrell	"	2	7	7 0	0 18 11
					4 7 5

1879—continued.

Name.	Occupation.	Overtime.		Rate.				
		days.	hours.	s.	d.	£	s.	d.
<i>April—</i>								
Peter Raymond.....	Coxswain, punt.....	5	2½	7	6	1	19	4
Thomas Hounsell.....	".....	5	2½	7	6	1	19	4
Thomas Salmond.....	Labourer.....	1	0	7	0	0	7	0
William Muir.....	".....	0	9	7	0	0	6	4
James Johnson.....	".....	0	9	7	0	0	6	4
William Johnson.....	".....	0	9	7	0	0	6	4
William Wested.....	".....	1	0	7	0	0	7	0
James M'Gall.....	".....	1	0	7	0	0	7	0
Joseph Burrell.....	".....	3	0	7	0	1	1	0
						6	19	8
<i>May—</i>								
Peter Raymond.....	Coxswain, punt.....	4	5	7	6	1	13	9
Thomas Hounsell.....	".....	4	2½	7	6	1	11	10
Thomas Salmond.....	Labourer.....	0	7½	7	0	0	5	3
William Muir.....	".....	0	2½	7	0	0	1	9
James Johnson.....	".....	0	2½	7	0	0	1	9
William Johnson.....	".....	0	2½	7	0	0	1	9
William Wested.....	".....	1	6½	7	0	0	11	7
James M'Gall.....	".....	0	7½	7	0	0	5	3
Joseph Burrell.....	".....	3	1½	7	0	1	2	0
						5	14	11
<i>June—</i>								
Peter Raymond.....	Coxswain, punt.....	1	5	7	6	0	11	3
Thomas Hounsell.....	".....	1	5	7	6	0	11	3
Joseph Burrell.....	Labourer.....	1	5	7	0	0	10	6
						1	13	0
<i>July—</i>								
Peter Raymond.....	Coxswain, punt.....	5	1½	7	6	1	18	7
Thomas Hounsell.....	".....	5	1½	7	6	1	18	7
William Muir.....	Labourer.....	0	3	7	0	0	2	1
James Johnson.....	".....	0	3	7	0	0	2	1
William Johnson.....	".....	0	3	7	0	0	2	1
James M'Gall.....	".....	1	5	7	0	0	10	6
Joseph Burrell.....	".....	1	8	7	0	0	12	8
						5	6	7
<i>August—</i>								
Peter Raymond.....	Coxswain, punt.....	4	0	7	6	1	10	0
Thomas Hounsell.....	".....	4	0	7	6	1	10	0
Joseph Burrell.....	Labourer.....	1	6	7	0	0	11	3
						3	11	3
<i>September—</i>								
Peter Raymond.....	Coxswain, punt.....	2	0	7	6	0	15	0
Thomas Hounsell.....	".....	2	0	7	6	0	15	0
Thomas Salmond.....	Labourer.....	0	2½	7	0	0	1	9
William Wested.....	".....	0	2½	7	0	0	1	9
James M'Gall.....	".....	0	2½	7	0	0	1	9
Joseph Burrell.....	".....	2	0	7	0	0	14	0
						2	9	3
<i>October—</i>								
Peter Raymond.....	Coxswain, punt.....	3	5	7	6	1	6	3
Thomas Hounsell.....	".....	3	5	7	6	1	6	3
Thomas Salmond.....	Labourer.....	0	2½	7	0	0	1	9
William Muir.....	".....	0	5	7	0	0	3	6
Samuel M'Bride.....	".....	0	5	7	0	0	3	6
William Johnson.....	".....	0	5	7	0	0	3	6
William Wested.....	".....	0	2½	7	0	0	1	9
Joseph Burrell.....	".....	2	5	7	0	0	17	6
						4	4	0
<i>November—</i>								
Peter Raymond.....	Coxswain, punt.....	2	5	7	6	0	18	9
Thomas Hounsell.....	".....	2	0	7	6	0	15	0
Thomas Salmond.....	Labourer.....	0	5	7	0	0	3	6
William Wested.....	".....	0	2½	7	0	0	1	9
Archibald Grant.....	".....	0	5	7	0	0	3	6
Joseph Burrell.....	".....	1	7½	7	0	0	12	3
						2	14	9
<i>December—</i>								
Peter Raymond.....	Coxswain, punt.....	5	0	7	6	1	17	6
Thomas Hounsell.....	".....	5	0	7	6	1	17	6
Joseph Burrell.....	Labourer.....	2	2½	7	0	0	15	9
						4	10	9

The overtime consists in the removal of offal from the Abattoirs after 6 o'clock p.m.

Archibald Grant was taken on in November as an additional labourer to assist Mr. Swan in the desiccation of blood by his latest process, on the cessation of which process he was promoted to the charge of the blood punt.

FREDK. OATLEY,
Inspector,
23/2/80.

Return No. 4.

NAMES of all persons employed by Government on Glebe Island, from 1st January to the 14th February, 1880, inclusive, with their Occupations and Salaries.

General Staff.

Name.	Occupation.	Salary.		
		£	s.	d.
Frederick Oatley	Inspector	300	0	0
Joseph Jager	Assistant Inspector	150	0	0
Alexander Gilchrist	Overseer	120	0	0
James Williams*	Jobbing Carpenter	110	0	0
Thomas Young	Labourer	100	0	0
Joseph Burrell	do.	80	0	0
Thomas Kettleton	do.	80	0	0
William Muir†	do.	100	0	0

* Died from accident on 11th February. † Appointed 1st February.

NAMES of all persons employed by the Government on Glebe Island in the collection and desiccation of Blood, and the collection and removal of Offal, from the 1st January to the 14th February, 1880, inclusive, with their Occupations and Salaries.

Special Staff.

Name.	Occupation.	Salary.
Henry B. Swan	Superintendent	£250 per annum.
Archibald Grant	Coxswain of Punt	7s. 6d. per day.
Thomas Hounsell	do. do.	do. do.
Thomas Salmond	Labourer	7s. per day.
William Muir	do.	do. do.
Samuel McBride	do.	do. do.
William Johnson	do.	do. do.
William Wested	do.	do. do.
James McGall	Fireman	8s. 6d. per day.
Joseph Burrell	Labourer	7s. per day.
Peter Raymond	do.	do. do.

NAMES and Occupations of all persons employed by Government at the Glebe Island Abattoirs who have received overtime payments from the 1st January to the 14th February, 1880, inclusive.

Name.	Occupation.	Overtime.		Rate.	£ s. d.		
		days.	hours.		£	s.	d.
<i>January—</i>							
Archibald Grant	Coxswain of Punt	3	8	7s. 6d. per day	1	8	6
Thomas Hounsell	do. do.	3	8	" "	1	8	6
William Johnson	Labourer	0	7½	7s. "	0	5	3
Peter Raymond	do.	1	2½	" "	0	8	9
					£3 11 0		
<i>February—</i>							
Archibald Grant	Coxswain of Punt	2	0	" "	0	14	0
Thomas Hounsell	do. do.	1	3½	" "	0	9	6
James McGall	Labourer	1	5	" "	0	10	6
William Wested	do.	0	3	" "	0	2	1
William Johnson	do.	0	3	" "	0	2	1
Peter Raymond	do.	0	1½	" "	0	1	0
					£1 19 2		

Return No. 5.

THE names of all new hands who were put to work at Glebe Island Abattoirs in 1879, and the like in regard from 1st January, 1880, to 14th February, 1880.

1879. Archibald Grant Labourer. | 1880. William Muir Labourer.

10th March, 1880.

FRED. OATLEY,
Inspector.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

GLEBE ISLAND ABATTOIR.

(MANURE SUPPLIED TO THE HONORABLE GEOFFREY EAGAR.)

Ordered by the Legislative Assembly to be printed, 7 May, 1880.

RETURN to an *Order* made by the Honorable the Legislative Assembly, on 7th May, 1880, That there be laid upon the Table of this House a Return showing,—

- “(1.) The number of days that a person named Williams, a carpenter at Glebe Island, lately deceased, was employed with a horse and cart, owned by the Government, in carting soil and manure from Glebe Island to the private residence of the Hon. Geoffrey Eagar, Under Secretary to the Treasury.
- “(2.) The amounts paid by the Hon. G. Eagar to the Government for the services of Williams and the horse and cart, and the date or dates when such payment or payments were made.
- “(3.) The number of loads or tons of sheep manure carted to the Railway Station, Sydney, or other places, from Glebe Island, for the Hon. G. Eagar, Under Secretary to the Treasury; and the cost of gathering, bagging, and carting the same per ton or load, and specifying whether the same was put in bags belonging to the Government; and dates when each load was sent.
- “(4.) The price per ton or load paid for the said sheep manure by the Hon. G. Eagar, and the dates when payments were made by the Hon. G. Eagar for the same.”

(Mr. Bennett, for Mr. McElhone.)

GLEBE ISLAND ABATTOIR.

RETURN in relation to Manure supplied to the Hon. Geoffrey Eagar, from the Abattoir, Glebe Island.

1. The number of days that a person named Williams, a carpenter at Glebe Island, lately deceased, was employed with a horse and cart, owned by the Government, in carting soil and manure from Glebe Island to the private residence of the Hon. Geoffrey Eagar, Under Secretary to the Treasury?

None.

2. The amounts paid by the Hon. G. Eagar to the Government for the services of Williams and the horse and cart, and the date or dates when such payment or payments were made?

None.

3. The number of loads or tons of sheep manure carted to the Railway Station, Sydney, or other places, from Glebe Island, for the Hon. G. Eagar, Under Secretary to the Treasury; and the cost of gathering, bagging, and carting the same per ton or load, and specifying whether the same was put in bags belonging to the Government; and dates when each load was sent?

Up to 18 June, 1877 (see answer to Question No. 1, in the Legislative Assembly, on that day), there was delivered, as follows:—

9 tons of manure at the Glebe.
13 " " at Railway Station.

The manure was gathered in the ordinary way, "as part of the regular duty of the labourers at Glebe Island" (see answer to Question 4 in the Assembly on 22 June, 1877), and was bagged at the cost of Mr. Eagar. No charge was made for cartage. The bags were supplied by and were the property of Mr. Eagar—and that portion only of the manure was bagged that was delivered at the Railway. Since 18 June, 1877, up to this date, 9 tons of manure have been delivered to Mr. Eagar, the cartage of which has been paid by him. The dates of payment only can be given, as no account was kept of the date of each separate delivery.

4. The price per ton or load paid for the said sheep manure by the Hon. G. Eagar, and the dates when payments were made by the Hon. G. Eagar for the same?

										£	s.	d.
1872.	Sept. 21.	2 tons manure @ 1/6	...	...	...	...	...	...	...	0	3	0
1874.	July 31.	7 " "	...	...	...	...	...	...	...	0	10	6
1876.	July 4.	1 " 1/	...	...	...	...	...	...	...	0	1	0
1877.	May 25.	12 " "	...	...	...	...	...	...	...	0	12	0
		22 tons.								£1	6	6
1877.	Aug. 21.	1 ton manure	...	...	...	...	...	...	...	0	1	0
1878.	May 16.	1 " "	...	...	...	...	...	...	...	0	1	0
	Sept. 11.	2 " "	...	...	...	...	...	...	...	0	2	0
1879.	April 29.	1 " "	...	...	...	...	...	...	...	0	1	0
	May 9.	1 " "	...	...	...	...	...	...	...	0	1	0
	July 29.	1 " "	...	...	...	...	...	...	...	0	1	0
1880.	April 12.	2 " "	...	...	...	...	...	...	...	0	2	0
		9								£0	9	0

1879.

NEW SOUTH WALES.

LIVE STOCK.

REPORT

FROM

CHIEF INSPECTOR FOR THE YEAR ENDING 30 JUNE, 1879.

Presented to Parliament by Command.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1879.

LIVE STOCK.

REPORT FROM THE CHIEF INSPECTOR OF STOCK, FOR THE YEAR ENDING
30TH JUNE, 1879.

The Chief Inspector of Stock to The Honorable the Minister for Mines.

Stock and Brands Branch, Department of Mines, Sydney, 1 December, 1879.

I HAVE the honor to submit my Report for the year ending 30th June, 1879; and in doing so I have again to call attention to the fact that it is compiled chiefly from information contained in the reports of the Inspectors of Stock throughout the Colony, and that this information again is based almost entirely on the Inspectors' own opinions and estimates—not, as it ought to be, on reliable returns from the owners themselves.

As therefore it is unquestionably necessary that such a Report as this should be annually prepared, and as it is very essential that the information should be thoroughly reliable—otherwise the Report may not only be worthless but actually injurious—I would respectfully suggest that power be taken in Parliament, by order of the House or otherwise, to require owners to give such information with respect to their holdings, crops, and stock, as the Government may see fit to ask from them by circular or notice in the Gazette, on the understanding, of course, that all such information was to be held strictly private so far as each individual owner was concerned, and only published *in globo*.

I.—HORSES.

1. THE NUMBER.

By the statistical returns the number of horses in the Colony during the eighteen years previous to and including 1878 was as follows:—

Year.	No.	Year.	No.
1861	251,497	1870	280,304
1862	233,220	1871	337,597
1863	273,389	1872	304,100
1864	262,554	1873	328,408
1865	284,567	1874	334,462
1866	282,587	1875	357,696
1867	278,437	1876	366,703
1868	280,201	1877	328,150
1869	280,818	1878	336,468

From this it appears that there is a slight increase (8,318) in 1878 over 1877; and that the losses caused by the late severe drought are being gradually recovered.

2. THE DIFFERENT BREEDS AND THEIR DISPOSAL.

The number of the different descriptions of horses may be put at (say) two-tenths or 67-293 draught, three-tenths or 100-942 light horses, and five-tenths or 165-233 saddle. Of these, about 25,000, or say one-thirteenth, are reported to have been sold during the year.

3. HORSES FIT FOR INDIAN MARKET.

By the Inspectors' returns it would appear that there are in the Colony about 5,000 horses suitable for the Indian market. Although the Colony possesses this large number of horses suitable for the Indian market, and although a great many of them are sent to that market, very few are shipped from this Colony. They are principally sent from Melbourne,—the shippers coming as far as Goulburn and even the Hunter in making up their shipments. If steamers could be laid on at Sydney to take horses direct to Calcutta, an extensive trade in horses could be established between this Colony and India, profitable alike to our breeders and the Indian buyers, and more especially the Indian Government.

To put the business with the Indian Government on a proper footing, I would however suggest that an officer belonging to the Remount Staff should be stationed in this Colony to inspect and pass the horses prior to shipment, and that while they should still be at the risk of the New South Wales owner until delivered at Calcutta, the question of their suitability for the Government should be decided here, and if the horses were landed safe and sound in India, the Government should be bound to take them. In this way the Indian Government would have a very much greater number of horses to pick from (in fact all the horses in the Colony), and get much more suitable animals, without running any risk in conveying the horses from this Colony; and, on the other hand, owners would not have to run the risk which they now do in getting their horses rejected after they reach India, and of being unable to find purchasers for them.

4. HOW HORSES ARE KEPT.

In one district only is it reported that horses are wholly kept on open runs; in eight districts they are depastured both in paddocks and on open runs; and in twenty-four districts they are reported as being kept entirely in paddocks; while in three districts no information on this point is given.

5. INCREASE AND DECREASE OF HORSES.

In twenty districts they are reported as increasing in numbers, in eight as decreasing, and in eight no information is given on this point.

6. IMPROVEMENT OF HORSES.

In twenty-seven districts horses are reported as improving, owing to more care being taken in breeding, by culling out the weeds, by the introduction of first-class sires, and by the decrease of wild horses; in four districts they are deteriorating, owing to the want of good brood mares and stud horses; in one district they are reported as stationary, and in four districts no information is given.

7. STUD HORSES INTRODUCED.

The returns from all districts give only 70 entire horses introduced, principally draught, and thirty thoroughbred (blood) mares.

8. WILD HORSES.

The number of wild horses in the Colony, as returned by the various Inspectors of Stock, is estimated at 38,980. The number returned at the end of 1874 was 100,744; so that the decrease for the past five years has been 61,794, which must be considered very satisfactory.

The unanimous opinion is that the only effectual method of getting rid of these pests is to shoot them.

9. DISEASE.

A few cases of strangles are reported, which were successfully treated by blistering, fomentation, and bran poultices; otherwise the horses in all the districts are reported as being entirely free from disease.

10. TAX ON HORSES.

There are eleven districts in favour of taxation on entires only, six in favour of a tax on both brood mares and entires, thirteen districts are against any tax being imposed, while from six districts no information on this point has been received.

II.—CATTLE (A).

1. NUMBER.

By the Statistical Register the returns of Cattle in the Colony, during the eighteen years ending 31st December, 1878, stand as follows:—

Year.	No.	Year.	No.
1861	2,271,923	1870	2,195,096
1862	2,620,383	1871	2,014,888
1863	2,032,522	1872	2,287,660
1864	1,924,119	1873	2,794,327
1865	1,961,905	1874	2,856,699
1866	1,771,809	1875	3,134,086
1867	1,728,427	1876	3,131,013
1868	1,761,411	1877	2,746,385
1869	1,795,904	1878	2,771,583

From these returns it will be seen that the losses in cattle caused by the late drought are being but slowly recovered, the increase in 1878 being only 25,198.

2. DIFFERENT BREEDS.

Of the above number it may be said that six-twelfths are Short-horns, three-twelfths crosses two-twelfths Hereford, and one-twelfth Devon, Dairy, &c.

3. INCREASE AND DECREASE.

In three districts the information on this head is not given; in fifteen districts the cattle are increasing, in six they are stationary, in twelve they are decreasing. This decrease arises partly from the effect of the late droughts, but principally through owners replacing their cattle with sheep, as sheep are now paying better than cattle.

The "Cast" of fat Cattle.

This may be put at one-tenth of the whole number, or say 270,000 head.

4. HOW KEPT.

Cattle are kept wholly in paddocks in twenty-four districts; in eight districts they are running at large and in paddocks, in one district only are they reported as running wholly at large, and in three districts the Inspectors do not report as to this. It is universally allowed that the fencing in of the runs is attended with numerous advantages.

5. IMPROVEMENT AND DETERIORATION.

In twenty-four districts cattle are reported as improving, in eight as stationary, in one as deteriorating, and from three districts no returns have been received. The improvement in the districts mentioned is attributed to the introduction of well-bred bulls, the culling out of inferior females, and fencing in of the runs.

6. PEDIGREE STOCK INTRODUCED.

There were introduced last year into the different districts of—

	Bulls.	Cows.	Total.
Short-horns	238	100	338
Devons	6	4	10
Herefords	5	0	5
Total	...	...	353

This shows that a very small number of stud stock changed hands last year, and it is to be expected that the sales for the coming year will show a considerable increase.

CATTLE introduced by sea from places outside the Australian Colonies, from 30th June, 1878, to 30th June, 1879.

Date.	Bull.	Cow.	Breed.	Where from.	Owner or Consignee.
1878.					
18 December.....	1	1	Hereford	England	T. Duckham.
18 "	2	.....	do	do	R. G. Yeomans.
30 "	2	2	Short-horn	do	E. B. Woodhouse.
30 "	1	5	do	do	Gilchrist, Watt, & Co.
31 "	1	.....	Hereford	do	T. Yeo.
31 "	2	2	Devon	do	T. Yeo.
1879.					
1 February.....	3	2	do	do	W. Lamb.
4 "	2	.....	Short-horn	do	Hon. E. Ogilvie.
4 "	1	.....	do	do	J. Peurose.
Total	15	12			

It will be seen from the above return that twenty-seven head of cattle were introduced from England during the year ended 30th June last; they consisted of thirteen Short-horns, nine Devons, and five Herefords; several of them were said to be prize-takers at the principal shows in Great Britain.

CATTLE introduced by sea, from the adjoining Colonies, from 30th June, 1878, to 30th June, 1879.

Date.	Male.	Female.	Breed.	Where from.	Owner or Consignee.
1878.					
12 July	1	4	Jersey	Victoria	J. Pemell, junr.
20 November	3	.....	Short-horn	do	G. Kiss, agent.
9 December	2	6	Aryshire	do	T. Peate.
21 " .....	.....	4	do	Brisbane	W. Lindsay.
1879.					
13 January	1	.....	do	Victoria	J. Beaucamp.
21 February .....	.....	5	Alderney	do	Hon. E. K. Cox.
21 "	1	.....	Short-horn	do	do
21 "	1	.....	do	do	J. Young.
31 March	3	.....	do	do	T. Fairburn.
2 April	2	2	do	New Zealand	L. and S. Morrin.
19 "	2	.....	do	Victoria	R. M'Dougall.
16 June	2	2	Aryshire	do	W. Lindsay.
Total	18	23			

There have thus been introduced by sea from the adjoining Colonies, during the year ending 30th June last, forty-one head, consisting of fourteen Short-horns, seventeen Aryshires, five Jerseys, and five Alderneys.

CATTLE (B).

1. PLEURO-PNEUMONIA.

In two districts the outbreak was of a mild type, in seven districts only a few cattle were affected, in seventeen it was slight, in one district 20 per cent. of the herds in which the disease appeared were reported as infected, in five districts there was no outbreak, and from three districts there are no reports.

2. INOCULATION FOR PLEURO-PNEUMONIA.

In twenty-nine districts inoculation was practised as a preventive, and in some instances it is reported as both a preventive and cure, in four districts it was not tried, and from three there are no returns as to this. In twenty-seven districts owners are reported as being in favour of inoculation, in two they are equally divided on this question, in three they are against it, and in four they give no opinion.

These returns with regard to the efficacy of inoculation are quite in keeping with those which have been received during the last twelve or fourteen years. They are almost entirely in favour of that treatment, and I have now to adduce evidence of its efficacy of a different sort, from a different part of the world. I allude to the account of the very successful practice of inoculation by Mr. Rutherford, a veterinary surgeon in a leading position in Edinburgh, as referred to in an article in the *London Veterinary Journal* of July last, edited by Mr. George Fleming, than whom there is no higher authority in England. It is to the following effect:—

"One of the great objections offered by the opponents of inoculation is, that because it does not produce pleuro-pneumonia, therefore it cannot prevent it. But they evidently forget that vaccination does not produce small-pox; and yet we know that when carefully performed it protects the vaccinated individual from that disease. Because inoculation does not give rise to the lung disorder, we cannot assert that it will not prevent the disorder." * * * * *

"Mr. Rutherford's highly successful, intelligent, and scientific practice of inoculation on a larger scale than has perhaps ever before been attempted in this country (he inoculated over 2,000 head) leaves nothing more to be desired in the way of evidence as to the absolute immunity conferred by inoculation." * * * * *

"No animal inoculated by Mr. Rutherford has ever been known, no matter how much it may have subsequently been exposed to infection, to become diseased; and the dairymen have no fear whatever in introducing suspected or sick animals among those inoculated. So carefully and skilfully is the operation performed and its immediate results watched, that the mortality is diminished to 1 per cent., an average which will in all probability be still further reduced." * * * * *

"From the evidence and opinions we have furnished years ago, it will be seen that we were then altogether in favour of protective inoculation; but our efforts did not avail to popularize the measure. We again urge the members of the profession and agriculturalists to give their attention to it. The question as to its efficacy and safety is now beyond discussion.

discussion or dispute. Thanks to Mr. Rutherford, the problem is solved, and the freedom of Edinburgh from pleuro-pneumonia at the present time—a condition which has not been known to exist for more than thirty years—is mainly, if not altogether, due to his scientific skill, indomitable perseverance, and intelligent enthusiasm.” * * * * * “He has incontestably proved that inoculation can always put an end to an outbreak and protect from one. His very extensive inoculations have settled, as well as raised, several interesting points in connection with pleuro-pneumonia, to which we regret we cannot now refer.”

This would be very satisfactory in any case, but it is very much more so when it is recollected that some years ago, when incontrovertible evidence of the efficacy of inoculation was adduced in this Colony, it was the custom of its opponents to throw in our teeth the fact that the English veterinary authorities were almost to a man opposed to this treatment. Considering therefore that it is now established both in Australia and England beyond all question that inoculation for pleuro-pneumonia is thoroughly effective—that the losses from the operation do not exceed 1 per cent., or at most 2 per cent., and that the disease is still entailing great loss and inconvenience in this and the neighbouring Colonies—I would again strongly urge that a measure be introduced with as little delay as possible making the inoculation of all infected herds compulsory.

The present state of the law, which allows owners to travel infected cattle from one end of the Colony to the other, spreading the disease as they go, is, now that the efficacy of inoculation is thoroughly established, most unwise as well as most unjust; for quite as well might scabby sheep be travelled all over the Colony, infecting every flock whose run they pass through, as that cattle affected with pleuro-pneumonia should be allowed to travel as they now do, without let or hindrance, infecting every herd they pass, and keeping the disease alive in the Colony.

3. OTHER DISEASES.

Cancer has appeared very slightly in two districts.

Cumberland Disease.—This disease is reported to have appeared in seven districts, but only to a slight degree.

No *Ophthalmia*, *Black-leg*, or any other disease has appeared in any of the districts.

III.—SHEEP.

1. THE NUMBER.

The number of sheep in the Colony during the eighteen years ending 31st December, 1878, stand as follows:—

Year.	No.	Year.	No.
1861	6,119,169	1870	16,218,825
1862	6,550,896	1871	16,766,012
1863	7,169,126	1872	17,873,696
1864	9,089,463	1873	18,990,595
1865	9,650,106	1874	22,767,416
1866	11,644,593	1875	25,353,924
1867	15,066,377	1876	25,269,755
1868	16,000,000	1877	21,521,662
1869	16,848,217	1878	25,479,484

TABLE showing the number of Sheep in the Colony at 1st January, 1879, as returned to the several Clerks of Petty Sessions for 1878, and showing also the Increase or Decrease for the latter year.

District.	No. of Sheep at 1st January, 1878.	No. of Sheep at 1st January, 1879.	Increase, 1st January, 1879.	Decrease, 1st January, 1879.
Albury	156,289	160,524	4,235	.....
Armidale	348,692	434,190	85,498	.....
Ashford	9,264	12,728	3,464	.....
Araluen	.....	.....	.....	.....
Adelong	.....	.....	.....	.....
Balranald	.....	.....	.....	.....
Barraba	921,055	1,350,836	429,781	.....
Ballina	118,402	91,253	.....	27,149
Bathurst	.....	.....	.....	.....
Bega	184,066	196,664	12,580	.....
Bellinger River	.....	.....	.....	.....
Bendemeer	.....	.....	.....	.....
Berrima	37,580	42,285	4,705	.....
Binda	13,647	10,460	.....	3,187
Binalong	.....	.....	.....	.....
Bingera	37,216	23,062	.....	14,154
Boggabri	91,592	136,076	44,484	.....
Booligal	500	1,200	700	.....
Bombala	.....	.....	.....	.....
Bourke	232,589	294,942	62,353	.....
Braidwood	773,350	579,963	.....	193,387
Branxton	6,770	27,420	20,650	.....
Brewarrina	.....	12,371	12,371	.....
Broughton Creek	399,894	293,491	.....	106,403
Bulla Delah	.....	.....	.....	.....
Bundarra	.....	.....	.....	.....
Bungendro	129,444	154,465	25,021	.....
Burrowa	750	600	.....	150
Camden	229,572	221,681	.....	7,891
Campbelltown	1,919	1,400	.....	519
Cannonbar	600	700	100	.....
Carcoar	40,000	307,875	267,875	.....
Cassilis	255,188	167,167	.....	88,021
	126,932	118,177	.....	8,755

District.	No. of Sheep at 1st January, 1878.	No. of Sheep at 1st January, 1879.	Increase, 1st January, 1879.	Decrease, 1st January, 1879.
Collector	11,800	12,130	330	
Condobolin				
Coolah	59,000	155,073	96,073	
Cooma	603,811	668,118	64,307	
Coonabarrabran	314,731	259,279		55,552
Coonamble	416,680	397,681		18,999
Cooranbong				
Cootamundry	94,833	116,764	21,931	
Corowa	194,988	272,814	77,826	
Cowra	246,641	235,926		10,715
Crookwell	45,487	44,080		1,407
Cudgen				
Clarence Town				
Dandaloo	111,044	251,098	140,054	
Deniliquin	638,396	710,751	72,355	
Denison		79,192	79,192	
Drake				
Dubbo	340,743	415,658	74,915	
Dungog	3,400			3,400
Eden	550	972	422	
Euston				
Forbes	807,441	1,047,996	240,555	
Glen Innes	440,551	231,629		208,922
Goodoga	16,187			16,187
Gongolgon	59,000			59,000
Goulburn	155,945	152,499		3,446
Gosford				
Grafton				
Grenfell	193,219	292,572	99,353	
Gulgong	48,099	27,817		20,282
Gundagai	192,866	409,600	216,734	
Gunnedah	273,484	376,981	103,497	
Gunning	170,880	131,049		39,831
Gundaroo		4,336	4,336	
Hargraves	19,302	18,631		671
Hartley	18,886	7,629		11,257
Hay	2,783,407	2,889,927	106,520	
Hill End	24,245			24,245
Hillston		983,990	983,990	
Howlong	35,516	63,596	28,080	
Inverell	226,158	176,862		49,296
Jerilderie	201,699	375,526	173,827	
Kempsey				
Liverpool				
Lithgow				
Louth		250,705	250,705	
Macleay				
Maitland		750	750	
Manilla		22,668	22,668	
Menindie	617,085	754,449	137,364	
Merriwa	97,397	103,914	6,517	
Michelago				
Moama	95,747	185,462	89,715	
Molong	198,337	184,073		14,264
Morangarell	70,800	65,860		4,940
Moree				
Moruya				
Moulamein	182,054			182,054
Mudgee	132,977	125,555		7,422
Mulwala	120,480	197,257	76,777	
Murrumburrah	50,656	70,123	19,467	
Murrurundi	277,357	312,053	34,696	
Muswellbrook	27,376	22,198		5,178
Narandera	168,280	444,696	276,416	
Narrabri	226,266	404,404	178,138	
Nelligan				
Nerrigundah				
Newcastle				
Nimitybelle				
Nundle	16,780	14,288		2,492
Oberon	12,100	20,119	8,019	
Obley	113,694	111,005		2,689
Orange	58,065	60,341	2,276	
Parke	71,920	102,873	30,953	
Paterson	1,400	2,450	1,050	
Patrick's Plains				
Panbula		36,000	36,000	
Penrith				
Pooneaira				
Port Macquarie				
Pilliga	1,500	16,000	14,500	
Queanbeyan	228,340	250,071	21,731	
Rockley	74,237	72,720		1,517
Rydal	8,478	16,292	7,814	
Rylstone	117,459	114,360		3,099
Seone	178,739	176,018		2,721
Singleton	40,942	37,246		3,696
Sofala	11,592	13,185	1,593	
Stroud	1,400	2,150	750	
Scymour				

District.	No. of Sheep at 1st January, 1878.	No. of Sheep at 1st January, 1879.	Increase, 1st January, 1879.	Decrease, 1st January, 1879.
Shoalhaven .....	.....	.....	.....	.....
Stoney Creek .....	.....	.....	.....	.....
St. Albans .....	.....	.....	.....	.....
Tambaroora .....	.....	.....	.....	.....
Tambar Springs .....	.....	84,134	84,134	.....
Tabulam .....	.....	.....	.....	.....
Tamworth	284,783	235,388	.....	49,395
Ten-mile Creek	148,397	346,735	198,338	.....
Tenterfield	10,950	78,586	67,636	.....
Tingha .....	.....	.....	.....	.....
Tocumwall	202,106	148,528	.....	53,578
Toogong .....	.....	.....	.....	.....
Trunkey Creek	45,581	62,150	16,569	.....
Tuena .....	.....	47,133	47,133	.....
Tumberubah	72,754	87,040	14,286	.....
Tumut	102,225	64,790	.....	37,435
Ulladullah .....	.....	.....	.....	.....
Urana	509,970	557,077	47,107	.....
Vegetable Creek .....	.....	94,014	94,014	.....
Wagga Wagga	889,932	880,930	.....	9,002
Walcha	308,447	267,698	.....	40,749
Walgett	298,981	302,174	3,193	.....
Wallabadah .....	.....	.....	.....	.....
Wallerawang	6,540	15,673	9,133	.....
Warialda	596,731	512,428	.....	84,303
Warren	64,950	186,005	121,055	.....
Waratah .....	.....	.....	.....	.....
Wee Waa .....	.....	.....	.....	.....
Wellington	174,469	194,239	19,770	.....
Wentworth	542,514	607,127	64,613	.....
Wilcannia	436,643	511,498	74,855	.....
Windsor .....	.....	.....	.....	.....
Wingham .....	.....	.....	.....	.....
Wilson's Downfall .....	.....	.....	.....	.....
Woodburn .....	.....	.....	.....	.....
Wollar	1,480	2,845	1,365	.....
Wollombi	600	545	.....	55
Wollongong .....	.....	.....	.....	.....
Yass	216,198	210,344	.....	5,854
Yetman .....	.....	.....	.....	.....
Young	277,481	319,185	41,704	.....
	21,254,282	25,479,484	5,680,918	1,455,716

SHEEP (A).

The number of sheep now in the Colony—25,479,484—is the highest yet reached, and the losses caused by the late drought are more than recovered, the increase on the year being 4,225,202. This has been brought about principally by the natural increase of our flocks, but to a considerable extent also by the introduction of sheep from the neighbouring Colonies. It is likewise accounted for to some extent by the fact that sheep properties are paying better than cattle, and owners are selling off their cattle and putting on sheep.

2. COMBING AND CLOTHING.

The returns give about 14,332,209 combing sheep and 9,554,806 clothing, and the balance 1,592,469 are not described as either combing or clothing.

3. LONG-WOOLLED AND CROSS-BRED SHEEP.

The returns do not show definitely how the several breeds of coarse-woolled sheep stand as to numbers; but the cross-bred and Lincoln predominate.

4. THE "CAST" OF FAT SHEEP.

The annual "cast" of fat sheep may be put at one-eighth of the whole number, or say 3,180,000.

5. HOW SHEEP ARE KEPT.

In twelve districts the sheep are depastured wholly in paddocks; in one district they are shepherded; in twenty districts they are both shepherded and paddocked; and from three districts no information as to this has been received.

6. ADVANTAGES OF PADDOCKING.

The returns from the whole of the districts in the Colony speak to the very great advantages of paddocking sheep as against shepherding.

7. IMPROVEMENT.

In twenty-five districts the sheep are reported as improving; in one district as improving on the whole; in four as stationary; in two districts as deteriorating,—in the one case from the want of classing and through using inferior rams, and, in the other, through the injudicious introduction of fresh blood into the flocks.

8. STUD SHEEP INTRODUCED.

The returns show that 3,638 Merino rams and 12,610 Merino stud ewes and 160 Lincoln rams were introduced into the several districts during the year.

9. SHEEP INTRODUCED INTO THIS COLONY BY SEA BETWEEN 30TH JUNE, 1878, TO 30TH JUNE, 1879.

(From the neighbouring Colonies.)

Date.	Rams.	Ewes.	Breed.	Total No.	Where from.	Importer.
1878.						
30 August	15	8	Merino	23	Tasmania	P. N. Trebeck.
14 October	4	.....	do	4	do	J. Gibson.
11 November	1	200	do	201	Victoria	H. White.
18 "	40	.....	Lincoln	40	do	E. de Mestre.
1879.						
10 March	2	.....	Southdown	2	do	G. Loder.
20 "	5	10	Lincoln	15	New England .....	.....
19 April	78	.....	Merino	78	Tasmania	J. Gibson.
19 "	15	.....	Lincoln	15	do	do
25 "	26	.....	do	26	do	W. J. Devlin.
(From places outside the Australian and New Zealand Colonies.)						
15 March	4	.....	Shropshire Downs	4	England	W. J. Dangar.

SHEEP (B).

1. LAMBING.

The general average of shepherded flocks as shown by the returns is 71 $\frac{3}{4}$ per cent.; of paddocked sheep, 77 $\frac{1}{4}$ per cent.; and of sheep depastured both ways, 75 $\frac{1}{2}$ per cent.

2. CLIP.

The number of sheep returned as being shorn in the grease is 16,705,109; creek-washed, 2,166,213; spout-washed, 827,154; scoured, 821,172; and in the case of the balance, 4,959,836, the mode of shearing is not stated.

The average weights of the clip are estimated as follows:—

1. In the grease	...	...	...	...	5 lbs.
2. Creek-washed	...	...	...	...	3 lbs. 2 $\frac{1}{2}$ ozs.
3. Spout-washed	...	...	...	...	2 lbs. 9 $\frac{1}{2}$ ozs.
4. Scoured	...	...	...	...	2 lbs. 4 $\frac{1}{2}$ ozs.

3. COMBING AND CLOTHING.

The returns as to the difference in the weight of combing and clothing fleeces is given as follows:— In five districts combing is put at 8 ozs. more than clothing; in two districts at 10 ozs.; in three districts at 16 ozs.; in five districts a little heavier; in nine districts the Inspectors report that they cannot obtain sufficient information to enable them to offer an opinion; and from twelve districts there are no returns as to this.

SHEEP IN LOTS UNDER 500.

The number of sheep registered under section 42 of the amended Sheep Act, as belonging to owners of less than 500, was 767,842.

EAR-MARKING.

The number of districts in favour of the system of ear-marking initiated under the amended Sheep Act of 1878 is twenty-two, and the number against it five. In two small districts ear-marks are not used, in four districts no opinion is given, and from three districts no information is received. Again, in three of the five districts returned as being opposed to the system, the Inspectors report that when it gets into proper working order owners will, they doubt not, change their views.

When it is considered that the sheep-owners in almost every district in the Colony were at first opposed to the provisions of the amended Sheep Act which relate to ear-marking, the result here stated must be considered as very satisfactory, especially as the system of ear-marking is as yet neither fully developed nor thoroughly understood. But although it may be said to be as yet imperfectly initiated, the allotment has been so far carried out that no two owners in the same district have the same ear-mark, and the marks of neighbouring owners have been so arranged that they are on different portions of the ear, and owners so situated are thus able from the mere position of the mark to know each others' sheep at musters.

Owners therefore now begin to see that under this system the faking and sheep-stealing which have of late years been so prevalent will be effectually checked, and that the inconvenience and confusion formerly so common at sheep musters, through owners in the same locality using the same ear-marks, will no longer arise. Several prosecutions have already been instituted under the new Act for ear-cropping, tipping, and using unrecorded marks, in which convictions have been obtained; and this result will have a very salutary effect.

The regulations fixing the maximum sizes of the different marks, and obliging owners to use a pliers instead of the knife in marking are absolutely necessary, if the marks are to be made of a uniform shape and size and faking prevented, while the saving of time and convenience arising from using the pliers instead of the knife far more than compensate the owner for the cost.

TATTOO-MARKING.

The number of districts reported as being in favour of the tattoo mark is only seven, the number against it four, and twenty-five districts offer no opinion, as they have had no experience in its use.

Although only forty-three owners' tattoo marks have as yet been recorded, the advantages of this mode of marking the ownership in sheep are so decided as to insure its general and speedy adoption. In the first place it can be readily and easily imprinted. Mr. David Campbell, of Cunningham Plains, who

first suggested its use, states that with five hands he lately marked 5,000 lambs in one day; in the second place it is thoroughly legible and indelible, and cannot be accidentally blotched, as the fire-brand frequently is; and in the third place it is registered for the whole Colony, while the fire-brand is so for the district only. In this way no two owners in Australia (there will be different styles of tattoo-marks in the different Colonies) will have the same tattoo-mark, but every good fire-brand is given fifty times in the Colony, *i.e.*, as often as there are sheep districts. With the system of cut ear-marks now in force for the ordinary working of sheep on stations and for drafting at musters, the tattoo-mark, possessing as it does all the advantages here mentioned, is bound before long to supersede the fire-brand as the mark of ownership in sheep.

SHEEP DISEASES (c).

SCAB.

It is now upwards of ten years since scab was eradicated from our flocks, and I am glad to be still able to report that there is not a single sheep among the 25,000,000 now in the Colony affected or suspected of being affected with that disease.

In two cases during the twelve months preceding 30th June last, scabby sheep were brought from places outside the Australian Colonies to the port of Sydney, but they were at once detected and destroyed. The first arrived by the "Whampoa," steamship, from London, in September, 1878, and the second were brought by the "City of New York" from San Francisco in March last.

CATARRH.

There has been no case of catarrh in the Colony for more than eight years, and it is hoped there never will be another, as the disease was (latterly, at least) a hereditary one, and all the sheep in which the disease appeared were fattened and slaughtered.

CUMBERLAND DISEASE.

There have been few outbreaks of this disease, and those that have occurred were very slight.

FOOT-ROT.

In twelve districts this ailment has been slightly prevalent, in fourteen it did not appear, and from ten districts there are no reports. In nineteen districts foot-rot is considered as being infectious or contagious, in eight districts it is said to be neither, and in nine districts no opinion is given as to this.

The principal remedies used for this disease, after paring, are bluestone, carbolic acid, and arsenic; and are all reported as being effectual.

FLUKE.

Fluke, to a slight extent, has existed in thirteen districts; in fourteen districts there has been none, and in the case of nine districts there is no information on this point.

Fluke is reported as being contagious in eight districts, in thirteen districts owners do not think it is so, and fifteen districts express no opinion. The usual remedies, or rather preventives, are salt, accompanied occasionally with sulphate of iron. Better drainage and change to salt-bush country are also mentioned as preventives.

WORMS.

In only one district are the sheep reported as being infected with worms, and that slightly.

In five districts owners consider worms are contagious, in thirteen they think they are not, and in eighteen districts no opinion is given.

IV.—GENERAL (A).

1. IMPORTED STOCK ACT.

I would once more call attention to the urgent necessity there is for the amendment of this Act, so as to make it apply to pigs. At present it does not, and pigs are subject to rinderpest and foot-and-mouth disease as well as cattle and sheep, and quite as likely to bring those and likewise other malignant diseases in swine into the Colony.

It is very necessary also that imported horses should be subjected to inspection and quarantine; for glanders and farcy, from which these Colonies are happily free, are prevalent in England and other parts of the world from which horses are imported, and every precaution possible should be taken to prevent these terrible diseases, which not only affect horses, but are at times communicated also to man, from ever obtaining a footing in Australia.

Although, as here stated, the law does not apply to either swine or horses, these animals when imported have been regularly examined, and hitherto they have always appeared perfectly sound; but this may not continue to be the case, and it is therefore very necessary that the Act should be so amended as to place horses and pigs on the same footing as cattle and sheep.

The question has also been raised whether there is not a risk of hydrophobia being introduced by some of the many dogs which are now being brought from England and other countries north of the line; and I would suggest that the Colonial Secretary be moved to obtain, through the Agent General, the opinion of some of the last medical and veterinary authorities—such as Dr. Burdon Sanderson and Mr. Fleming, M.R.C.V.S., Editor of the *London Veterinary Journal*, on this question, for the guidance of the Government; and if the authorities to whom this question is referred consider there is any risk, they should be asked to say what steps should be taken, by prohibition, quarantine, or otherwise, to prevent its introduction.

2. REGISTRATION OF BRANDS.

Number of applications for horse and cattle brands registered up to the 30th June, 1879, is 42,237.

Number of brands registered during the year ended 30th June, 1879:—Horse brands, 1,181; cattle brands, 1,270—equal to 1,660 applications.

Transfers recorded during the year ended 30th June, 1879:—Horse brands, 45; cattle brands, 55.

Brands cancelled (horses and cattle) during the year ended 30th June, 1879:—12.

Number of addresses of owners changed during the year ended 30th June, 1879:—74.

3. NEW STOCK ROADS OR ALTERATIONS.

In three districts the Inspectors recommend new stock roads ; and an alteration in a droving road is suggested in another district.

4. WELLS, TANKS, AND DAMS.

In two districts the Inspectors recommend wells for the use of travelling stock ; in four districts they say new tanks are required ; and in six districts they recommend new dams. With regard to the cost of making tanks, it appears from the returns that the most economical mode is to use the plough and scoop, which do the work at about 1s. per cubic yard.

5. NEW RESERVES FOR TRAVELLING STOCK.

There are recommendations from eight districts for new reserves.

6. PROTECTION OF TRAVELLING STOCK RESERVES.

Since the passing of the amended Sheep Act of 1878, it has been the duty of Inspectors of Stock to see that these reserves are kept for the sole use of *bonâ fide* travelling stock ; and to some extent they have carried out that duty, and kept stock which were accustomed to trespass on these reserves prior to the passing of the Act from depasturing upon them.

In carrying out this duty, however, they have been working under considerable difficulty :—

In the *first* place, where these reserves are reserves from lease (and all the more important ones are so) there is no authentic printed list of them as such, nor have descriptions of them ever been published, as in the case of reserves from sale.

In the *second* place, the Inspectors have been unable, as yet at least, to obtain county or parish maps showing the travelling stock reserves in their several districts.

In the *third* place, some of these reserves are reserves for access to water as well as for travelling stock ; and being so, this gives the neighbouring owners the right to go upon them with their stock, and in that way they make the reserves commons, which of course leads to their being completely denuded of pasture.

And in the *fourth* place, the boundaries of the reserves are not generally marked in such a manner that the Inspector can follow them with sufficient certainty to prove any case of trespass he may bring into Court.

The *first* difficulty mentioned is being remedied ; the descriptions of the various reserves from lease are now being prepared for publication, in the same manner as reserves from sale, and when they are published copies can be obtained by the Inspectors of Stock.

As regards the *second* difficulty,—until the Inspectors are in a position to refer, when required, to the county or parish maps showing the position and extent of these reserves, they cannot be expected to look after them as they ought ; and it is suggested that the Inspectors be supplied with copies of these maps, showing the reserves in their respective districts.

The *third* difficulty again might be got over by dividing the reserves and proclaiming one portion of them for the use of travelling stock and the other for access to water ; and while proclaiming the the greater part of the reserve for travelling stock, the other portion need only be left wide enough for a road to the water.

The *fourth* difficulty could be overcome by prominently and permanently marking the boundaries of these reserves. This is very necessary, not only for the sake of their protection by the Inspector, but also to enable drovers and teamsters to know where they can depasture their stock ; and it is recommended that all reserves on the main droving roads should be thus marked, and that a beginning be at once made with those in the settled districts nearest to the Sydney and Maitland markets.

7. LOAFING SHEEP.

The Inspectors, in the case of twenty-six districts, report that no sheep have this year been travelling for grass and water, and the general impression is that the provisions of the amended Sheep Act, passed to prevent loafing, have effectually checked that evil. In eight districts loafing sheep are reported to have passed through, but the number altogether only amounted to some 18,000.

The total amount received for travelling charges during the year was £584 6s. 8d.

From this it will be seen that the amended Sheep Act is in this respect also proving very beneficial ; but it is believed that the travelling charge, 2d. per 100 per mile, is needlessly high, and through being so creates a feeling of false sympathy with the loafer ; half the rate, 1d. per 100 per mile, would have answered the purpose ; and if the law will allow such a course, a regulation might perhaps be issued, under section 21 of the amended Sheep Act, reducing the charge to that amount.

GENERAL (B.)

TAME DOGS.

In twenty-three districts there have been losses of sheep by tame dogs, in five districts it is reported no losses have occurred, and from eight districts there are no returns as to this.

As to whether there should be further legislation with regard to tame dogs, sixteen districts consider there should be, thirteen districts are against it, and seven have expressed no opinion.

The losses caused by tame dogs worrying sheep, often very valuable ones, are still considerable. The extension of the provisions of the Dog Act to the whole Colony, as is now practically the case, has done but little to stop these losses. The fact is it has been found impossible to enforce the provision which requires that all owners shall keep collars with their names and addresses on their dogs ; and this in a great measure renders the Act inoperative. The result is that there are still in almost every part of the Colony numbers of ill-bred, ill-fed, useless curs, which destroy valuable sheep, annoy the public, and at times even endanger their lives ; the owners of these dogs feeling no responsibility because they incur no risk, so long as there is nothing on the dogs to prove ownership.

I would suggest, therefore, that the provision of the Dog Act relating to the wearing of collars be repealed, and that it be made compulsory on every owner of a dog to register and brand his dog with a "tattoo" brand. It would be easy to find a sufficient number of these brands, and the fee for registration need

need be but trifling; the brands could be quickly, legibly, and indelibly marked on the dog's ear; and the operation if carefully done would cause but very slight pain. The brands would require to be registered in Sydney, and the officers in charge of the several Police Stations could be supplied with markers with movable types to brand the dogs brought to him with the certificate of registration of the "tattoo brand."

Among other advantages which this system would secure the following may be mentioned, namely:—

- (1.) The law which now fails to compel owners to mark the ownership of their dogs could then be easily enforced.
- (2.) The trouble and expense of procuring collars would be saved; and the inconvenience which collars cause to dogs at work would be avoided.
- (3.) It would then be impossible for valuable dogs to be destroyed, as they now at times are, by the police in Sydney and other towns, through the removal of their collars; and it would then be scarcely possible for a valuable dog to be lost, while the tattoo brand would also be a great check on dog-stealing.
- (4.) If a dog were caught worrying sheep or doing any other damage, there would then be no difficulty as there now is in proving to whom it belonged. This would lead owners to feel their responsibility, and to be careful not to keep more dogs than they could feed.

NATIVE DOGS.

From eighteen districts there are reports of losses of sheep by native dogs, but in nearly every case they have been slight. In thirteen districts no losses are reported, and from five districts no reports have been received.

MARSUPIALS.

The late severe drought destroyed and aided in the destruction of a great many kangaroos, but they are reported as being again on the increase, and likely to become numerous, unless some general action is taken with respect to them.

RABBITS.

These pests are fast spreading on the Lower Murray. They are also reported as having obtained a footing on the Murrumbidgee. It is very necessary, therefore, that effective measures should be at once taken for their eradication, for their inroads are most destructive, and it is with the greatest difficulty as well as at a very heavy cost that they can be eradicated.

The replies from the several districts to the question as to whether a measure should be introduced for dealing effectively with these vermin stand as follows:—

	For.	Against.	Not stated.
For Native Dogs	18	13	5
„ Marsupials	19	11	6
„ Rabbits	14	15	7

These returns show there is a very general desire that combined action should be taken in this matter; and a measure has I believe been framed by direction of the Colonial Secretary, which will admit of all or any of these vermin being dealt with in any district, as the case may require. The measure is, I understand, framed on the municipal principle, worked by a Board of directors chosen from the cattle and sheep owners of the district in fair proportions. The funds required to meet the expenses of the Act will be raised by an assessment, and the directors will take all necessary steps for destroying the vermin, and will pay for their destruction. Such a measure as this is urgently required for keeping down all these vermin; but it is especially necessary that immediate action should be taken with regard to rabbits, for they are spreading rapidly, and will soon ruin the runs where they obtain a footing. Every day action is delayed their eradication will become more difficult and the expense much greater.

ARTIFICIAL GRASSES.

Artificial grasses have been introduced into twenty-three districts, the success of which has been very varied, mostly on account of the late dry seasons.

FENCING OF RUNS.

The runs in twenty-six districts are reported as all or nearly all enclosed; in one district two-thirds of the runs are said to be so; in two districts, *one-half*; in one district, *one-fourth*; in one district, *one-fifth*; and from five districts no information on this point has been received.

ALEX. BRUCE,
Chief Inspector of Stock.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LIVE STOCK AND AGRICULTURE.

(RETURNS FOR YEAR ENDED 31 MARCH, 1880.)

Ordered by the Legislative Assembly to be printed, 2 July, 1880.

RETURN of LIVE STOCK in each POLICE DISTRICT of the COLONY, for the Year ending 31st March, 1880.

Name of Police District.	Number of Stockholders.	Description of Stock.				Totals.
		Horses.	Horned Cattle.	Sheep.	Pigs.	
		Number.	Number.	Number.	Number.	
Albury	1,237	12,148	56,744	1,109,416	5,702	1,184,010
Armidale	859	11,244	122,344	860,828	4,937	998,453
Balranald	67	1,750	20,547	1,041,887	220	1,064,404
Bathurst	1,159	10,076	30,325	303,971	5,975	350,347
Bega	501	3,429	45,758	796	14,943	64,926
Berrima	735	3,312	35,634	20,650	4,778	64,374
Miscellaneous ... ..	.....	117	100	62	106	385
Bombala	233	3,917	30,270	264,168	1,482	299,837
Boorowa	367	3,264	10,902	378,901	2,120	395,187
Bourke	69	3,550	63,099	783,958	273	850,880
Braidwood	528	4,691	44,133	19,698	1,870	70,392
Breewarrina	90	3,345	71,349	685,989	470	761,153
Brisbane Water	256	973	6,117	143	1,245	8,478
Broulee	280	1,959	16,895	198	5,835	24,887
Camden, Narellan, and Picton	660	4,958	37,201	8,545	5,220	55,924
Campbelltown	179	1,121	6,761	1,760	516	10,158
Carcoar	523	5,216	15,573	305,069	2,640	328,498
Cassilis	295	2,932	12,644	255,302	1,228	272,106
Cooma	627	10,598	68,803	723,484	2,215	805,100
Coonambic	263	3,330	32,882	718,795	1,263	756,270
Cowra	385	3,616	8,594	186,146	1,918	200,274
Deniliquin	528	5,739	19,758	1,912,999	1,749	1,940,245
Dowling	185	729	10,348	974	3,878	15,929
Dubbo	719	10,215	126,907	1,727,969	3,258	1,868,349
Dungog	352	2,131	19,521	835	5,396	27,883
Eden	225	1,610	15,543	2,907	3,780	23,840
Forbes	605	7,404	69,911	1,794,110	2,246	1,873,671
Glen Innes	272	4,505	87,775	194,815	1,321	288,416
Goulburn	1,190	10,955	73,038	239,976	6,234	330,203
Grafton	1,147	9,281	83,081	729	6,178	99,269
Grenfell	264	2,119	8,778	378,717	1,216	390,830
Gundagai	746	7,650	47,671	434,940	5,828	496,089
Gunnedah	162	2,962	17,336	468,009	1,647	489,954
Hartley	412	4,296	20,997	56,120	2,676	84,089
Inverell	332	3,498	28,437	247,606	1,874	281,415
Kiama	568	2,526	28,832	824	10,287	42,469
Liverpool	293	1,485	7,284	1,463	953	11,185
Macclay River	881	5,890	45,527	234	7,876	59,527

Name of Police District.	No. of Stockholders.	Description of Stock.				Totals.
		Horses.	Horned Cattle.	Sheep.	Pigs.	
		Number.	Number.	Number.	Number.	
Maitland	960	5,398	25,935	10,681	5,562	46,676
Manning River... ..	772	5,264	28,369	688	10,187	44,508
Metropolitan	1,657	4,443	6,182	778	4,920	16,323
Miscellaneous ... ..	.....	7,159	3,004	1,649	1,095	12,907
Mitchell	100	5,290	51,416	1,448,967	412	1,506,085
Moama	164	1,025	5,150	182,361	325	188,861
Molong	703	5,498	13,472	343,723	2,638	365,331
Mudgee	746	6,313	19,378	170,386	5,530	201,607
Murrurundi	171	1,989	16,723	396,673	1,083	416,468
Muswellbrook and Merton	292	3,695	29,728	31,221	1,455	66,099
Narrabri	190	4,408	117,662	361,755	1,348	485,173
Newcastle	205	998	3,792	478	1,432	6,706
Orange	612	5,230	13,306	72,870	3,534	94,940
Oxley	515	10,139	83,718	4,500,561	2,688	4,597,106
Parramatta	838	2,484	5,418	2,354	2,375	12,631
Paterson	257	2,400	21,475	3,222	4,592	31,689
Patrick's Plains	533	5,488	40,257	44,731	5,763	96,239
Penrith	466	3,263	15,224	4,453	2,039	24,979
Port Macquarie	251	2,081	17,074	880	3,579	23,614
Port Stephens	361	2,856	38,789	2,875	5,490	50,010
Queanbeyan	539	7,414	48,380	404,337	1,929	462,060
Raymond Terrace	331	2,553	12,576	339	2,803	18,271
Richmond River	964	8,308	177,148	608	4,103	190,167
Rylstone	298	3,159	14,147	142,018	1,524	160,848
Scone	344	4,165	40,691	223,199	1,621	269,676
Shoalhaven	768	3,972	29,149	880	7,356	41,357
Tamworth	711	8,576	35,828	417,328	4,344	466,076
Tenterfield	307	3,157	46,302	80,820	1,282	131,561
Tumut	452	5,027	41,258	155,232	3,181	204,698
Twced River	66	234	1,135	3	243	1,615
Vegetable Creek	28	674	6,901	87,353	246	95,174
Wagga Wagga	715	7,110	40,930	1,778,660	3,544	1,830,244
Walgett	70	3,488	111,191	401,275	465	516,419
Warialda	382	10,534	199,085	683,661	3,464	896,744
Wellington	532	4,497	10,390	292,170	2,831	309,888
Wentworth	75	1,691	5,215	661,444	358	668,708
Windsor	748	5,314	13,920	2,443	5,979	27,656
Wollombi	276	2,340	14,059	902	2,110	19,411
Wollongong	616	2,036	19,376	825	5,954	28,191
Yass	697	7,147	24,810	436,957	2,449	471,363
Young	651	4,680	19,128	558,639	3,740	586,187
General Total	37,557	360,038	2,914,210	29,043,392	256,026	32,573,666

NOTE.—The Stock Returns refer only to holdings of one acre and upwards.

Registrar General's Office,
Sydney, 2 July, 1880.

H. NEWCOMBE,
Compiler.

E. G. WARD,
Registrar General.

DECENNIAL RETURN of LIVE STOCK in the Colony.

Year ended 31 March.	Horses.	Horned Cattle.	Sheep.	Pigs.	Year ended 31 March.	Horses.	Horned Cattle.	Sheep.	Pigs.
	No.	No.	No.	No.		No.	No.	No.	No.
1871	337,597	2,195,096	16,308,585	243,066	1876	357,696	3,134,086	24,382,536	199,950
1872	304,100	2,014,888	16,278,697	213,193	1877	366,703	3,131,013	24,503,388	173,604
1873	328,408	2,287,660	17,560,048	218,904	1878	328,150	2,746,385	20,962,244	191,677
1874	334,462	2,794,327	20,501,506	240,680	1879	336,468	2,771,583	23,967,053	220,320
1875	346,691	2,856,699	22,872,882	219,958	1880	360,038	2,914,210	29,043,392	256,026

Sydney: Thomas Richards, Government Printer.—1880.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

AGRICULTURE.

(DECENNIAL RETURN AND RETURN FOR THE YEAR ENDED 31ST MARCH, 1880.)

Ordered by the Legislative Assembly to be printed, 11 June, 1880.

AGRICULTURE.

DECENNIAL RETURN showing the Quantity of LAND under Crop, and the PRODUCE of the same, &c., in the Colony.

Year ended 31 March.	Crops.																		Produce.																					
	Wheat.	Maize.	Barley.	Oats.	Cotton.	Rye.	Millet.	Potatoes.	Tobacco.	Hops.	Arrowroot.	Sorghum and Imphee.	Sugar-cane.		Sown Grasses, Oats, Wheat, and Barley for Hay.	Vines.	Sown Grasses, Oats, Barley, Sorghum, &c., for Green Food for Cattle.	Gardens and Orchards.	Orangeries.	All other in Crop.	Total Number of Acres in Crop.	Wheat.	Maize.	Barley.	Oats.	Cotton.	Rye.	Millet.	Potatoes.	Tobacco.	Hops.	Arrowroot.	Sorghum and Imphee (Grain).	Sugar.	Wheat, Barley, Oats, and Sown Grasses for Hay.	Vines.				Oranges.
													Productive.	Unproductive.																						Wine.	Brandy.	Fruit for Table use.		
1871	147997	107178½	40501	10683½	21	12951	360	13027½	2251	84½	182½	1475	2607½	65403½	4504½	48901½	17168½	..	5240½	426976	999595	2340654	47701	119365	11½	11691	4747	34118½	699½	..	22807	2005	1519560	69601½	342674	1847½	1046½	....	
1872	154030½	119956½	3461½	13795	..	1842½	254	14770	567½	..	261	82½	1994½	2399	51806½	4162½	31903½	145207	..	2780½	417801½	2220642	4015073	55284	239837	..	17339	4346	44758	4475½	..	26454	3465	2780283	77459½	413321	1766½	508	....
1873	177551½	116745	3727½	13586	..	1260	231	16123½	440	..	38	69½	3470	2001	65832	4090	32510½	15016½	..	2392½	454634½	2393463	3034958	70708	270967	..	17671	4243	45112	2751	..	32613	880	10955840	105929½	451450	996½	573½	....
1874	169330½	116648	3579½	16624½	..	1235½	276½	14574½	1991	½	31½	96½	3565½	8105½	71437½	4547½	36490½	106421	..	3448½	461733½	2273020	4128865	66404	322449	..	17661	4372	43424½	1261	100	31430	850	1838224	110006½	678985	1916½	620½	....
1875	166911½	118436½	3934½	17073½	..	1143	192	13604	639½	..	47	15½	4087	4453½	68937½	4307½	40589½	17571½	..	3012½	464957½	2148394	3618430	69063	293135	..	17336	3061	33564	6069	..	29760	360	15356648	93440	684258	1850	670½	....
1876	133609½	117582½	4817	18855½	..	918½	149	13805½	491½	..	40½	23½	3053½	2800	77125½	4453½	50834½	10470½	..	2766	451138½	1058640	3410517	98576	352986	..	11756	2593	41203	4098	..	40787	1196	11056186	88967½	331749	2747½	768	....
1877	145008½	116364½	5662	21823½	..	1277	242½	14171½	333	..	53½	51½	3524	3231½	111946	4457	61516½	20453	..	3119½	513840	2391979	3879537	134168	461916	..	22277	4400	42038½	2440	..	86463	1290	10523520	159660½	799709	2903½	917½	....
1878	176686½	105510	5055	18580½	..	1168½	230½	13862½	399	..	51½	67½	3381½	3735½	125778	4183½	65072½	19900½	..	2943	546556	2445507	3551806	99435	358853	..	19184	3877	34957½	3049	..	83554	2745	10888323	154076	708431	1481½	797½	....
1879	233252½	130582½	6162	22129	..	1302	254½	16724½	335	..	27½	47½	2940½	4489½	104095½	4237½	60249½	18017½	4237	4008½	613842½	3489326	4420560	132072	447912	..	22563	5023	53590	7932½	..	47484	1735	18278786	172406½	684733	2540	1102	3393445	
1880	233368½	135034	6130½	23883½	..	1016½	86	19271	592	..	25½	25½	3675½	4102½	112413½	4266½	64643½	18130½	5106	3370½	635641	3618266	4761856	131541	516937	..	16373	1855	62227½	6221½	..	38531	395	6342896	162763½	733576	4186½	1017½	2763811	

NUMBER OF OCCUPIERS OF LAND, WITH EXTENT OF HOLDINGS, &c., &c.					
Year ended 31 March.	Number of Occupiers of Land (excluding those for Pastoral purposes).	Total Extent of Holdings.	Extent of Land in Cultivation.	Extent of Land enclosed but not in Cultivation.	Extent of Land unenclosed.
		acres	acres	acres	acres
1871	31,538	8,628,326	494,012½	3,835,753½	4,253,555
1872	29,174	7,855,067½	417,851½	3,021,505	3,516,711
1873	31,342	9,788,728	454,634½	5,134,389½	4,199,703½
1874	32,258	10,619,532½	461,733½	5,896,065	4,321,734½
1875	35,131	12,144,158½	464,957½	6,098,988	5,680,213
1876	36,984	13,525,497	451,138½	7,771,068½	5,303,280½
1877	39,639	18,210,796½	513,840	11,020,968½	6,676,987½
1878	40,329	19,435,896½	546,556	13,792,620½	5,090,720
1879	37,887	21,471,596	613,642½	15,903,303½	4,954,150½
1880	39,918	22,721,603½	635,641	17,578,389	4,507,573½

* 1872.—This quantity is exclusive of the produce of 748 acres of Sugar-cane grown in the Grafton District, which could not be ascertained.

AGRICULTURE.

ABSTRACT RETURN of AGRICULTURE for the Year ending 31st March, 1880, showing the Number of Holders of Land of 1 Acre and upwards, the extent of Holdings, distinguishing Freeholds from Leaseholds (exclusive of lands leased from the Crown) together with the Acreage under the different kinds Crops and the Produce thereof in each Police District of the Colony.

Table with columns for Police Districts, Extent of Land in Cultivation, Total Extent of Holdings, Crops (Wheat, Maize, Barley, Oats, Rye, Millet, Potatoes, Tobacco, Sorghum and Imphee, Sugar-cane, Sown Grasses), and Produce (Wheat, Maize, Barley, Oats, Rye, Millet, Potatoes, Tobacco, Sorghum and Imphee, Sugar-cane grown, Sugar produced at the Mills, Arrowroot, Hay, Wine-making, Table use, Vineyards, Oranges).

* Crop a failure. † The owners of one mill of 8-h.p. have not given the quantity of sugar manufactured.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

DISEASES IN SHEEP ACTS AMENDMENT ACT OF 1878.
(GAZETTE PUBLICATION EXTENDING PROVISIONS OF, TO COOMA.)

Ordered by the Legislative Assembly to be printed, 5 May, 1880.

(From the Government Gazette, 30th April, 1880.)

Stock Branch, Department of Mines, Sydney, 30th April, 1880.

DISEASES IN SHEEP ACTS AMENDMENT ACT OF 1878.

HIS Excellency the Governor, with the advice of the Executive Council, directs it to be notified for general information, that the Regulations 1, 2, 3, and 4, contained in section 14 of the above-named Act, with respect to travelling sheep, shall apply and be in force in the Sheep District of Cooma.

E. A. BAKER.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

ENDOWMENT OF AGRICULTURAL SOCIETIES.

(PARTICULARS RESPECTING.)

Ordered by the Legislative Assembly to be printed, 5 May, 1880.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 29th April, 1880, That there be laid upon the Table of this House,—

“A Return showing the amount of money paid as subsidy to each of the
“Agricultural Societies in New South Wales; also showing the amount
“of subscriptions, &c., of the various Societies upon which the subsidy
“was calculated for 1879.”

(*Mr. Barbour.*)

ENDOWMENT OF AGRICULTURAL SOCIETIES.

SUBSIDIES paid to Agricultural Societies out of *pro rata* Vote of £5,000 for 1879.

Name of Society.	Amount of Subscriptions, &c.	Amount paid as Subsidy.
Albury Pastoral and Agricultural Society	£ s. d. 151 6 0	£ s. d. 115 10 4
Armidale and New England Agricultural and Pastoral Association	105 7 6	80 9 0
Bega Agricultural and Pastoral Association	64 13 0	49 7 3
Blayney Pastoral and Agricultural Association	113 8 0	86 11 7
Bombala Pastoral, Agricultural, Mineral, and Industrial Society	44 10 0	33 19 7
Braidwood Pastoral and Agricultural Association	108 7 6	82 14 10
Brewarrina Pastoral and Agricultural Association	84 0 0	64 2 8
Burrangong Pastoral and Agricultural Association (Young)	62 7 0	47 12 1
Burraung and West Camden Farmers' Club and Agricultural Society	121 6 0	92 12 6
Carcoar Agricultural and Pastoral Association	64 1 0	48 18 0
Central Australian Pastoral Association (Bourke)	181 13 7	138 14 0
Clarence Pastoral and Agricultural Society (Grafton)	215 16 0	164 15 3
Corowa Agricultural Association	255 0 0	194 13 9
Crookwell Agricultural and Pastoral Association	57 13 0	44 0 3
Dapto Agricultural Society	45 3 6	34 9 9
Deniliquin Pastoral and Agricultural Society	486 0 8	371 1 7
Forbes Pastoral and Agricultural Society	221 8 0	169 0 9
Glen Innes Pastoral, Agricultural, and Mining Association	191 0 0	145 16 6
Grenfell Pastoral and Agricultural Society	69 15 6	53 5 5
Hawkesbury Agricultural Association (Windsor)	40 0 0	30 10 9
Hay Pastoral Association	125 0 0	95 8 9
Hunter River Agricultural and Horticultural Society (West Maitland)	289 0 0	220 12 11
Inverell Pastoral and Agricultural Association of Central New England	136 13 0	104 6 7
Kiama Agricultural and Horticultural Society	164 13 0	125 14 2
Liverpool Plains Agricultural and Horticultural Association (Tanworth)	112 7 0	85 15 6
Manning River Agricultural and Pastoral Association (Taree)	91 0 0	69 9 7
Moruya Agricultural Society	63 0 0	48 2 0
Mudgee District Farmers' Association and Horticultural and Industrial Union	185 1 0	141 5 8
Murrumbidgee Pastoral Association (Wagga Wagga)	218 9 0	166 15 8
Murrurundi Horticultural and Agricultural Society	15 19 0	12 3 7
Namoi Pastoral and Agricultural Association (Narrabri)	40 4 0	30 13 10
New South Wales Agricultural Society (Sydney)	650 7 0	496 10 8
Northern Agricultural Association (Singleton)	217 7 0	165 18 11
North-western Pastoral and Agricultural Association (Dubbo)	127 6 0	97 3 10
Orange Agricultural Society	177 16 6	135 15 4
Parkes Agricultural and Horticultural Association	80 17 0	61 14 6
Richmond River Agricultural and Horticultural Society (Casino)	52 1 0	39 14 9
Riverina Agricultural Society (Jerilderie)	52 10 0	40 1 8
Shoalhaven Agricultural and Horticultural Association (Torrance)	109 3 0	83 6 8
Southern New England Pastoral and Agricultural Association (Uralla)	111 10 0	85 2 7
Tenterfield Pastoral, Agricultural, Mining, and Horticultural Society	91 10 0	69 17 2
Tunmut Agricultural and Pastoral Association	89 5 0	68 2 10
Ulladulla Agricultural Association (Milton)	64 8 0	49 3 4
Upper Hunter Pastoral and Agricultural Association (Musclebrook)	156 0 0	119 2 1
Wellington Pastoral and Agricultural Association	158 13 6	121 2 11
Western Agricultural, Horticultural, and Pastoral Association (Bathurst)	196 17 0	150 5 10
Yass Pastoral and Agricultural Association	89 5 0	68 2 10
£	6,548 18 3	5,000 0 0

1878-9.

NEW SOUTH WALES.

REAL PROPERTY ACTS INQUIRY COMMISSION.

REPORT

OF THE

ROYAL COMMISSION,APPOINTED ON THE 17TH FEBRUARY, 1879,

TO INQUIRE INTO AND REPORT UPON THE WORKING OF THE REAL PROPERTY ACTS;

TOGETHER WITH THE

MINUTES OF EVIDENCE

AND

APPENDICES.

Presented to Parliament by Command.



SYDNEY : THOMAS RICHARDS, GOVERNMENT PRINTER.

1879.

Commission.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth,—

To our trusty and well-beloved—

JAMES NORTON, Esquire, Solicitor ;
 WILLIAM HENRY ARCHER, Esquire, Barrister-at-law ;
 JOHN DAWSON, Esquire, Solicitor ;
 THOMAS ROBERTSON, Esquire, Solicitor ; and
 SAMUEL HENRY TERRY, Esquire, a Member of our Legislative Assembly of our Colony of New South Wales,—

Greeting :

Know ye, that we, reposing great trust and confidence in your ability, zeal, industry, discretion, and integrity, do, by these presents, authorize and appoint you, or any three or more of you, as hereinafter mentioned, to make a diligent and full inquiry into the working of the Real Property Acts of our said Colony : And we do, by these presents, give and grant to you, or any three or more of you, at any meeting or meetings to which all of you shall have been duly summoned, full power and authority to call before you all such persons as you may judge necessary, by whom you may be better informed of the truth in the premises, and to require the production of all such books, papers, writings, and all other documents as you may deem expedient, and to visit and inspect the same at the offices or places where the same, or any of them, may be deposited, and to inquire of the premises by all lawful ways and means : And our further will and pleasure is that you, or any three or more of you, after due examination of the premises, do and shall, within the space of two months after the date of this our Commission, or sooner if the same can reasonably be, certify to us, in the office of our Colonial Secretary, under your, or any three or more of your hands and seals, what you shall find touching the premises : And we hereby command all Government Officers and other persons whomsoever within our said Colony, that they be assistant to you and each of you in the execution of these presents : And we appoint you, the said James Norton, Esquire, to be President of this our Commission.

In testimony whereof, we have caused these our Letters to be made Patent, and the Great Seal of our Colony to be hereunto affixed.

Witness, SIR HERCULES GEORGE ROBERT ROBINSON, Knight Grand Cross of our Most Distinguished Order of Saint Michael and Saint George, our Governor and Commander-in-Chief of our Colony of New South Wales and its Dependencies, at Government House, Sydney, in New South Wales aforesaid, this seventeenth day of February, in the year of our Lord one thousand eight hundred and seventy-nine, and in the forty-second year of our reign.

(L.S.) HERCULES ROBINSON.

By His Excellency's Command,

HENRY PARKES.

Entered on record by me in Register of Patents, No. 11, pages 48-9, this seventeenth day of February, one thousand eight hundred and seventy-nine.

MAXWELL ALLAN,

(For the Colonial Secretary and Registrar of Records.)

COMMISSION to inquire into the working of the Real Property Acts.

WHEREAS it is necessary to extend the time by which the Commissioners are to make their return in the above matter : Now, therefore, I do hereby, with the advice of the Executive Council, extend the time within which the said Commissioners are to make such return to and for the period of two months beyond the time in and by the said Commission appointed for such purpose.

Given under my hand at Government House, Sydney, this sixteenth day of April, one thousand eight hundred and seventy-nine.

ALFRED STEPHEN.

By His Excellency's Command,

HENRY PARKES.

Entered on record by me in Register of Patents, No. 11, page 74, this seventeenth day of April, one thousand eight hundred and seventy-nine.

CRITCHETT WALKER,

(For the Colonial Secretary and Registrar of Records.)

COMMISSION

COMMISSION to inquire into the working of the Real Property Acts.

WHEREAS the time appointed for the return of the Commission in the above matter was, by an instrument dated the sixteenth day of April last, extended for a period of two months: And whereas it is necessary to extend the same still further: Now, therefore, I do hereby, with the advice of the Executive Council, extend the time within which the Commissioners are to make their return, to and for a further period of one month beyond the time in and by the aforesaid instrument appointed for such purpose.

Given under my hand at Government House, Sydney, this eleventh day of June, one thousand eight hundred and seventy-nine.

ALFRED STEPHEN.

By His Excellency's Command,

HENRY PARKES.

Entered on record by me in Register of Patents, No. 11, page 87-8, this twelfth day of June, one thousand eight hundred and seventy-nine.

CRITCHETT WALKER,

(For the Colonial Secretary and Registrar of Records.)

COMMISSION to inquire into the working of the Real Property Acts.

WHEREAS the time appointed for the return of the Commission in the above matter was, by an instrument dated the eleventh day of June last, extended for a further period of one month: And whereas it is necessary to extend the same still further: Now, therefore, I do hereby, with the advice of the Executive Council, extend the time within which the Commissioners are to make their return to and for a further period of one month beyond the time in and by the aforesaid instrument appointed for such purpose.

Given under my hand at Government House, Sydney, this eleventh day of July, one thousand eight hundred and seventy-nine.

ALFRED STEPHEN.

By His Excellency's Command,

HENRY PARKES.

Entered on record by me in Register of Patents, No. 11, page 91, this eleventh day of July, one thousand eight hundred and seventy-nine.

CRITCHETT WALKER,

(For the Colonial Secretary and Registrar of Records.)

EXTRACTS FROM MINUTES OF PROCEEDINGS.

THURSDAY, 27 FEBRUARY, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.
 Samuel Henry Terry, Esq., M.P., | William Henry Archer, Esq.,
 Thomas Robertson, Esq.

The Commission and the Letter of Instructions accompanying it were read.

The members of the Commission deliberated as to the manner in which the inquiry should be conducted, and arranged the order of proceedings.

It was decided to insert in the *Sydney Morning Herald* and the *Evening News* an advertisement requesting all persons desirous of giving information upon the working of the Real Property Acts to communicate by letter with the Secretary.

Resolved to meet on Tuesday, 4th March, for the purpose of taking evidence, and to summon E. G. Ward, Esq., Registrar General, for examination.

TUESDAY, 4 MARCH, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.
 Samuel Henry Terry, Esq., M.P., | William Henry Archer, Esq.,
 Thomas Robertson, Esq.

Minutes of the previous meeting read and confirmed.

Edward Grant Ward, Esq., Registrar General, examined.

THURSDAY, 6 MARCH, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.
 Samuel Henry Terry, Esq., M.P., | William Henry Archer, Esq.,
 Thomas Robertson, Esq.

Minutes of the previous meeting read and confirmed.

Correspondence—Letter read from Mr. John Garsed, which the Commissioners did not consider had any bearing on the matter referred to them for inquiry.

Edward Grant Ward, Esq., Registrar General, further examined.

MONDAY, 10 MARCH, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.
 William Henry Archer, Esq., | Thomas Robertson, Esq.

Minutes of the previous meeting read and confirmed.

Edmund Burton, Esq., Examiner of Titles, examined.

WEDNESDAY, 12 MARCH, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.
 Samuel Henry Terry, Esq., M.P., | William Henry Archer, Esq.,
 Thomas Robertson, Esq.

Minutes of the previous meeting read and confirmed.

Edmund Burton, Esq., Examiner of Titles, further examined.

FRIDAY, 14 MARCH, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.
 Samuel Henry Terry, Esq., M.P., | William Henry Archer, Esq.,
 Thomas Robertson, Esq.

Minutes of the previous meeting read and confirmed.

Mr. Charles John Muddle, Deputy Registrar General, examined.

MONDAY,

MONDAY, 17 MARCH, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.	
Samuel Henry Terry, Esq., M.P.,	William Henry Archer, Esq.,
Thomas Robertson, Esq.,	John Dawson, Esq.

Minutes of the previous meeting read and confirmed.
Emund Burton, Esq., Examiner of Titles, further examined.

WEDNESDAY, 19 MARCH, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.	
Samuel Henry Terry, Esq., M.P.,	William Henry Archer, Esq.,
Thomas Robertson, Esq.,	John Dawson, Esq.

Minutes of the previous meeting read and confirmed.
Letter from Mr. John Garsed read. The Secretary was instructed to write to Mr. Garsed, stating that if he would be good enough to put his complaints in connection with the Real Property Acts into a concise form, the Commissioners would give to the matter that attention which might seem to them to be necessary.

Edmund Burton, Esq., Examiner of Titles, further examined.

FRIDAY, 21 MARCH, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.	
William Henry Archer, Esq.,	Thomas Robertson, Esq.,
John Dawson, Esq.	

Minutes of the previous meeting read and confirmed.
The Secretary reported that he had written to Mr. John Garsed, the following :—"Sir,—The Members of the Real Property Acts Inquiry Commission cannot gather distinctly from the statements you have forwarded to them what your grievance is, and I am requested to state that if you will put your complaints in connection with the Real Property Acts into a concise form, the Commissioners will give to the matter that attention which may seem to them to be necessary."

John Booth Jones, Esq., Examiner of Titles, examined.

MONDAY, 24 MARCH, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.	
William Henry Archer, Esq.,	Thomas Robertson, Esq.,
John Dawson, Esq.	

Minutes of the previous meeting read and confirmed.
Letter from Mr. John Garsed read. The Secretary was instructed to write to Mr. Garsed, informing him that the Commissioners had decided that his case did not come within the scope of their inquiry.
John Booth Jones, Esq., Examiner of Titles, further examined.

THURSDAY, 27 MARCH, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.	
Samuel Henry Terry, Esq., M.P.,	William Henry Archer, Esq.,
Thomas Robertson, Esq.,	John Dawson, Esq.,

Minutes of the previous meeting read and confirmed.
The Secretary reported that he had written to Mr. John Garsed the following letter, dated 25th March, 1879 ;—"Sir,—I beg to inform you that the members of the Real Property Acts Inquiry Commission have carefully considered the papers and letters you have forwarded to them, and have decided that your case does not come within the scope of their inquiry."

The Secretary reported also that another long and indefinite communication had been received from Mr. Garsed.

The Secretary was instructed to write to Mr. Garsed, informing him that the Commissioners did not feel called upon to waste time in inquiring into his grievance, as it seemed to have no bearing on the question referred to the Commission for consideration.

John Booth Jones, Esq., Examiner of Titles, further examined.

TUESDAY, 1 APRIL, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.	
Samuel Henry Terry, Esq., M.P.,	William Henry Archer, Esq.,
Thomas Robertson, Esq.,	John Dawson, Esq.

Minutes of the previous meeting read and confirmed.
The Secretary reported that before writing to Mr. John Garsed, in accordance with the instructions of last meeting, two other letters were received from him and submitted to the President, who considered it best to delay communicating with Mr. Garsed until after the next meeting of the Commission.

The

The Secretary was instructed to write the following letter to Mr. Garsed:—"Sir,—Your letters of 27th and 31st March having been laid before the Commissioners, I am directed to call your attention to my letter of the 25th March, and to intimate that they must adhere to the decision therein expressed."

Letter from Mr. W. M. Brownrigg, licensed surveyor, drawing attention to an alleged violation of sections 100 and 101 of the Real Property Act, read.

The President reported having written to the Honorable the Colonial Secretary, asking for an extension of the time allowed the Commission for completing their inquiry.

Henry Dyer Maddock, Esq., Examiner of Titles, examined.

THURSDAY, 3 APRIL, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,	|	William Henry Archer, Esq.,
Thomas Robertson, Esq.,	|	John Dawson, Esq.

Minutes of the previous meeting read and confirmed.

The Secretary reported having written to Mr. John Garsed, in accordance with the instruction of last meeting.

Letter from Mr. John Garsed read. The Secretary was instructed, with regard to future correspondence from Mr. Garsed, to peruse all further letters received from him, acknowledge the receipt of them, and submit to the Commissioners only those which it was necessary should receive their attention.

Henry Dyer Maddock, Esq., Examiner of Titles, further examined.

Mr. Jonas Lander, Clerk to the Examiners, examined.

TUESDAY, 8 APRIL, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,	|	William Henry Archer, Esq.,
Thomas Robertson, Esq.,	|	John Dawson, Esq.

Minutes of the previous meeting read and confirmed.

The Secretary reported that two other communications had been received from Mr. John Garsed.

Mr. Jonas Lander, Clerk to the Examiners, further examined.

Robert Mead Pearson, Esq., Principal Draftsman, examined.

THURSDAY, 10 APRIL, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,	|	William Henry Archer, Esq.,
Thomas Robertson, Esq.,	|	John Dawson, Esq.

Minutes of the previous meeting read and confirmed.

Septimus Alfred Stephen, Esq., solicitor, examined.

WEDNESDAY, 16 APRIL, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,	|	William Henry Archer, Esq.,
Thomas Robertson, Esq.,	|	John Dawson, Esq.

Minutes of the previous meeting read and confirmed.

The Secretary reported the receipt of another communication from Mr. John Garsed.

John Solomon, Esq., J.P., examined.

Richard Jones, Esq., Commissioner of Titles, examined.

FRIDAY, 18 APRIL, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,	|	William Henry Archer, Esq.,
Thomas Robertson, Esq.,	|	John Dawson, Esq.

Minutes of the previous meeting read and confirmed.

The President reported that the time by which the Commissioners were to make their Report had been extended for a period of two months.

Alexander Oliver, Esq. Barrister-at-law and Parliamentary Draftsman, examined.

TUESDAY,

TUESDAY, 22 APRIL, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,	|	William Henry Archer, Esq.,
Thomas Robertson, Esq.,	|	John Dawson, Esq.

Minutes of the previous meeting read and confirmed.

The Secretary reported the receipt of a further communication from Mr. John Garsed. The Secretary was instructed to explain to Mr. Garsed, that the whole of his letters were so irrelevant to the matter which the Commissioners were appointed to inquire into, that they desired he would not waste further time by sending them any more communications.

Mr. John Nobbs, conveyancing clerk in the office of Messrs. McCarthy, Robertson, and Fisher, examined.

Thomas Salter, Esq., solicitor, examined.

FRIDAY, 25 APRIL, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

William Henry Archer, Esq.,	|	Thomas Robertson, Esq.,
	|	John Dawson, Esq.

Minutes of the previous meeting read and confirmed.

George Pile, Esq. examined.

Andrew Hardie McCulloch, Junr., Esq., M.P., examined.

TUESDAY, 29 APRIL, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,	|	William Henry Archer, Esq.,
Thomas Robertson, Esq.,	|	John Dawson, Esq.

Minutes of the previous meeting read and confirmed.

The Secretary reported the receipt of two other letters from Mr. John Garsed, which letters were read to the Commission.

The Secretary was instructed to write to Mr. John Garsed as follows :—"In acknowledging the receipt of your last two letters, I am directed to repeat that the matters you complain of do not come within the scope of the Commission, and that the Commissioners do not consider themselves to be a tribunal of appeal from the decisions of either the Supreme Court or the Registrar-General."

Mr. George Charles Selwyn Smith, articled clerk in the office of Messrs. Stephen & Stephen, solicitors, examined.

Henry Massey Makinson, Esq., solicitor, examined.

Mr. James Harkess, clerk in the office of Messrs. Ellis & Makinson, solicitors, examined.

FRIDAY, 2 MAY, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,	|	William Henry Archer, Esq.,
Thomas Robertson, Esq.,	|	John Dawson, Esq.

Minutes of the previous meeting read and confirmed.

Letter read from Messrs. Shorter & Fitzgerald respecting the advertising fee in transmission cases. The Secretary was instructed to reply that the letter would be forwarded to the Registrar-General, who would no doubt correct the grievance complained of.

Letter read from A. H. McCulloch, Jun., Esq., M.P. It was decided to place the letter as an appendix to Mr. McCulloch's evidence.

Algernon Sydney Gilder, Esq., solicitor, examined.

Henry Burton Bradley, Esq., solicitor, examined.

TUESDAY, 6 MAY, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,	|	William Henry Archer, Esq.,
Thomas Robertson, Esq.,	|	John Dawson, Esq.

Minutes of the previous meeting read and confirmed.

Henry Burton Bradley, Esq., solicitor, further examined.

Alfred John Cape, Esq., solicitor, examined.

FRIDAY,

FRIDAY, 9 MAY, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,
Thomas Robertson, Esq.,

William Henry Archer, Esq.,
John Dawson, Esq.

Minutes of the previous meeting read and confirmed.
William Henry Binsted, Esq., licensed surveyor, examined.
Mr. William Shirley Muddle, counter clerk, examined.

TUESDAY, 13 MAY, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President,

Samuel Henry Terry, Esq., M.P.,
Thomas Robertson, Esq.,

William Henry Archer, Esq.,
John Dawson, Esq.

Minutes of the previous meeting read and confirmed.
Correspondence read, including a letter from Mr. Jonas Lander, Examiners' Clerk, stating that his clerk was to be removed to another position in the office, and that the practice of removing the Assistant Examiners' Clerk in this manner interfered with the business of the Examining Branch.
Thomas Walker, Esq., of Yaralla, examined.
William Whaley Billyard, Esq., solicitor, examined.
Mr. William Shirley Muddle, counter clerk, recalled, and further examined.

FRIDAY, 16 MAY, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,
Thomas Robertson, Esq.,

William Henry Archer, Esq.,
John Dawson, Esq.

Minutes of the previous meeting read and confirmed.
Theodore James Jaques, Esq., solicitor, examined.

TUESDAY, 20 MAY, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,
Thomas Robertson, Esq.,

William Henry Archer, Esq.,
John Dawson, Esq.

Minutes of the previous meeting read and confirmed.
Charles Wood Readett, Esq., solicitor, examined.

FRIDAY, 30 MAY, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,
Thomas Robertson, Esq.,

William Henry Archer, Esq.,
John Dawson, Esq.

Minutes of the previous meeting read and confirmed.
William Hilson Pigott, Esq., solicitor, examined.
Mr. John Musson examined.

TUESDAY, 22 JULY, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,
Thomas Robertson, Esq.,

William Henry Archer, Esq.,
John Dawson, Esq.

Minutes of the previous meeting read and confirmed.
The President reported that the time by which the Commissioners were to make their report had been extended to the 17th August.
Some remarks upon the Real Property Act and its workings, received from Henry J. Brown, Esq., solicitor, and a letter from the Registrar of Titles, Victoria, were read.

FRIDAY, 25 JULY, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,
Thomas Robertson, Esq.,

William Henry Archer, Esq.,
John Dawson, Esq.

Minutes of the previous meeting read and confirmed.
The Commissioners considered the subject of their report.

TUESDAY, 29 JULY, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,
Thomas Robertson, Esq.,

William Henry Archer, Esq.,
John Dawson, Esq.

Minutes of the previous meeting read and confirmed.
The Commissioners resumed the consideration of their Report.

TUESDAY, 5 AUGUST, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,
Thomas Robertson, Esq.,

William Henry Archer, Esq.,
John Dawson, Esq.

Minutes of the previous meeting read and confirmed.
The consideration of the Report of the Commissioners was continued.

WEDNESDAY, 6 AUGUST, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,
Thomas Robertson, Esq.,

William Henry Archer, Esq.,
John Dawson, Esq.

Minutes of the previous meeting read and confirmed.
The Commissioners continued the consideration of their Report, and afterwards proceeded through the various rooms in the Department of the Registrar General, and inspected the work done by the officers employed, and their manner of doing it.

FRIDAY, 8 AUGUST, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,
Thomas Robertson, Esq.,

William Henry Archer, Esq.,
John Dawson, Esq.

Minutes of the previous meeting read and confirmed.
The Commissioners continued the consideration of their Report.

MONDAY, 11 AUGUST, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,
Thomas Robertson, Esq.,

William Henry Archer, Esq.,
John Dawson, Esq.

Minutes of the previous meeting read and confirmed.
The Commissioners continued the consideration of their Report.

TUESDAY, 12 AUGUST, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,
Thomas Robertson, Esq.,

William Henry Archer, Esq.,
John Dawson, Esq.

Minutes of the previous meeting read and confirmed.
The Commissioners continued the consideration of their Report.

THURSDAY, 14 AUGUST, 1879.

MEMBERS PRESENT :—

James Norton, Esq., President.

Samuel Henry Terry, Esq., M.P.,
Thomas Robertson, Esq.,

William Henry Archer, Esq.,
John Dawson, Esq.

Minutes of the previous meeting read and confirmed.
The Commissioners finally considered and signed their Report.

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REPORT.

TO HIS EXCELLENCY THE RIGHT HONORABLE LORD AUGUSTUS WILLIAM FREDERICK SPENCER LOFTUS, Knight Grand Cross of the Most Honorable Order of the Bath, a Member of Her Majesty's Most Honorable Privy Council, Governor and Commander-in-Chief of the Colony of New South Wales and its Dependencies.

May it please your Excellency,—

WE, whose names are signed and seals affixed hereto, Her Majesty's Commissioners, appointed by Letters Patent under the Great Seal of the Colony, dated the seventeenth day of February, 1879, and issued under the hand of His Excellency Sir Hercules George Robert Robinson, G.C.M.G., to inquire into and report upon the working of the Real Property Acts, have the honor to submit to your Excellency the following Report :—

1. As we were unable to gather, either from the terms of the Commission or of the resolution of the Legislative Assembly in consequence of which it was issued, the exact limit to which our inquiries ought properly to extend, we were at first in doubt whether to confine our investigations to the working of the Real Property Office as by law established, or whether, in addition, to consider the expediency of further amending or altering the Real Property Act so far as might be advantageously done without interfering with its general scope or making changes which might diminish its value. But we ultimately came to the conclusion that our proper course was to enter upon the extended field of inquiry, and to suggest such alterations in the law as after careful consideration would in our opinion make the system more popular and more generally useful.

2. The new system was established in order—Firstly, to obviate the complication and expense resulting from the practice of making all documents in any way affecting land for at least sixty years form part of the title, and thus virtually compelling every person dealing with it to employ a solicitor for the purpose of reperusing and reconsidering every document prepared during that long period of time, notwithstanding that the same expensive process may have been gone through a hundred times before; secondly,—to make the transfer of property so simple that any person of ordinary intelligence could do all that was necessary without the intervention of a solicitor; and, thirdly,—to register titles rather than dealings, and to evidence such titles by one simple document only, instead of the long chain of complex instruments which not unfrequently constituted the title under the old system.

3. As the work of conveyancing in this colony has been principally done by a large body of solicitors, numbering at the end of the year 1878 not less than 344—to say nothing of their numerous clerks and assistants—it is not surprising that although the forms of dealing with land have been greatly simplified, yet it has been found impossible for the Real Property Office, with its officers numbering originally not more than eight besides two draughtsmen, and now numbering only twenty-five, inclusive of seven draughtsmen, to supersede the old system, or even to keep pace with the work thrown upon it by persons desirous of availing themselves of the great advantages offered to them. Nor is it to be wondered at that numerous difficulties have arisen, and complaints been made, not only in this colony but in all the other Australasian Colonies, and that many Royal Commissions have been issued, and Parliamentary Committees appointed, for the purpose of inquiring into real or alleged grievances, malpractices, and neglects. It will be presently seen that, besides the difficulties naturally to be expected, we have had in this colony others which have operated much more prejudicially.

4. When the Real Property Office was first established in this colony there were appointed to fill the office of Examiner of Titles two gentlemen who were not only thoroughly competent to perform the responsible duties entrusted to them, but who appear to have devoted their whole energies to the successful inauguration of an entirely new system, which it was their ambition to make successful, and in doing this they acquired the confidence as well of the legal profession as of the public.

5. After the deaths of these gentlemen it was found impossible to replace them by equally unexceptionable officers, and we have had no difficulty in arriving at the conclusion that the disrepute into which the office has notoriously fallen has arisen from the almost universal dissatisfaction with the manner in which the investigation of titles, and the administration of business generally, is now conducted in the Examiners' department.

6. It is most unfortunate that the present senior Examiner, though a man of undoubted integrity and high standing as a solicitor, with an extensive knowledge of Real Property law, is so laboriously minute in his examination of documents, and so scrupulously cautious, and yet so anxious to allow to every one the utmost latitude in the removal of difficulties, that the delay to which applicants for title are compelled to submit, and the expense which they are obliged to incur in order to induce him with apparent reluctance to pass their titles, not only operate most injuriously to the persons affected, but prevent others from applying to place their properties under the Real Property Acts.

7. Unfortunately the second Examiner in seniority, though equally conscientious and possessing sufficient knowledge of the law of Real Property, possesses also, in an equal degree, the like faults of extreme minuteness, technicality, and timidity, while his comparative want of experience may make persons who complain of his mode of dealing with their titles less tolerant of his objections and requisitions than of those of his senior.

8. Both of these gentlemen seem to conduct the examination of a title very much as if they were merely engaged in a contest of skill between themselves and the applicant, and if the object of the Government were to bring the system into disfavour, and to prevent titles from passing, lest the assurance fund might by any possibility be made to suffer, these officers would be invaluable.

9. It is most desirable that the assurance fund should be protected from loss, but if from extreme strictness in examining titles, and in rejecting all in which there is the slightest flaw, it should become impossible that any claim on the fund should ever be successfully enforced, then landholders may fairly ask that it may be abolished altogether. During the whole sixteen years, ending with the year 1878, in which the fund amounting to no less than £27,253 18s. 8d. has accumulated, no claim has ever been made upon it, and though it is more than probable that many oversights have been made, which if discovered and taken advantage of would materially diminish it, yet the chance of any claim being successfully prosecuted is so small that little danger need be apprehended.

10. The third Examiner being expeditious, and having a large capacity for work, appears to have given great satisfaction to the public, and to have disposed of all arrears of cases in which one Examiner had reported, and which at the date of his taking office could not be laid before the Board of Commissioners and finally disposed of for want of the report of a second Examiner. He has however not been sufficiently long in office to enable us to consider whether caution has in too large a degree been sacrificed to expedition.

11. From one of the returns comprised in the appendix hereto, we find that on the average Messrs. Holden and Dick, the first Examiners, during the time they jointly held office, passed upwards of fourteen first and second class titles and transmissions each per month; Messrs. Holden and Pennington, while acting jointly, passed upwards of fifteen each per month; Messrs. Holden and Burton, while acting together, passed less than $11\frac{1}{2}$ each per month; Messrs. Burton, Jones, and Oliver, while acting together, passed less than 9 each per month; and Messrs. Burton, Jones, and Maddock, while acting together, passed upwards of $18\frac{1}{2}$ each per month. All these averages are much below what the evidence would seem to indicate as a proper amount of work for each Examiner, and are also much below what would appear to be the average work of an Examiner in Melbourne. After making very
large

large deductions for miscalculations of witnesses, and for difficulties in titles supposed to be greater in this colony than in Victoria, the result appears to justify the complaints made by most of the gentlemen examined by us.

12. In view of what has been already stated, it can scarcely be considered singular that the office has worked much less satisfactorily than might have been expected after making due allowance for all difficulties necessarily attendant on the establishment of a new system clashing severely with prejudices so deeply-rooted and vested interests so long established as those which had incorporated themselves with the old system of dealing with land titles; and a very cursory perusal of the evidence will show that a large amount of dissatisfaction with the present state of things exists, not only among the public and the legal profession, but also among the officers employed in the establishment. We have no hesitation in stating our belief that almost the whole of the complaints which have been rife for many years have arisen from the unfortunate incapacity of the Examiners to deal with the matters over which they have jurisdiction, in a practical, business-like manner; and notwithstanding the very high respect which we, in common with everyone else who has been brought into contact with the senior Examiner, must entertain for his unimpeachable integrity, his great ability, his long experience as a conveyancing lawyer, and his laborious perseverance in the discharge of his duty, and, though we regret exceedingly the possibility of giving pain to one who is so much entitled to our respect, yet it is impossible to ignore the principle that the good of one must not be permitted to interfere with the good of the many; and it is equally impossible to allow the work of the whole country and the interests of all its landholders to be obstructed or prejudiced by the idiosyncrasies of one man, however estimable.

13. The clerk to the Examiners appears to be quite unable to get through the work with which he is now charged, and in consequence of continual interruptions by persons searching for wills, and by the public and their solicitors and clerks inquiring as to progress, and complaining of delays, his work has not only been delayed to a still greater extent but the complaints against the whole office have been greatly multiplied. We consider however that if he were relieved of the custodianship of wills, which does not properly belong to his office, and the supervision of searches against applicants for titles, which could be better done by the Examiners, he might be able for some time longer to hold his present position without further assistance.

14. It has been found impossible for the Board of Commissioners appointed under the Real Property Act, which is composed of non-professional men, to alleviate, except in a very small degree, the difficulties and delays caused by the Examiners, for they have naturally felt themselves incompetent to deal with strictly legal questions on which it was the business of the Examiners to advise them.

15. Indeed the conviction has been forced upon us that the Board of Commissioners is of no practical value whatever, and that it would be of great advantage to the office and to the public that it should be entirely abolished, and that an officer, to be called the Master of Titles, should be appointed to perform all the duties now performed by the Board, except such mere ministerial duties as may be more appropriately assigned to the Registrar General, and we consider that the officer so appointed should have the complete control of the Examiners and of the whole professional department of the Real Property office, including the draftsmen's branch, and that he should be exempted from all interference on the part of the Registrar General.

16. The gentleman appointed to fill the office of Master of Titles should be a barrister or solicitor of high standing, and of thorough knowledge of conveyancing law, with good administrative faculty.

17. We have carefully considered the question whether there is any necessity for the examination of every title by more than one Examiner, and we are of opinion that if a Master of Titles should be appointed the investigation of titles might be safely entrusted to either one or more of the Examiners, as that officer in each case, or in each class of cases, might determine.

18. The principle above recommended has been found to work well in Victoria, and it is evident that if adopted here it will save a great deal of time, and probably make it unnecessary for some time to come to appoint a fourth Examiner.

19. We consider that among the powers which ought to be granted to the Master of Titles should be that of accepting titles which might be considered defective by reason of the non-production of documents, or of the imperfect nature of the evidence of title, or by reason of some uncertain or doubtful claim or demand which might affect the land being dealt with: provided that the applicant for title should contribute to the assurance fund such additional sum of money as the Master of Titles should in each case determine.

20. Notwithstanding the existence of such a power in the Melbourne office the Assurance Fund, which there amounted at the end of the year 1877 to £47,314, had only been diminished by claims thereon to the extent of £718 0s. 4d., and we can see no reason why an equally favourable result should not obtain here.

21. It will be seen by reference to the returns comprised in the appendix hereto, that although when the Real Property Act first came into operation in this colony (1st January, 1863), 7,766,891 acres of land had been alienated by the Crown, only 477,560 acres—being little more than $\frac{1}{16}$ of the whole—had up to the end of the year 1877 been placed under the Act, although in the neighbouring Colony of Victoria no less than 541,035 acres—being upwards of $\frac{1}{3}$ of the 5,100,825 acres granted—had been placed under the Act from the date of its coming into operation (2nd October, 1862) till the end of the year 1877.

22. We infer from these particulars that the system has become more popular in Victoria than in New South Wales, although through the exertions of Sir Robert Torrens (the founder), Mr. Christopher Rolleston (the first Registrar General), and Messrs. Holden and Dick (the first Examiners), it was initiated with so large a share of popularity that during the first year 67,913 acres of land, valued at £439,278, were placed under the Act, and 65 further applications for certificates had been made though they were not finally disposed of till the ensuing year.

23. At the end of 1877 the area of lands for which titles had been issued during the year had dwindled down to 6,801 acres, of the value of £210,431.

24. We consider it impossible, even if our recommendations for facilitating the investigation and passing of titles be adopted, that three Examiners only, in addition to their other work, can within a reasonable time examine the titles to upwards of seven millions of acres of land still held under the old system, and it is obviously very desirable that as soon as possible the whole of the alienated lands of the colony should be held under one kind of title.

25. We therefore think that as business increases—which we confidently expect it will—it may be necessary to appoint a larger number of Examiners, but the prospect of the increased expenditure, which will be thereby incurred need not create any alarm, because the increased amount of fees is likely to make the office quite self-supporting.

26. We find that even at the present time the clerical staff is not sufficient for carrying on the business of the office properly, and that it is essential that at least two fresh clerks should be appointed without waiting for the complications which must otherwise arise as routine business increases.

27. The shorthandedness of the office has in some instances led to practices which it is not desirable to permit except under very special circumstances or on the pressure of very urgent business, and then only with the express sanction of the Registrar-General, or his Deputy, in each case.

28. We allude to the payment by the public of gratuities to clerks in the establishment, for work done or professed to be done after the usual hours of business, and we find that the payment of such fees has given rise to rumours of bribery, though we have been unable to find any other foundation for such rumours than the payment of the gratuities mentioned.

29. We have found that most of the routine business of the department is conducted very creditably, and that some of the officers are fairly entitled to an increase of pay—not only because the work has greatly increased since their appointments, and is likely to continue to increase, but also because the gentlemen alluded to evidently have the interest of the institution at heart, and spare no pains to do their work as promptly and efficiently as circumstances will allow.

30. In consequence of the absence of a clear definition of the status and duties of the principal officers, the question whether the Examiners' clerk is under their orders or under the Registrar-General has never been clearly settled, and much unpleasantness, interfering with the harmonious working of the office, has arisen partially

partially on this account, and still more considerably on account of the more important question whether the Examiners are in any way under the control of the Registrar-General or not.

31. With a view to the recovery of some of the lost popularity of past years, and to the lessening of delay and expense in future operations, we have carefully considered what alterations can be made without infringing on principles already established, or creating unnecessary risk to the assurance fund, and we have determined to recommend some which we believe will have a most beneficial effect in inducing the owners of the outstanding 7,000,000 of acres to concur in bringing about the very desirable result of uniformity of title throughout the whole colony.

32. The question of dower having caused much trouble in every colony where the new system of titles has been introduced, we have considered whether it is possible, without injustice to the few women married before the year 1837 who still survive, to make such alterations as will effectually dispose of the difficulties which yet exist.

33. Until dower becomes an actual estate in possession it is at the best a mere possibility, and its recovery is surrounded with so many difficulties that the successful termination of a dower suit is an event almost unknown, and we can hardly conceive it possible that any woman has ever been induced to enter into the marriage contract by the consideration that if she should survive her husband she would become dowable in all his lands, including even those acquired after the marriage.

34. We therefore consider that little or no injustice will be done to any one, but a great benefit will be conferred on landholders, if the principles of the Dower Act of 1836 be applied to all lands acquired after that year. We think however that it is advisable to allow to women married before the year 1837 the privilege of retaining all their present rights by lodging in the Registrar-General's office within a limited time notice to that effect, and stating therein the date of the marriage in respect of which such rights are claimed.

35. As the Principal Real Property Act has been drawn in such a form as to raise many doubts and difficulties, and as it will be necessary in order to carry out our recommendations that further legislation should take place, we recommend that a Bill should be introduced into Parliament for the purpose of re-arranging and consolidating so much of the existing Acts as it may be desirable to retain, of making such alterations and additions as may be considered beneficial, and of embodying therein all necessary clauses for carrying out such of the suggestions made by us as cannot be carried into effect without legislation.

36. In conclusion, we have the honor to recommend as follows:—

- 1a. That as soon as possible the services of the first and second Examiners of Titles be dispensed with, and other officers appointed in their place.
- 2a. That in consideration of the services rendered by the first Examiner, and of the improbability of his being now able successfully to resume the practice of his profession, an ample provision be made for him by giving him some other equally lucrative appointment in another department, or in such other manner as the Government may think fit.
- 3a. That the salaries of the principal officers employed in the Real Property Office, and of such other employés therein as may be considered worthy, be increased.
- 4a. That two additional junior clerks be appointed, to assist at the counter in the public room and generally in the office.
- 5a. That as soon as practicable provision be made for increased accommodation for carrying on the business of the office, which is already almost too large for the portion of the building occupied by the Real Property Department.
- 6a. That a Bill be presented to Parliament for the purposes before indicated and that by such Bill it be provided :
 - 1b. That the Board of Commissioners shall be abolished.
 - 2b. That a Master of Titles shall be appointed with all powers necessary for the purpose of giving him the complete control of the Examiners, including

- including the distribution of applications to one or more of them, and also the control of the draftsmen's branch, and with all the functions of the existing Board of Commissioners.
- 3b. That leasehold lands shall no longer be permitted to be brought under the Real Property Acts.
 - 4b. That lands comprised in abandoned private roads may be included in any certificate of title with the consent of all persons entitled to use them, or on proof that the same have been in possession of the applicant for title or persons through whom he claims, and unused for twenty years.
 - 5b. That the Examiners or Master of Titles shall not be entitled to require the production of any document affecting any title under investigation, if such document shall have been registered under the Act 7th Victoria, No. 16, and they may dispense with the production of documents registered under any prior Act for the registration of deeds.
 - 6b. That the Examiners or Master of Titles may accept as evidence, recitals, statements, and descriptions of facts, matters, and parties in deeds or instruments, not less than twenty years old, or in copies or memorials of same registered as before mentioned.
 - 7b. That after ten years from the date of any instrument executed under power of attorney, it shall not be necessary to prove that the power was in force at the date of the execution of such instrument.
 - 8b. That no applicant for title to unoccupied land shall be called upon to prove that no other person has acquired a title to the same by possession for twenty years or any other time.
 - 9b. That in every case after the expiration of one year from the date of probate of the will or letters of administration of the estate of any deceased person, or from his death in case there shall be neither probate nor administration, it shall be assumed that his debts have been paid, unless there shall be evidence to the contrary, and no evidence of such payment shall be required.
 - 10b. That in every case of successful application to the Supreme Court, under the 107th clause of the Principal Act, the applicant shall be exempted from the payment of the expenses of the Registrar General, and shall be entitled to be paid his own expenses, when taxed, out of the assurance fund.
 - 11b. That no claim under any deed or other instrument shall be allowed against the assurance fund, unless such instrument shall have been registered under the Act 7th Victoria, No. 16, or some prior Act for the registration of deeds, before the issue of a certificate of title to the property, in respect of which such claim shall be made.
 - 12b. That no assurance fees shall be payable in respect of grants henceforth issued under the Real Property Acts, or of transmissions of property held under the same Acts.
 - 13b. That the enforcement of claims against the assurance fund be relieved of all difficulties now existing, and be allowed without any preliminary proceedings against any person.
 - 14b. That whenever land is mortgaged or encumbered, all certificates of title to land comprised in the memorandum of mortgage or encumbrance shall be deposited with the Registrar General, and remain in his custody during the existence of the mortgage or encumbrance.
 - 15b. That any memorandum of transfer, mortgage, or encumbrance, not in the prescribed form, may be registered with the approval of the Master of Titles, or one Examiner, on payment of double the usual fee.
 - 16b. That all searches required to be made by any person in respect of any property held under the Real Property Acts shall be made by a clerk or officer, who shall give a certificate of the result of such search, in a form to be prescribed.

- 17b. That no notice of applications for transmission shall be published, unless required so to be by the Master of Titles.
- 18b. That if in the grant or certificate of title in favour of a woman, whether married or single, the words "To her separate use," be inserted after her name, she shall have the same power of dealing with the land during coverture as if she were unmarried.
- 19b. That women married before the year 1837, shall be put upon the same footing with respect to dower as women married in or after that year, but shall be allowed the privilege beforementioned. (Memorandum :— It will probably be necessary to deal with dower by a separate Bill.)

Certified under our hands and seals this 14th day of August, 1879.

JAMES NORTON,	(L.S.)
PRESIDENT.	
W. H. ARCHER.	(L.S.)
JOHN DAWSON.	(L.S.)
THOMAS ROBERTSON.	(L.S.)
SAMUEL HENRY TERRY.	(L.S.)

REAL PROPERTY ACTS INQUIRY COMMISSION.

MINUTES OF EVIDENCE.

TUESDAY, 4 MARCH, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P., | WILLIAM HENRY ARCHER, Esq.,
THOMAS ROBERTSON, Esq.

Edward Grant Ward, Esq., Registrar General, examined:—

1. *President.*] You are the Registrar General of the Colony? I am.
2. Since when? Between seven and eight years, I think.
3. And all the work of the Land Titles Office passes under your cognizance? Yes.
4. Are you aware whether there is any dissatisfaction as to the working of the Real Property Acts, either in their provisions or in the mode of carrying them out in your office? Yes, I am.
5. How many classes of titles are there that are brought under the Act? Two classes.
6. What is the course of proceeding on an application for a certificate for first-class title from the lodging of it to the final issue of the certificate? The first part of the proceeding is payment of the fees. An application is presented at the counter, the fees are paid, and it is then forwarded, either that day or the day following to the examiners' clerk.
7. Yes? Searches are made, and the draftsman's report follows.
8. That is on a first-class title? Yes.
9. And then? Then it is forwarded to the Board of Commissioners.
10. Does it go to the examiners at all? First to the examiners' clerk. The examiners then send in a report to the Commissioners.
11. Yes? The title is passed under section 15 of the Real Property Act.
12. And certificate issued, I suppose? And certificate issued.
13. Will you state the course of proceeding under an application for a certificate of second-class title from the lodging of the application till the final issue of the certificate? It is exactly the same as in the case of a first-class title, except that advertisements take place.
14. I think you have got a little astray. These applications are referred to the examiners to report upon? Yes, exactly, the same as in the case of a first-class title, except that advertisements take place.
15. And what do the examiners do on these cases being referred to them? They are referred to them for report.
16. But what do they do? They generally write letters of requisitions on titles.
17. They examine the deeds? They examine the deeds, and examine the titles to report upon them. Searches are made, and the titles are examined previous to the report of the Commissioners.
18. Supposing they find the title perfect, they report in favour of it? Yes.
19. Supposing that they find it imperfect, what do they do? They advise the Commissioners to reject the title.
20. No,—they communicate with the applicants, do they not? I cannot say; none of that comes before me.
21. But you do, in fact, know—you sign the requisitions to applicants? Merely *pro forma*, as being the head of the department. No examiners' letters are signed by me until initialled by one of the examiners.
22. But, in point of fact, if the examiners find any objection, they communicate with the applicant or with his solicitor? With the applicant or his solicitor.
23. Who deals with the matter as he thinks fit for the purpose of removing the objections? Yes.
24. Can you suggest any improvement in the law with respect to the investigation of titles? No, I cannot.
25. You do not deal much with that? I cannot suggest any improvement—not in the manner in which they are investigated. There is no other way of investigating them, except by searching and forwarding requisitions to the applicants or their solicitors.
26. Is it not possible to classify titles—we have them already classified into first and second class;—is it possible to make a further classification? I think not; I cannot see it.
27. Can you make any suggestion as to the improvement of the system generally? No; I think the system is a very good one, and could be worked very well if we only had proper men to work it—competent men to work it, I may say.
28. But do you not consider that some improvements could be made in minor matters? No doubt in some details in the working of the Act some improvement might be made, but taking the Act as a whole I think the principle is a good one, and only wants competent men to administer it.
29. Have you any control over the Examiners of Titles? Not in their capacity as examiners. I consider I have departmental control as Registrar General.
30. In what shape are reports by the Examiners of Titles submitted to the Commissioners? I think I had better answer that question by getting you a form. (*Form of examiners' report produced.*)

E. G. Ward,
Esq.
4 Mar., 1879.

- E. G. Ward, Esq.
4 Mar., 1879.
31. I see that, in the form of report produced, certain qualifications are printed as being positively necessary in each case; have not those qualifications been very much extended lately? Yes, to a far greater length than you see on the printed paper. In fact, the number of qualifications has grown to such an extent that it almost amounts to a question whether those qualifications should not, in the first place, have taken the form of requisitions. In fact, under the old Examiners of Titles we had no qualifications at all. Everything was cleared up, and went to the Board of Commissioners to be passed or not, as the case might be.
32. In fact, under those qualifications as now required, the title may be rejected? It may be. They may not be able to comply with them, and, although advertised, the title may not issue.
33. *Mr. Terry.*] Although no caveat is lodged? Although no caveat is lodged. This is a principle that has crept in since the present examiners came into power.
34. *President.*] Then you consider these qualifications ought to take the shape of objections to be dealt with before advertising the title? Certainly.
35. Then you consider the system of adding further qualifications very prejudicial to applicants? I do.
36. How is transmission obtained in cases of heir-at-law (now administrator), devisee, tenant-by-courtesy, or other person claiming any estate of freehold in the land of a deceased proprietor? By an application under the Act.
37. An application for certificate? An application for certificate, yes.
38. And how is that application dealt with? It is brought to the counter with the certificate of title or grant, the will, or probate, or letters of administration, certificate of death, or other evidence, as the case may be; the fees are paid, and the application, with the documents, is forwarded to the examiners' clerk in the same manner as ordinary applications.
39. And what is done then—what do they do with it? Then the examiners fill in a report similar to the paper you have just seen, and forward it to the Commissioners generally for advertisement.
40. And on the advertisement being published, and no caveats being entered, a certificate is granted? The certificate is issued to the applicant.
41. Do you consider that the process is sufficiently simple, and that it works satisfactorily? No, I think a great change may be made with regard to transmission applications. I cannot see the necessity for the delay that at present exists in advertising.
42. Have you heard any complaints about the payment of assurance fees on transmissions? Yes, I have heard a few people complain of having paid assurance fees again.
43. Having paid them originally they considered that ought to cover all dealings with the title afterwards? Yes.
44. Is there any reason why assurance fees should be paid in the transmission cases mentioned? I think not.
45. You think that the $\frac{1}{2}$ d. in the £ paid on the original application for a title ought to cover all future dealings with the property? I do.
46. Then you think it unnecessary to go through the process of advertising in cases of transmission? I do. That is where letters of administration or probates may be granted by the Supreme Court.
47. Then you would advertise in some cases? In some cases.
48. Intestacy, for instance? I do not know what cases you may mean.
49. The cases under the Act are heir-at-law, devisee, tenant by the courtesy, or other person claiming any estate of freehold in the land of a deceased proprietor? That is the rule; those are the majority of cases.
50. Can you see the advantage of an advertisement in any of these cases? No, I cannot.
51. Have you heard any complaints of delay in advertising applications for certificates in ordinary cases? Delay in advertising.
52. Delay created by advertising? In ordinary cases, no.
53. What is the term of advertising? Seventy days in ordinary cases; thirty-five days notice in transmission cases; and thirty-five days when personal service of notice is undertaken.
54. What is the advantage of advertising at all? In ordinary cases?
55. Yes? To give people an opportunity of lodging objections to the title. It is a safeguard that I do not think ought to be done away with in ordinary cases.
56. In the case of absentees from the Colony, do the advertisements give any protection? Certainly they do. Most absentees leave some representative here.
57. But suppose they had no representative here. Many persons go away leaving vacant land and no agent, and no advertisement can protect them? No, certainly not.
58. Does not the question of dower give a great deal of trouble, and create expense to applicants for titles? It does.
59. Can you suggest any remedy? I think a Bill should be brought in abolishing dower.
60. Absolutely? Absolutely.
61. Might not that work injustice to some persons who are now really entitled to dower—in actual possession of it? I cannot quite understand you.
62. Supposing a man married before 1837, dies and leaves a wife who enters into possession of dower, an Act simply abolishing dower would take away a right of which she was in possession? There might be an exception in cases of that kind. But ninety-nine women out of 100 who were married before 1837 have not the slightest idea of having any interest in the land of their husbands. I cannot see what injustice could be done except with regard to a person who is in actual possession of it.
63. Supposing the husband is very old and in poor circumstances, and the wife is still living, looking forward to this dower as a means of existence after his death, do you not think it would be unjust to deprive her of that possibility? No, I do not think so. It is only a bare possibility that she is entitled to that dower.
64. But some know it exactly? Yes.
65. However, you think the dower ought to be swept off altogether? I think so.
66. Has not dower been abolished in South Australia and Victoria? In South Australia it has I know, and I think in Victoria. It was abolished in South Australia twenty-five years ago.
67. For the purpose of this system? No, before the system was ever contemplated.
68. You have been in South Australia? Yes, ten years.
69. Under Sir Robert Torrens in working the Real Property Acts there? Yes, I was the first Secretary to the Lands Titles Commissioners in South Australia.

E. G. Ward,
Esq.
4 Mar., 1879.

70. Is trust property sufficiently protected by the present system of caveats? I think so.
71. How are they worked? A certificate of title issues to the trustees as owners in fee; the *bénéficiaires* lodge a caveat, and also a copy of the trust deed, which is deposited with the Registrar General—the caveat referring to their trust deed.
72. Then the land after that is not dealt with except with the consent of the caveator? No dealings coming in can be registered until notice is given to the caveator.
73. Suppose cestuique trusts are infants how can they protect themselves? Any friend can lodge a caveat to protect them.
74. But suppose they are orphans with no one to protect them? The Registrar General can lodge a caveat in that case.
75. Can you suggest any improvement in the matter of caveats? No, I cannot.
76. You think it amply sufficient for the purposes of protection? I do.
77. Would it not be advisable to permit the statement on any certificate of title that the property is held in trust, so as to protect the real owners from risk in cases of death, or insolvency of trustee, and sales by the Sheriff on his account, and to save his representatives from doubt and difficulty? I can see no objection to the certificate stating that the property is held in trust simply.
78. No statement of trust but simply a statement? A statement that it is simply held in trust. I can see no objection to that.
79. Do you think it would be advantageous? I think it might be.
80. Provided it did not encumber the dealing with the property? Provided you stop there—simply that the property is held in trust. It merely gives a warning to people about to purchase property or lend money.
81. *Mr. Robertson.*] Would that interfere with the indefeasibility of the title? —
82. *President.*] We do not propose to go so far as that? There is no doubt the policy of the Real Property Act is that the land is held by trustees, and all persons interested should lodge a caveat immediately. It is quite a sufficient protection. That caveat refers to the trustees, and shows that the persons are nothing else than trustees.
83. *Mr. Terry.*] But is it not the case now that the caveat number is on the corner of the deed? Yes.
84. *President.*] Is the word "caveat" marked on the certificate? Yes, the words "number caveat."
85. *Mr. Robertson.*] But the caveat might be lodged afterwards? In all trust deeds the caveat may be lodged at once.
86. *President.*] But that caveat may be in reference to mortgages and all sorts of things; it may not be in reference to trust property? It merely says "number, caveat," and you look at the number and see what the caveat refers to.
87. Would it not be advantageous, and get rid of many trusts, if married women were allowed to hold and deal with property under the Act as if they were unmarried? Yes.
88. What is the process of appeal from the decision of the Commissioners founded on the examiners' report? Appeal to the Supreme Court; the applicant writes to the Registrar General requesting him to state his reasons for refusing to grant him a certificate of title, to state his reasons in writing.
89. Yes? And on these reasons he prepares a statement for the Court.
90. And then? Then the Registrar General is called upon to show cause why he refuses to issue the title.
91. These matters have to be brought before the Court by affidavits? I think so. That is a matter of Supreme Court practice.
92. The questions are argued before the Court and judgment given? Yes.
93. Do you consider this process sufficiently simple, expeditious, and inexpensive? I think so.
94. I suppose you do not really know much about the practical working of it? Not after it leaves this office.
95. I mean in the Court? No.
96. Do you not consider that in case the appellant succeeds it is a great hardship that he should be compelled to pay the costs of the examiners whose decision has been upset? I think it is a hardship.
97. Should not these costs be payable out of some fund—out of the assurance fund, or some other fund? Not out of the assurance fund, certainly. I think the costs ought to be borne by the Government. The Registrar General is nominally the defendant.
98. *Mr. Archer.*] If you were mulcted they would put the amount on the Estimates, I suppose? Oh, yes, I suppose so. In other cases it has been done. If the Government had to pay it would make them more careful.
99. *President.*] Would not certificates be much more readily attainable if the period of limitation for recovery of property held adversely were shortened? I think that the amended Real Property Act does lessen the time—does away with it altogether, for property under the Act. (*Section 11, 41 Vic. No. 18, referred to and read.*)
100. Well then, as far as property outside the Act is concerned, do you consider the period of limitation should be shortened, so as to enable applicants to get titles in this office more readily? I do not think it ought to be shortened.
101. Do you consider that under the present facilities for travelling and obtaining information there is any necessity for extending the twenty years allowed in cases where persons interested are beyond seas? I think not.
102. What are the duties of the Board of Commissioners? They have to meet and receive the report of the examiners on one day every week, and deal with the applications put before them. They have to instruct the Registrar General to advertise applications, to settle the time of such advertisements, and also to decide if the applications should be advertised in country newspapers.
103. Do you consider it of any advantage to have a Board of Commissioners? I do.
104. Why? I think they are a great safeguard to the public.
105. In directing advertisements and precautionary measures? Yes. They have also to allow the Registrar General to correct errors in the register book of certificates of title, and to dispense with the production of certificates of title or other instruments of registration; also to allow the Registrar General to grant provisional certificates on grants in cases of loss by fire or otherwise.
106. Could not the Registrar General alone very well perform all the duties the Commissioners have hitherto performed? I think he could, but it is a very great safeguard, and an advantage to the Registrar General

E. G. Ward, Esq.,
4 Mar., 1879. General to be associated with two other gentlemen who can assist him by advising him in many cases that come under his notice.

107. Who are the Commissioners, and are they professional men? No, they are not.

108. What are their names? Richard Jones and Alexander Walker Scott.

109. Richard Jones;—what is he? He is a gentleman without any profession. He is Chairman of the Board of Directors of the Commercial Banking Company.

110. What is Mr. Scott? Mr. Scott is a gentleman with no occupation. The Registrar General is chairman of the Board of Commissioners *ex officio*.

111. Then the Board of Commissioners consists of the Registrar General and two associates? And two associates.

112. Do the Commissioners ever question the reports of the examiners, and grant or withhold certificates in opposition thereto? They have done so when the two Examiners of Titles have differed in their opinion on the title.

113. Suppose a skilled barrister or solicitor were appointed Master or Commissioner of Titles with power to determine appeals from the decision of the examiners, would not many appeals to the Supreme Court be saved? Very likely they may by the appointment not of a skilled barrister but of a skilled solicitor.

114. Well, a skilled professional man? Very few barristers know anything of conveyancing.

115. Do you not think it might be advantageous to substitute a Master of Titles in place of the Board of Commissioners? It might be. It all depends upon the position of the man who takes the post.

116. Leaving you to perform the duties now actually performed by the Board? By the Commissioners—yes.

117. Have any claims ever been made on the assurance fund? I think not.

118. *Mr. Robertson.*] What is the amount of the fund? I sent a memorandum to the Treasury yesterday in order to get the amount, and expected to have it this morning.

119. *Mr. Terry.*] It must be a considerable sum now? Yes.

THURSDAY, 6 MARCH, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P., | WILLIAM HENRY ARCHER, Esq.,
THOMAS ROBERTSON, Esq.

Edward Grant Ward, Esq., Registrar General, further examined:—

E. G. Ward, Esq.,
6 Mar., 1879. 120. The witness said: I have got a reply from the Treasury with regard to the amount at the credit of the assurance fund—it is £27,258 18s. 8d., commencing from January, 1863, to December, 1878.

121. *Mr. Robertson.*] How is that money invested? In debentures—Government securities.

122. *President.*] As the examiners say, one case might sweep off the whole sum. There are some values above that? Oh, yes.

123. Would you be good enough to inform us what are your duties as Registrar General? They are so multifarious that I can—

124. Only generally? A general supervision of the office. I may state that the Act allows the Deputy to have even power with the Registrar General. The Deputy Registrar General does all the office work except signing Crown grants. I sign all those, and sit as Chairman of the Board of Commissioners. I supervise all the complaints that come into the office, and inquire into them. All the correspondence passes before me, and at all times, of course, I act officially when the Deputy is out.

125. I do not mean distinguishing between the Registrar General and his Deputy, but the duties of the Registrar General and the Deputy? The great duty of the Registrar General is to register documents, all documents that are brought under the Act for registration. He is the executive officer under the Act.

126. Would you not be quite able, in addition to those duties, to undertake those of the present Board of Commissioners? I think so, provided I had competent Examiners of Titles.

127. Yes? There is a great deal of legal work now that we used to refer to the Examiners of Titles, but which I dare not refer now to the Examiners of Titles, for I should never see the end of it. There are many legal questions that I am obliged to decide without legal aid at all.

128. But there is really no reason why you should not undertake the responsibility of those duties? I see none.

129. Will you state what officers are under you, and what are their duties? There is a Deputy Registrar General, and all the staff of the Land Titles Office, counter clerks, corresponding clerk, and there is the Registration of Births, Deaths, and Marriages and Statistical Branch. That branch is under me. And there are the draftsmen on the staff of the Land Titles Office.

130. Can you state the duties that each of those officers has to perform? Will it be necessary to give their names?

131. I do not care about their names? First of all, we have two counter clerks, who have to receive all documents, make out tickets for the fees, and take a cursory glance at every instrument handed over the counter for registration, to see whether there is any informality. Then I have other clerks who have nothing else to do but receive Crown grants, number them, and see that they are ready for issue and entering in the books. Then I have a corresponding clerk, clerks for indexing, clerks for entering in a book of the current transactions of the day—a kind of day-book that is kept, and which we call the journal. There are also clerks for making endorsements on grants or certificates of title, and the cashier.

132. You have not mentioned the draftsmen? And the draftsmen, of course, I mentioned them before. They are more immediately under the Principal Draftsman, who is responsible to me, and who takes charge of the draftsmen's room. The Principal Draftsman has charge of the four other draftsmen in there.

133. What are their duties? The Principal Draftsman has to check all plans that come into the office.

134. With applications for certificates? With applications for certificates, all deposited under the Act. The ordinary draftsmen have to put all plans on certificates of title. They prepare tracings for land applied

applied to be brought under the Act, in order that they might be posted to the persons who hold or occupy land adjacent to that which is sought to be brought under the Act. E. G. Ward,
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135. Those plans which you mentioned as being brought into the office, are always to be made, as I understand, by a surveyor licensed to practise under the Act? Plans to be deposited under the Act are bound to be made by a licensed surveyor under the Act. 6 Mar., 1879.

136. But not original plans? There is nothing in the Act to oblige me to receive original plans in that way.

137. Any surveyor may bring in a plan with an application, but only a licensed surveyor may bring in a subdivisional plan afterwards? Yes; our usual practice is, with city property, to insist upon a plan from a licensed surveyor.

138. Have not great complaints been made of plans being received, which have not been prepared by licensed surveyors? We have received one or two complaints from licensed surveyors that we received plans from unlicensed surveyors.

139. Do you consider it right that unlicensed surveyors should be allowed to practise at all in the office; if a license is applicable to one class of plans, why not to the other? In the case of plans deposited under the Act, there are generally subdivisions, and a great deal more care is required for cases of that kind. In cases of ordinary application all we require is to see that the boundaries are correct and that they agree with the description of the deeds. We have some check upon them there.

140. But is there not just as much difficulty in those plans as in the others. When you come to subdivide the original plan it may be found to contain 20 acres less or 20 acres more, and then there is a difficulty? When a man makes a subdivision under the Act a surveyor must go on the ground and peg out all the allotments. It will very soon be discovered whether there are any discrepancies in the area of the land, and they come in the title. But even in the case of plans brought in here by unlicensed surveyors under applications they are always tested by our draftsmen; they are plotted, and so forth.

141. But they cannot test them on the ground? Not on the ground, but on the paper. There is one surveyor, for instance, who has been practising for some time, and simply because he cannot go into the field for two years he cannot get a license. The Act does not prohibit me from taking plans on an application from anybody. In fact, in the case of a Crown grant we take a sketch from the Surveyor General's Office.

142. *Mr. Terry.*] And very often that is wrong? —

143. *President.*] How long should it necessarily take to issue a certificate of title after date of application for same? To issue a certificate?

144. From the time the application is lodged up to the time the certificate is issued, including advertising and everything else? Three months.

145. Do you consider three months sufficient for most titles? I do.

146. For every title? Not for every title—for most titles.

147. Does it, in fact, take a longer time to issue titles than three months? Yes, as a rule, considerably over that time.

148. For what reason? Because the examiners cannot get through their work.

149. What do you mean by cannot—that they will not, or that they have more to do than they are able to get through? That is a question that I can hardly answer. My own idea is, that they have not the capacity for the work, and cannot do it.

150. Well, do you think that if you had unexceptional examiners the work could be got through in the way you state? Easily. It always was before.

151. How long should it take to register, transfer, and issue a new certificate? I think a week. It ought not to take more.

152. Does it take longer? I believe it does in some cases, where a large number of grants or certificates have to be consolidated into two or three. But, as a rule, it ought not to take longer than a week. Those are my instructions.

153. Are those instructions carried out as a rule? I think they are as a rule.

154. Of course some time is necessary on account of preparing a fresh certificate and new plan? Yes, but I think a week is sufficient.

155. And you think, generally, it does not exceed a week? I think not. Of course a large number of transactions are registered by endorsement only.

156. And those occupy less time? Those ought not to take any longer than the next day.

157. By what rule are cases allotted to the examiners as they arrive in the office? I have them forwarded to the examiners' clerk immediately on receipt. As soon as they get into his hands they are usually dealt with as the examiners themselves direct.

158. That is a matter of arrangement between the examiners themselves? Yes.

159. You furnish them to the examiners' clerk, Mr. Lander, and he allots them among the examiners? No; it is a matter between the examiners themselves as to the allotment of them. I believe they are generally put away for a month in the first place, and at the beginning of every month I think they make a partition.

160. But I suppose you do not know that of your own knowledge? Yes, I know it of my own knowledge, but it is nothing to me.

161. I suppose Mr. Lander is under your control? Yes, departmentally—the same position as the Examiners of Title, but he is specially their clerk and has to obey their commands.

162. But suppose you direct Mr. Lander to take every case you send to him immediately to one of the examiners, it is his duty to obey you? I think so.

163. And yet you say these things accumulate for a month before being given to any examiner? Yes; they get into one of the examiners' rooms, and are allowed to remain there for a month before partitioning them. If Mr. Lander takes them to the examiners, the onus of the blame must rest with the examiners for the delay of the month at all events.

164. How many classes of cases are there? Two classes.

165. The first class consisting of grants to the applicants, and the second of grants under which there have been dealings? Yes, derivative titles—second-class titles.

166. Do the examiners deal with the first-class cases? They do.

167. As these do not usually involve any difficulty, would it not be better that the examiners should not be troubled with them? As a rule, I think the report of the examiners might be dispensed with in first-class cases.

- E. G. Ward, Esq. 168. Except in some very exceptional cases? Yes.
- 6 Mar., 1879. 169. Which occur very seldom? Yes.
170. Does the giving to the examiners of those first-class titles cause delay in the examination of second-class cases? It ought not to do so; they are very simple—A B C cases.
171. But is there not a great number of them? There are not a great number of first-class cases now; they have fallen off of late.
172. I suppose the great bulk of them have been brought in? No, there must be still a great many of them.
173. You are aware that many second-class cases, where there have been few dealings with the property, are almost as simple as first-class cases; how are those dealt with? They are dealt with by the examiners in the ordinary way of second-class cases.
174. In the same way as complicated cases? Yes.
175. Is there any possibility of making some arrangement by which another class might be established, so as to take those simple cases out of the category of complicated cases? You cannot very well divide the derivative titles into two classes. I cannot see how you could do it.
176. There is a difficulty, I can see? It would be a very good plan if the examiners would do it, but of course that is a matter for themselves.
177. It is a matter that I think they could very well deal with themselves? They ought to do so.
178. During what hours are the examiners supposed to attend to their duties at the office? From 10 to 4, with an interval for lunch of half an hour, or an hour. As a matter of fact, two of them are always here from 9 to 4, and have been so for some time past.
179. Do they attend punctually without absenting themselves during office hours? I think so.
180. All of them? All of them.
181. There used to be great complaints about one? I am speaking of the present time.
182. Do you consider that you have any right to interfere with them if they do not attend? I think I have the right to report them to the Colonial Secretary, the Ministerial head of the office.
183. Do the examiners take any trouble to assist applicants for titles in removing objections? I think not.
184. Did not Mr. Holden and Mr. Dick do so? Yes, always.
185. That is to say they would step out of their way to help applicants to get their titles through? Certainly.
186. And the present examiners do not? The reverse. They seem to invent objections rather than try to remove them.
187. Do the examiners try to facilitate the business of the office? What business do you mean?
188. I mean in passing titles. Do they do anything in order to get those titles disposed of? I do not think they do; not to my knowledge.
189. That is, as I understand you to say, that they rather obstruct than facilitate the passing of the titles? Two of them—Mr. Burton and Mr. Jones.
190. In Mr. Dick's time was it not customary to issue reminders to applicants who did not proceed speedily? Constantly.
191. Why was this custom dropped? I cannot say.
192. Was it not because the examiners themselves were in such arrear that they did not like to do it? Very likely; it is probable that that was the case.
193. Have there been any cases where titles have been accepted by Mr. Holden and Mr. Dick, and on fresh applications re-investigated by Mr. Burton as if they had not been passed before? I have heard of such cases.
194. Do you know whether there have been some? I know there have been cases brought under my notice, but I cannot call them to mind.
195. Have you heard complaints from solicitors or applicants that it has been the case? Yes, from solicitors.
196. Were there any complaints of delay and trouble to applicants—delay in the office, and trouble given to applicants up to the time of Mr. Burton's appointment? Not that I am aware of.
197. Were there any arrears of work then in the examiners' department? None; no arrears in the examiners'. Of course there were cases standing over waiting satisfaction of requisitions.
198. I think you will find in the former report that this is mentioned. It seems, however, that there was only a small arrear, some ten cases or so. Have any complaints reached you with respect to the conduct of the business of the Real Property Office? Yes.
199. Will you be good enough to state the nature of the complaints? The principal complaints have been of one or two of the clerks not being sufficiently attentive.
200. The counter clerks? Yes. I have also lately had a complaint that they are overworked, and require a larger staff at the counter. That has been principally owing to the large influx of Crown grants—two or three thousand in a week sometimes.
201. Are those complaints well founded? I think they are.
202. Then you think you have not sufficient assistance to carry on the business of the office? No, I have applied for additional assistance.
203. Is there any complaint in the Survey Department—the draftsmen's office? I have not heard any.
204. You think their work is kept up? I think so.
205. What has been the nature of the complaints about Mr. Burton? Simply that he delays titles for an extraordinary length of time before he issues any requisitions, and then when the requisitions are issued that they are extremely technical and troublesome, and of such a nature as very few legal men would ever dream of making.
206. And those requisitions add greatly to the expense of the applicant in getting his certificate issued? Certainly.
207. And sometimes to appeals to the Court? Yes, sometimes.
208. Can you tell us why Mr. Burton is so slow and so particular? I cannot say, I am sure. I suppose it is naturally constitutional.
209. Do you think he is able really to get through the business that is entrusted to him? I do not think so.
210. That is, he is naturally incapable of getting through his work? I will not say incompetent, but natural incapacity for that work.

211. Not energy enough? No, and not sufficient capacity for it. I mean to say he cannot get through any amount of work. The work he gets through in a day any ordinary man would get through in an hour.
212. He is very slow, and goes into titles too minutely;—is that it? Yes.
213. Have there been any complaints about Mr. Jones? No particular complaints—simply that he is in arrear, the same as Mr. Burton, in his work.
214. Does he do his work in the same way as Mr. Burton does his? To a great extent.
215. He is a man of the same temperament? Something—not quite so particular but quite as slow; and, unfortunately, whatever Mr. Burton says Mr. Jones agrees with at once. He does not seem to have an opinion of his own. He is led entirely by Mr. Burton.
216. But Mr. Jones is a younger man, and has more capacity for work? I think so—yes.
217. Was not Mr. Burton taken ill shortly after he commenced his duties here? He was.
218. And he had, I think, three months leave of absence? I think it was a month extended to another month.
219. Was that illness brought on by the excessive work in the office? I was told so.
220. You have another examiner now—Mr. Maddock? We have.
221. Have there been any complaints about him? No.
222. Does he do his work expeditiously? Very. He has got up a large number of cases in arrear left by Mr. Oliver, and other cases that have been signed by either Mr. Burton or Mr. Jones.
223. I understand you to say that you have no power to allot cases to any particular examiner? No, they arrange that among themselves. The Act says:—"Upon the receipt of such application the Registrar General shall cause the title of the applicant to be examined and reported upon by the examiners, and shall, thereafter, refer the case to the Lands Titles Commissioners for their consideration." Of course, when I forward a case to the clerk of the examiners, it is tantamount to forwarding it to the examiners.
224. Do you consider that all these three examiners are competent to examine titles, leaving the question of time out of consideration, as a matter of trust? As a matter of trust?
225. Yes; that is to say whether you would be safe in accepting a title passed by these examiners? Certainly; you would be quite safe by Mr. Burton. I am not quite certain about Mr. Jones; about Mr. Maddock I am. Mr. Jones has had no practice of his own. He was simply managing clerk when he came here.
226. Then you think Mr. Maddock is just as trustworthy as either of the other two? I do.
227. How many appeals have there been to the Supreme Court from the decision of the examiners, and can you state the result in each case? I should think there have been five or six, but I really forget the particular merits of each of them, except in the Underwood Estate title. I remember that particularly.
228. I have had three in my own office? I think there were about six; there are one or two pending now.
229. What has been the result of those appeals? The Court has always reversed the decision of the examiners.
230. Always decided against the examiners? Yes, as far as I can recollect.
231. What was the average of cases before the Board of Commissioners at each meeting previous to Mr. Burton's appointment? It is so far back that I could not quite state without referring to the minute-book.
232. Were you then Registrar General? I was Deputy Registrar General.
233. Perhaps you can state the number of cases lately before the Board, up to the time of Mr. Maddock's appointment? I think on an average three to four a week, and the Board meet once a week.
234. Has Mr. Maddock's appointment made any difference in that average? Considerably; I think the average is considerably higher now—from ten to twelve a week.
235. Was not Mr. Pennington considered a very lax examiner—he held office as *locum tenens* for some time? I have heard nothing to that effect.
236. Have any claims ever been made against the assurance fund? None.
237. And it now amounts to? £27,253 18s. 8d. up to the end of 1878.
238. Does not Mr. Burton, in cases of unoccupied lands, require the applicants to show that no person has entered upon the land, and acquired a title by possession? He does.
239. Who originated that requisition? Mr. Burton I think. The applicant declares that there is no one in possession. The application itself states that there is no one in an adverse possession.
240. Is it customary with the examiners to issue more than one batch of requisitions in each case? Yes, sometimes three and four.
241. You have heard great complaints from persons bringing in titles, that when they have answered one set of requisitions they have had another given them to answer? Yes, I have.
242. And if the whole had been given to them at once they would have considered whether it was better to withdraw their cases, or go to the expense of answering the requirements? Certainly. I do not think the public complain so much of the rigidity of the requisitions as of the great delay that takes place. One set of requisitions goes out, and is answered, and is then put away for months, and another set, and then a third or a fourth in the same way, instead of dealing with them at once.
243. *Mr. Terry.*] Does that not show incompetency on the part of the examiners? I should say so.
244. *President.*] Does this second, or third, or fourth batch of requisitions necessarily arise out of the answers to the first? Sometimes they may. I do not think requisitions can be sent out all at once, because the very answers may give cause for requisitions, but when they come in they ought to be attended to at once.
245. Then you think that there are some cases where requisitions which might have been issued in one batch are issued in two batches? Yes.
246. Where any requisitions have been made should not those requisitions be dealt with before the examiners take a new case? I think so; certainly.
247. That is, when they once start a case they should go through with it? Certainly, as soon as the requisitions are started they ought to be attended to. But they are not; they are put away for months.
248. Can you tell us how many cases were in arrear at the date of Mr. Maddock's appointment? I cannot say, but I can get the information.
249. Perhaps that had better be furnished in a tabular statement;—are there many deeds lost or mislaid in

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- in the office? I think not when you come to consider the number of deeds that go through the office. Comparatively, I think there are very few lost.
250. Have there not been complaints that people come here for deeds and cannot find them? No doubt there has been carelessness in putting away deeds and titles and not being able to find them at once.
251. How does that arise? Through carelessness.
252. In whose branch? In the examiners' branch as a rule; I do not know of any other instance.
253. *Mr. Archer.*] Are the applications to bring property under the Act looked at individually by all the examiners? By two out of three. Each case must be reported upon by two examiners.
254. How many cases in the year on the average do these two examiners get through? I cannot say. A return that we are preparing now will show that.
255. Have you no idea from experience as to the reasonable average that should obtain? They should get through about 300 applications in the year to bring property under the Act, and I suppose about 200 transmission applications.
256. That is to say each examiner;—supposing one examiner did all the work, how much should he do in the course of the year in regard to bringing applications under the Act? I suppose about 230, or 240 at the outside—or 200 I should think altogether.
257. Supposing each examiner did a fair share of work, in respect purely to applications to bring property under the Act? About 200.
258. *President.*] That is about four a week? Yes, I suppose that would be about the average.
259. *Mr. Archer.*] If you were informed that in a neighbouring Colony each of the examiners gets through a greater number, would you not think it possible that they would be able to do so here? Certainly. But there is one difference: our Colony being older our titles are more complicated than those in any of the other Colonies.
260. So that if in a neighbouring Colony 220 or 230 per annum were passed by each examiner you think that the average of 200 in Sydney would be a fair one? Certainly.
261. In point of fact, do your three examiners pass 600 titles in the year? Nothing like it.
262. Saying nothing as to transactions in land already under the Act? Saying nothing about them.
263. *President.*] They do not deal with them? No, they do not go before them.
264. Except transmissions? Ordinary transmissions are dealt with by the deputy and myself. In cases of doubt we used to go to the examiners, but we dare not do that now.
265. *Mr. Archer.*] But are not the legal officers appointed to this department for your guidance,—for your special assistance as a layman? Yes.
266. And are you not taking an unfair share of responsibility? Yes, certainly.
267. And what in the interests of the public you are not required to do? In the interests of the public I think I am required. I act purely as the Registrar General and with the deputy.
268. And do you feel yourself thoroughly capable to undertake this responsibility? In nearly every case I do. I should not undertake it if I did not. But I ought to be in a position to have a legal man to refer to whenever I wanted to do so.
269. But is that not the intention of the Act? It is.
270. That these gentlemen should be the legal advisers of the Registrar General and that he should be relieved of all responsibility on legal points? Certainly.
271. What is your position as Registrar General in relation to these examiners; have you any control at all over them? I have in a departmental sense.
272. How do you exercise it? In various ways. For instance, they write to me for leave of absence.
273. But you do not give it to them? I forward it to the Colonial Secretary. Everything goes through me.
274. But that is merely being a conduit pipe. I mean what authority do you exercise as Registrar General over the legal officers? If they do not do their duty I report them.
275. Have you reported them? Yes.
276. Recently? Two years ago.
277. Have the Government supported you in matters of that kind? No.
278. They have simply ignored your request? They have. For instance, Mr. Oliver remained away from the office over and over again.
279. Do you find with the gentlemen who are at present examiners any difficulty similar to that you found with Mr. Oliver? No, I do not.
280. You said that cases came before the Commissioners for acceptance or rejection. In point of fact, have you ever rejected a case where the examiners have recommended its adoption? Where the examiners differed we have.
281. But not where they have recommended it? No; where they have recommended, where both have recommended.
282. On what grounds? On certain legal grounds when they have recommended objections.
283. You have never taken upon yourself to object what they have recommended for acceptance? Never.
284. Then, in point of fact, as supervisors of the recommendations of the examiners the Commissioners are of no practical use? No.
285. Their duties are simply perfunctory? To a great extent.
286. Can you give a single action of theirs of the slightest value; that is to say, is there a single act which they perform that the Registrar General or the examiners themselves could not equally well perform? They could, provided we had competent examiners of titles. If I could be assured that the Government would always appoint competent men as examiners of titles then I would say by all means we could do it.
287. But the Commissioners invariably accept the examiners' recommendations of the acceptance of the title? Of the general acceptance of the title. We very often ignore qualifications.
288. But, in point of fact, they adopt all that the examiners recommend, and reject what is considered unnecessary? The general acceptance or rejection of a case depends upon the examiners.
289. So that the Commissioners exercise no power of revision over them? No.
290. And they are useless in that regard? They are in that regard.
291. I understood you to say you are preparing a return of the amount of work done by each of the examiners? I am.
292. How many working days have you in the year? About 300. That is after deducting Sundays and holidays.

293. *President.*] I am afraid you have less than that? No, I think not.
294. *Mr. Archer.*] You say that is the number of working days the examiners would be expected to attend? Yes, about 300 days. E. G. Ward,
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295. With regard to the time that should be taken to get a case through—supposing the title is all clear and the solicitor of the applicant promptly attends to the requisitions, do you not think that four months is too long a time? Three months are quite sufficient.
296. Could you ascertain what is the average time taken, and let the Commission know? I could do so, but it would be a very difficult thing. I should have to go through the records of the minute book from the foundation.
297. Can you not take the last few months of the year and ascertain the average? Yes.
298. The average time that it takes in the majority of cases to bring the property under the Act—say during 1878? Yes. (*Witness was directed to prepare a return.*)
299. With regard to officers. You were saying that you were undermanned in the pressure of work? At present.
300. Do you adopt a system of employing supernumeraries? I have applied for them, but have never had them.
301. Are you accustomed to employ anyone in the department on piece-work? Yes.
302. To what extent? I employ law stationers to engross certificates of title.
303. And do you do the same in regard to endorsing on certificates? No, I could not do that very well.
304. Why not? Because we employ clerks who have other duties to perform as well as to do that.
305. But is not work hindered through this? No, I think not.
306. If you employed them after office hours, for example, would you not get through more work? Of course I should.
307. Or if you employed persons on contract, not the persons in the office? I should not like to employ in the office supernumeraries who are outside the office. I should not like strangers to be in the office after it is shut.
308. But they would not be strangers if you employed them constantly? Not if I employed them constantly.
309. My object is to see whether you could not secure a greater result and with benefit to the public by employing supernumeraries (or call them anything else you please) on piece-work? That is at so much per folio.
310. Yes? I think so.
311. Supposing you had to get out a great number of cases by a certain time, would you not do the work with greater facility by employing extra persons to do it? In that case I use a private printing press; I do not use writing at all.
312. Then you are not interrupted in that? Not in that kind of work.
313. Will you think over the point whether contract piece-work might not be useful to you? I will. I do not see how we can bring it into effect with regard to the current work of the office.
314. Do the draftsmen make out diagrams as officers of the department or by piece-work? As officers of the department; no piece-work.
315. Then you do not in fact employ contract work at all? Except in regard to engrossing certificates of title.
316. What is paid for that? 3d. a folio.
317. How many folios on an average? Five or six folios.
318. Then that would be (as it is in duplicate) 2s. 6d. or 3s. for each case? We always do that; we employ an immense deal on contract or piece-work.
319. With regard to transactions respecting the land already under the Act, how many of those go through the office per annum? The return will show that.
320. And as to whether all the examiners or only one deals with those as well as with applications? The examiners do not deal with transactions at all except in transmission cases.
321. Will you give what they do in regard to transmissions? Yes.
322. Practically you find yourself, as Registrar General, in a false position in relation to the examiners—not having a practical control over them? Yes, I do.
323. *Mr. Terry.*] You collect an assurance fee on grants direct from the Crown? Yes.
324. Do not you think that ought to be remitted? I do not see why Crown grantees should not pay the assurance fee of a half-penny in the pound, the same as persons bringing property under the Act. It brings in a large revenue, and after all a half-penny in the pound is a mere bagatelle.
325. Do you consider it necessary that the Crown should collect an insurance fee on transmission cases? No, I think that ought to be abolished.
326. *Mr. Robertson.*] It is chargeable by the Act.
327. *Mr. Terry.*] Has Mr. Maddock taken more cases than have been supplied monthly to him? Yes.
328. Has that practice now been stopped by the other examiners? I have not heard whether it has or not. I know that for one or two months he has come to me saying that he has had no case in hand, and I have requested the officers to forward applications upstairs to him.
329. You are not aware that the other examiners have objected to his taking more cases? He has informed me that the examiners do object.
330. Because he gets through more cases than themselves? I believe so.
331. Have you been aware that the examiners—Messrs. Oliver and Jones—have held that it requires in a dower case a special release for every case? I believe they do.
332. That they have rejected a general release of all dower on all property that the husband may be possessed of—that they have rejected that, and insisted upon a special release upon every property? Yes.
333. Do you think that is right? I should think not.
334. Does Mr. Maddock dispose of two cases to one disposed of by the other examiners? I think he could almost do ten to one. I do not know whether he has had the opportunity of having them to do.
335. Well, do you not think if Mr. Maddock is idle in his office that other cases ought to be forwarded to him, independent of the other examiners? Certainly; I have instructed the officers to do so.
336. Do you recommend any change? I recommended a change two years ago, but it has not been acted upon. I wrote a long letter to the Colonial Secretary on the subject more than two years ago.

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337. Do you think it would be an advantage to the public if Mr. Burton were pensioned off? I do. I think it would be a very great blessing—more than an advantage.
338. What would you recommend in reference to Mr. Jones;—you say he is very slow in getting rid of cases? You do not know what to do with him. Of course if he were in private employment it would be a different thing altogether.
339. I suppose you would recommend high-class practitioners to be appointed? I would recommend the appointment of two examiners at £1,500 a year each in the place of three at £800. I recommended that more than two years ago to the Government.
340. I suppose a first-class man would not take the position at the low salary? You cannot get a first-class man at £800 a year, except under peculiar circumstances.
341. Then, since the death of Messrs. Holden and Dick, the office has not worked so satisfactorily? No, it has not.
342. And the public have not so much confidence in it? I think not.
343. Have many cases been withdrawn? Yes, there have been.
344. Have some cases been pending for two years? More than that—three, I think.
345. And then passed? And then passed.
346. What is the reason of the long delay? I cannot say. I know some have been in the office more than nine years, but that was in consequence of the neglect of the applicant to answer the requisitions.
347. I understood you to say that you think the Act would work well, provided it was efficiently conducted? I think so.
348. That the Act itself does not require so much amendment? No.
349. *Mr. Robertson.*] The principal cause of delay I understand from your answers to be in the requisitions, those that might be called original requisitions being sent out in batches instead of being sent out all at once? Yes.
350. Long as some of our titles are, did you ever see a lot of deeds that could not be perused by an intelligent conveyancer in a day? Certainly not—well, yes; I may say with one exception I have not. I saw an exception the other day in a title that would take an intelligent man three days to peruse the deeds, but that is an exception.
351. Do you see anything to prevent all original requisitions from being sent out within twenty-four hours of the application being lodged? Certainly not.
352. Temperament, as well as skill, has a good deal to do with the capacity of an examiner, has it not? I think so.
353. Is it true that Mr. Jones suffers from a nervous fear of incurring responsibility? I believe he does.
354. And Mr. Burton has great skill in discovering objections to titles? He has.
355. I suppose he would be an invaluable conveyancer for an unwilling purchaser? Yes, I should say so; about the only class for which he would be any use.
356. I understand that you disapprove of any scheme for passing indifferent titles on payment of extra premiums? I do.
357. *Mr. Terry.*] Do you think it necessary to compel applicants to produce deeds not in their possession, and which are already registered? As a rule I should say it is unnecessary. There are some cases in which I think it might be necessary.
358. But do not the examiners insist in every case that these deeds shall be produced? Yes, in every case.
359. Do not the examiners generally object to go out of their way to look at a registered instrument? Yes, they do.
360. Do not you think it is their duty to go and look? I do; in fact registration is very little use to us at all, because it is not taken—it is looked upon as a dead letter.
361. Is it not a fact that in law the first registered instrument takes effect? Yes, I believe so. There is one part of my evidence I wish to supplement, in regard to piece-work. There is another part of the work in this office which we pay for as piece-work as well as engrossing, and that is searching, at so much an hour.
362. *Mr. Archer.*] Will you give a list of your officers on the staff as well as the Commissioners and examiners, with the salaries and the number and cost of supernumeraries? I will.
363. That is for last year? Yes.
364. *Mr. Robertson.*] During the time that Mr. Oliver was Examiner of Titles was he not employed by the Government drafting Bills? He was during one portion of the time—during the latter portion of his term of office—for about three months I think. He was also Registrar of Friendly Societies, and that interfered with his work.
365. *Mr. Archer.*] That caused the delays? So far as he is concerned—and his continual absence from duty.
366. *Mr. Terry.*] Mr. Lander has other duties to perform? Yes, he is Custodian of Wills.
367. Do you consider that right? It interferes with his duty as examiners' clerk. He ought to be relieved of that duty, and the work given to some other officer of the department. It ought to be attended to by some other person, who has less to do than Mr. Lander. Applications sometimes remain three months with him before he looks at them. Many people come up and look at those wills, and want to peruse them; and they may want copies of them, and that delays him.
368. *Mr. Archer.*] But when you have known of the practice of his detaining these applications for months, have you never taken any steps? Yes, I have been to him and to the examiners, with the object of relieving him of the wills, but they have always opposed me, and think it right that he should have the wills.
369. Have you reported that to the Colonial Secretary? I have not.
370. From previous experience in that regard you did not feel encouraged so to do? No, the Government do not seem to feel any interest in the department. I did what I thought proper at the time, and took no further steps.

MONDAY, 10 MARCH, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

WILLIAM HENRY ARCHER, Esq.,

| THOMAS ROBERTSON, Esq.

Edmund Burton, Esq., Examiner of Titles, examined:—

371. *President.*] I believe you are senior Examiner of Titles under the Real Property Act? I am senior as to date of appointment.

E. Burton,
Esq.

372. There are now three examiners? Yes.

373. Will you be good enough to inform us what the duties of the examiners are? I must divide the answer to that question. One part of my answer must be, the duties imposed by the Legislature, and the other must be the duties which they have been in the habit of discharging.

10 Mar., 1879.

374. Yes? I should like, if you would kindly allow me, to refer to the Act. The duties of the examiners are defined in the 5th section of the principal Act in Part I, just at the end of the section.

375. "To advise and assist in carrying out the said provisions"? Precisely. There is, of course, more definition to be collected from other parts of the Act, but that is the general definition of the duties of the examiners, given by the Legislature,—to advise and assist in carrying out the provisions of this Act.

376. Then how do the examiners carry out their duties imposed by this section;—in what manner do they carry them out? I will answer that question immediately if you require it, but that is touching another part of the Act. First of all, the 15th section deals with what we call first-class cases. It will be observed at the commencement of that section that it is made the duty of the examiners to examine and report upon cases of that kind, and indeed on all cases of application for certificate of title. The last amending Act, 41 Victoria No. 18, section 5, just touches incidentally the special perusal or perusal under special circumstances of deeds by the Examiners of Title. It is hardly worth mentioning that section, but I suppose it makes the answer more complete. Then the 7th section of that new Act imposes a clear duty on the examiners. That section says: "It shall be competent for though not compulsory on the Commissioners, if so advised by the Examiners of Titles, to dispense with a certificate of the death of the deceased registered proprietor on production of such other evidence of his death as the Examiners of Titles shall think sufficient." So that is a special duty cast upon the examiners. The latter part of that section takes off from the examiners a duty which, I think, was previously imposed upon them, but as that is a matter upon which some difference of opinion has prevailed, I do not propose, unless further asked, to say more about it.

377. That will do; we only want to get a general idea of what the duties of the examiners are? Quite so. Then the 10th section of that Act provides by enactment so as to cast a duty upon the examiners which generally they have been in the habit of performing without any enactment. That is to say, they perform the duty in similar cases though not strictly identical. The 10th section, it will be observed, provides for special cases, when an applicant deems an objection by the examiners to be not well-founded.

378. That is not the title generally, but one particular item of the title? Precisely. That section provides that to every such case there shall be annexed such observations as the examiners may think proper to make. Either in addition to those statutory duties, or under the heads of advice and assistance, the examiners have been in the habit of doing a good deal of other work.

379. Not contemplated by the Act? I do not say that, because those words "advise" and "assist" are large enough for the contemplation of anything.

380. Perhaps you will state the nature of the work? Conducting a large correspondence.

381. With whom? With applicants and their solicitors.

382. Yes? Drafting special letters to the Colonial Secretary's office.

383. Anything more? Advising the Commissioners in cases of foreclosure; advising upon transfers which give difficulty to the gentlemen at the counter; checking accounts.

384. What sort of accounts? For engrossing and searching.

385. Accounts against the office? Yes.

386. Anything further? Members of the public, as well as members of the profession, are in the habit from time to time of applying to the examiners for useful advice before bringing cases into the office at all.

387. Which they only get as a matter of favour? Which they invariably get with much courtesy. But I think it is perhaps a matter of favour. The words of the Act are very large. I have been consulted in the street, and on board steamers, as well as in the office.

388. Is that all? I think so.

389. In what manner do titles to land, for which certificates are sought, go into the hands of the examiners? There is a difference of opinion as to what going into the hands of the examiners means in this office. The Registrar General considers that as soon as a case is sent upstairs it is in the hands of the examiners.

390. Have you not a clerk? Yes.

391. Being sent upstairs then means delivered to that clerk? Yes.

392. Have you the control of that clerk? I do not think we have.

393. He is called the clerk to the examiners? He is called the clerk to the examiners. During one year he was not called so in the Estimates, but he is called the clerk to the examiners now, and no doubt we ought to have the control of him. As a matter of fact we have not.

394. Does he do other work than yours? Yes.

395. Well, suppose a title is placed in his hands for the examiners—the Registrar General considers he has done his duty as far as that application is concerned? Personally, the Registrar General has nothing at all to do with it.

396. Well, his officers then? Yes.

397. They consider when the application and the title have been handed to the clerk to the examiners, that the examiners thenceforth have charge of the case? I think they consider so.

398. Is it not so, in point of fact? No.

399. Supposing Mr. Lander does not hand you any application with the documents belonging to it, you do not consider yourself at all responsible for any delay thereby occasioned? Certainly I do not.

- E. Burton, Esq.
10 Mar., 1879.
400. Then you have no control over Mr. Lander, or in regard to seeing that the office work goes on expeditiously so far as initiating the investigation is concerned? I do not say we have no control over Mr. Lander, because I think, generally speaking, Mr. Lander would execute our directions, but we have not the control over him, because from time to time the Registrar General and the Deputy Registrar General issue orders to him which take him off our work.
401. Then, at all events, you have issued directions to Mr. Lander? Certainly.
402. As to the applications placed in his hands? No; we often tell Mr. Lander to do this or to do that, and he generally does it, but we have not given him any general directions as to what he shall do with cases.
403. Then how do cases come into your hands at all? I am glad to tell you. They are sent upstairs, and received by Mr. Lander. Mr. Lander then prepares a search paper, having gone through the deeds sufficiently for the purpose, and when that search-paper has been prepared, and the search has been made, he takes the case to the principal draftsman. That officer examines the search.
404. The principal draftsman I understand is in the Survey Office—the man who deals with plans? Yes; he is Mr. Pearson, who has been attached to the office for many years.
405. In a solicitor's office we attach the term draftsman to another officer. You mean Mr. Pearson, who deals with the plans? Yes, he is styled the principal draftsman.
406. Yes? The search-paper and the search are on foolscap paper, and folded once (if it is necessary to go into such particulars), and upon the fold Mr. Pearson marks all such dealings found on search as it is necessary for the examiners to see.
407. Mr. Pearson, you say? Mr. Pearson, the draftsman, marks on the search-paper all such deeds found on search as are not amongst the papers or in the abstract lodged in the case.
408. You mean all such deeds in any way affecting the title? He does not know anything about the title, but if the deed comprises the land he marks it.
409. Affecting the land? That is it.
410. Yes? In some cases Mr. Lander, in preparing the search-paper, sees a very palpable difficulty, as it seems to him, in the title, and he thereupon may send a letter at once to the applicant or his solicitor upon that difficulty. In that way, till the letter is answered, that particular title may be prevented from coming to the possession or knowledge of any of the examiners personally. In ordinary cases, when the draftsman has dealt with the search-paper, and made such requisitions (if any) as occur to him for a plan not furnished, and has pointed out in his report any encroachments or perhaps absolute want of title to some large piece running occasionally to 7 or 8 acres, if not more, the cases are carried into Mr. Jones's room; they remain there till about the 1st of the ensuing month; then the examiners divide all the cases between them.
411. Evenly? Generally evenly.
412. Then I understand you to say there is a division once a month. That is, cases have become ripe for examination you may say? Precisely.
413. Then you, in fact, allot them among yourselves? Yes.
414. And do you divide them evenly? Generally.
415. Whether you have an arrear on hand or not? Yes.
416. That is, whether one who is in arrear or quite up with his work, he still gets one-third of the new cases? Yes, generally. Transmission cases are also subject to this division; but they have not to go through the preliminary stages of search and draftsman's work.
417. And they are allotted and dealt with in the same way? Precisely.
418. In what manner do you investigate the titles when they do come into your hands? We pursue what I know as the late Mr. Norton's plan. That is the name I give it in my own mind.
419. What was that? We read the original deeds.
420. Not the abstract if there is one? No, we read the original deeds. We do also what Mr. Norton had not an opportunity of doing,—we read the original wills, if any.
421. What next? As to our next step there has been great diversity of proceeding. That is, there have been, at least, two or three plans pursued. The plan of the late Mr. Holden, who was senior examiner, was, I think, generally, to send preliminary requisitions out as early as possible. The preliminary requisitions having been sent the case would be put away as under requisition.
422. What was the nature of those preliminary requisitions? A memorandum which I have upon the subject is so close at hand that, if you will allow me, I can very readily refer to it.
423. Very well? The supply of plans, production of deeds, proof of births, deaths, marriages, &c., are subjects for preliminary requisition. Occasionally, parties do not answer for years. Perhaps they get reminders, but there is generally a pressure of business in the office, and subject to Mr. Lander sending them some reminders on a printed form, if they do not answer the preliminary requisitions, the cases remain till they do. We never need be idle; we have always quite enough to do in attending to the business of applicants who attend to their own business. We are never driven, for want of other work to attend to the business of those who do not attend to it themselves.
424. Are you not aware that these preliminary requisitions often cause a great deal of annoyance to applicants;—they assume that these are the objections to the title, take some pains to deal with them, and then find them the commencement of a series? I do believe it.
425. Then does the same system go on now? Not so much.
426. I suppose only in obvious cases, where some little defect can be supplied readily? I shall have to answer somewhat more at length. I should like to remark that when the word "preliminary" is written, as Mr. Holden was in the habit of writing it, at the top of the letter, it fairly warned the applicant that there were other requisitions to come. And, indeed, when any gentleman is asked to produce a deed, or to produce a certificate, or to produce a plan, he must know, if he will reflect, that objections may arise out of those very documents, when produced. Besides preliminary requisitions, strictly so called, this office has, for the most part, been in the habit of dealing with titles by correspondence.
427. What do you mean by correspondence? Sending letters to the applicants or to their solicitors, in which the difficulties occurring to the examiners have been pointed out, or further light upon matter of fact, or occasionally the applicant's own contention upon a point of law has been invited.
428. You are dealing now with preliminary objections? No, I am rather talking now of substantial objections. With regard to preliminary requisitions I should like to say this, that, although they certainly have their objectionable side, they also have their valuable side.
429. That is to say, I suppose, if put with discrimination? Well, even if put without discrimination. If

very great discrimination were to be used when putting them, one great advantage would be lost, because so much time would be necessarily involved in exercising that discrimination in a multitude of cases that the examiner may just as well make a thorough investigation with such material as he has before him in each instance.

E. Burton,
Esq.

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430. I think you said just now that was the present practice of the office in regard to that? No, I must not say that; I must give a full answer. The sending off of preliminary requisitions at an early stage has this great advantage, that it sets the applicant at once to search for certain things which it seems will be wanted, and so much time is saved. For all that I am not personally much in love with the system of preliminary requisitions; and if some consideration were exercised towards examiners, if it was not considered so very shocking a thing for an examiner to have a large multitude of cases in hand at once, it might perhaps be better for him not to make any preliminary requisitions, at least as a general rule. There are, of course, two sides to the question. As a general rule we have not of late years been so much in the habit of making preliminary requisitions as the office used to be. Titles have been, till a comparatively recent period, generally dealt with by correspondence, setting out the objections and difficulties which occurred to the examiners, and for some purposes that, I think, is the very best plan of dealing with titles. We have been pursuing another system to some extent lately, which has its own decided advantages; that is, of reporting a title to the Commissioners with the recommendation of its acceptance, subject to qualifications. That is practically, I am informed, the Melbourne plan. When I was in Melbourne I was informed that it was the habit of the professional Commissioner reviewing the objections to a title taken by an examiner to strike out such objections as he thought fit, to add such new objections of his own as he might see fit, and then to make an order that this title be passed subject to the following conditions. The practice of dealing with titles by correspondence has been the practice of this office for a great many years, and to the late Mr. Holden and, I suppose, to the late Mr. Dick, the credit of establishing that practice is due. The plan of reporting, subject to qualifications which we now frequently adopt, is practically identical with what I understand to be the Melbourne plan. It has its advantages. The title is brought to a certain stage; the applicant sees it advertised; he can say to himself, "My title is passed subject to only certain specified points"; he has something certain to go upon and he can apply himself to the removal of the specified difficulties.

431. Then do these qualifications comprise only such objections as it is likely the applicant can remove? Such objections or defects as it is possible he will be able to remove.

432. I can quite understand the advantage if they are simply forms he has to go through, but not if the objections are fatal to his title and he cannot remove them? I have something further to tell you. I do not know whether there is any correspondence in the Melbourne office with applicants before report by examiners, but as a general rule whether under what I call the old practice or the new, in this office that correspondence does take place. I think very well myself of the system of reporting subject to qualifications, but I am aware that it has its disadvantages. Sometimes so very great a defect may be covered by a qualification which perhaps the examiners making it had no reason to suspect—a document called for may turn out to be so very special, so very much to the contrary of anything that there was any reason to expect—that it may either almost or altogether destroy the title, which before that document was produced there seemed a fair prospect of supporting. I think, however, that the advantages of this qualification system outweighs the disadvantages.

433. Provided always that discrimination is used? Decidedly. Discrimination decidedly ought to be used in reporting, subject to qualifications.

434. Because after this the property is advertised, and if he cannot remove those preliminary objections—those qualifications—his title is destroyed? There is a danger of it.

435. Is that all? I should perhaps say that a great advantage in reporting, subject to qualifications, is that the examiner makes up his mind upon all other points in the case when he so reports; and on the other hand if the case be left open on correspondence many years may elapse before the applicant will remove the difficulties. In some instances the examiners die, and their successors have to go through the title *ab initio*. Now I think I may return to your question.

436. You got as far as perusing the deeds and the wills? The examiner having done that generally makes a skeleton abstract, and also makes his own notes.

437. Notes of objections, I suppose, or things to be inquired into? Speaking for myself, mine are not always notes of objections, but may be notes of removal of objections, such as, "I do not think this is an objection to title, because so-and-so."

438. Yes? He then sends the case to one or other of his colleagues. I keep a list, and I send cases generally to my colleagues alternately, exercising some fairness with regard to not sending one man two specially heavy cases in immediate succession—something of that kind. The examiner who receives the title in the second instance peruses it.

439. Without the assistance of the first examiner's notes? I think he generally has them. We generally leave our notes in the packet. If both the examiners are satisfied with the title they can at once report it as fit to be passed. The Board of Land Titles Commissioners thereupon order it to be passed, and it is advertised, and unless under special circumstances the examiners have no more to do with it.

440. Perhaps you will state in what manner objections are sent to applicants? There are two modes: one is for the first examiner to send on the case to another without any draft letter, and for the two examiners afterwards to agree upon what requisitions they will make.

441. And the other? The other, which I consider perhaps generally preferable, considering the saving of time, is for the first examiner to draft a letter to the applicant or his solicitor, setting out the objections which have occurred to him, and marking it, "Forward, if Mr. So-and-so (the other examiner to whom the case is sent) concur."

442. That letter then is either forwarded or you have a consultation together, I suppose, and perhaps modify it or alter it? Yes.

443. And ultimately it is forwarded, or perhaps withdrawn altogether? Generally it is forwarded—sometimes it is not. A case may be reported subject to qualifications to the effect of the letter.

444. Then a long correspondence may ensue with the applicant or his solicitor? Certainly.

445. Which occupies a time that you cannot put any limit to? Quite so. But it always may be practically limited by the applicant or his solicitor.

446. How? Asking the examiners to report whether favourably or unfavourably.

447. But applicants will not do that if they have any hope of getting the examiners to pass the title?

- E. Burton,
Esq.
10 Mar., 1879.
- title? Quite so; and the mild practice of this office, originated by Mr. Holden and Mr. Dick, has always been never to report against a title unless driven to do so.
448. Then the effect of this correspondence may be that titles which otherwise might be rejected will be ultimately passed? Certainly.
449. From the facilities you give applicants to correct what was originally defective? Quite so. I may be allowed to say that I have known a case in which a title has come in in three parts. A very respectable firm of solicitors sent it in during the time of the late Mr. Holden and myself. We were not satisfied with part first. We corresponded with the solicitors. We got part second; we were not satisfied with that. They produced part third.
450. What did those parts consist of? I will tell you directly. And we were satisfied with that—with part third. Speaking from recollection, part first consisted of a set of deeds; parts second and third consisted of another set of deeds and of counsel's brief in an action.
451. However, the title ultimately passed? The title ultimately passed.
452. And but for your giving them facilities to touch it up it might have been rejected? Must.
453. Do you consider it necessary that all three examiners should report on every title? I do not; and it is not the practice for them to do so.
454. I know it is not? If you mean in point of law I confess I have very great doubt indeed, but if you mean do I consider that it is necessary from the reason of the case I do not think it is. I think that two examiners are quite enough to investigate one case; the only question is whether it should not be done by one.
455. The Act says the case shall be reported upon by the examiners, and whether those examiners consist of two or of twenty the words remain exactly in the same state? It is so, and I have always thought if there were an Act passed in which I had any practical share I should recommend a clause to the effect that the duties imposed on the examiners might be executed by any two of them.
456. However, in point of fact the titles are reported on by only two out of three? I think so; generally.
457. I assume generally. Do you deal with cases referred to you strictly in rotation? Not absolutely.
458. There are first and second class cases? First-class cases are always cleared out of the way at once.
459. As far as second-class cases are concerned do you deal with them strictly in rotation? Not absolutely in rotation. I have gained I believe some disfavor from dealing with them almost strictly in rotation.
460. No doubt it is the proper process if they are much the same kind of titles, but although there are only two classes under the Act you are aware that some second-class titles are almost as simple as first-class titles? It is true.
461. And others are immensely prolonged and immensely difficult? It is quite true.
462. Then you do not deal with these second-class titles simply in rotation? I do not.
463. Generally? Laying it down for myself, as a general rule, I write the names of the cases in a list, and generally I go regularly down my list.
464. But you make some exceptions? I do.
465. Can you name the instances in which you make exceptions? If I have a spare half-hour or a spare hour, and I think the time will suffice for such a case, I may take that case up, and endeavour to dispose of it in that odd piece of time.
466. That is to say a case which you consider to be a comparatively short one? Quite so. Then I have sometimes been moved by the urgency of parties. On one occasion I was moved by the special circumstances of a lady. She told me she wanted to marry, and that her marriage was waiting for the passing of her title. I proceeded with her title immediately.
467. Then in cases of emergency, on any account whatever, they are sometimes taken out of their turn? Yes.
468. Were there any arrears of cases when you took office? Yes.
469. About how many? I do not think I can answer the question, but I may give some idea. I must ask you to let me refer to something I have in the next room.
470. Certainly? It has not been my strict business to prepare statistics at any time, and I always have had a very great deal of other work to do, and I had not any knowledge when I entered the office of what cases there were in arrear. As to the expression "in arrear" it is one about which sometime ago a very great difference of opinion prevailed. I always said that a case was not in arrear when the office was waiting for the applicant. But it has been attempted to confuse cases not finally reported upon, although the office was waiting for the applicant, with cases in which the applicant was waiting for the office.

WEDNESDAY, 12 MARCH, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P., | WILLIAM HENRY ARCHER, Esq.,
THOMAS ROBERTSON, Esq.

Edmund Burton, Esq., Examiner of Titles, further examined:—

- E. Burton,
Esq.
12 Mar., 1879.
471. The witness said:—I wish to add to my answer, with reference to my position as senior examiner, by date of appointment, by stating that I am not and never was senior examiner in that official sense in which Mr. Holden was. I should like to say that on the occasion of my appointment it was expressly stipulated that Mr. Holden was to be senior examiner. He consequently, during the remainder of his life, had for many purposes such a charge of the Land Titles Office, and such a control over it as I never have had. When Mr. Oliver and Mr. Jones were appointed examiners, a letter of the 13th July, 1874, was sent from the Colonial Secretary's Office to the Registrar General, stating that the three examiners would from that date hold office on an equal footing as to their duties and authority.
472. *President.*] On the average, how many titles per week do you examine, and either approve of or send requisitions to the applicants? I cannot tell at all.
473. Cannot you give us any idea? No, I cannot.
474. You can say whether one or a dozen? Of course I can say that there are more than one and less than a dozen, but I cannot give you any clearer idea. I may have a case involving £50,000 of property,

375 grants (which of course make a mechanical difficulty as to the time employed), and a point of law which has agitated the English Courts for seventy-five years. That has happened. With such a case as that I have taken great pains indeed, and it has necessarily occupied me a very long time. I cannot average such a case as that with a first-class case.

E. Burton,
Esq.

12 Mar., 1879.

475. I admit that some cases may occupy a whole week, but you may have a run of easy cases which may be disposed of at the rate of one per day—I want a sort of general average? It is very difficult to deal with these general averages. I could show you cases which perhaps no one could deal with in a week. There are cases in which you cannot get the deeds into one packet. There is the case of Tuck for instance, in which I calculated that the expense of investigating the title outside the office, if two solicitors were employed, would probably be £200, and this office would charge £11. An enormous amount of pains was taken with that case. Mr. Tuck's title was most complicated and curious. Some lots, perhaps, he had not any title for, and for others he had, perhaps, a freehold title. In others he had a long term of years by virtue of mortgage by demise. We could not under our Act give him a freehold for those portions. We took enormous pains over his case. We wrote him long and numerous letters, and he wrote us at last that he was old and infirm and should like to have his case passed. Such a case as that, which shows a large mass of my handwriting for one, obstructs the office. It requires very good management on the part of the applicant. Cases of that sort are, so to say, the bane of the office.

476. Suppose you leave out such exceptional cases as that of Mr. Tuck, of which there will not be a very large number? There are a very large number.

477. But they are estimable, I suppose? All this could be done by a statist. I suppose I could do it by taking time, but the difficulties of averaging anything of the sort are great.

478. Then will you be good enough to add to the return you are preparing an item showing what cases you have dealt with in the way indicated, from the time of your acceptance of office till the end of last year? It will take me a long time, and will stop the other business of the office, but I will give you all the information you ask. My avocations are very numerous. I have more work now than ever I had before. I praised the qualification system the other day, but that system gives me a great deal of work. The short result is that when a case is dealt with under that system we have never done with it. It is always coming back upon answers to qualifications. The work is perpetual.

479. *Mr. Robertson.*] Do you not think that it would have been advisable to have made Mr. Tuck divide his application, making a separate application for each property held under a different tenure? I think it would. It must be borne in mind that this office is conducted, to some extent, on the principle of a shop. It is desired to encourage custom.

480. *President.*] Too much, I think, in some respects? I think so too; and that is very severe on examiners. If the office were not conducted so much on the principle of a shop, of inviting custom as much as possible, the work of the examiners would be much easier. I may instance the violation of the form, which I believe was settled by the Governor and the Executive Council, for applications. That is not so very often violated, but it has been sometimes very materially violated to the retardation of the business, and to the increase of the work of the examiners. That form provides a schedule of deeds; but a gentleman has come here and lodged his application—I suppose he has been in a hurry—he seems to have been encouraged like a customer, and therefore has been allowed to make his application, and his application had been received—and this schedule has been left entirely blank, when his title has consisted of twenty or more documents.

481. That is the fault of the counter-clerk? That is the fault of the counter-clerk, or of the person over him directing his movements.

482. Well, I think, with respect to this matter, what you will have to do for us is really to add to the return you are now making up the number of cases dealt with by you, either by acceptance or by forwarding requisitions to applicants, during the same period over which you are looking for the other matters? I shall do it, of course, but it will stop my work for a very considerable period.

483. Do you remember whether you have ever passed a second-class title without requisitions? Oh, yes.

484. Then it has happened sometimes? Oh, certainly.

485. Do you consider it your duty, as examiner, to make every possible objection that can be raised to the title? No, I do not, and I do not do it. I act a good deal upon what I conceive to be a very sound view, which was expressed by the late Mr. Holden. He said to this effect: "I should always like it to appear, when there was a difficulty in a title—that we had seen the difficulty and accepted the title, if accepted at all, notwithstanding that difficulty." He meant that he would not wish it to be supposed that we had passed a title with a difficulty without seeing it; he wished it to appear that we had done the thing as a matter of judgment after investigation, instead of as a matter of chance without investigation.

486. In that way, to some extent, you would make evidence against yourself in case those difficulties ever turned out to be real difficulties? I should, and I do. In my remarks will be found from time to time one which is never sent to the applicant at all, and opposite to which will be written "Not an objection." That remark of mine is an explanatory one, stating, perhaps, in short, why I do not object on such and such a point.

487. Do you ever send out objections, or requisitions you call them, which, if not complied with, would not prevent your passing the title? If the question is put in that way I may say yes. But the thing needs explanation. It is very well known that there is in this office at all times a large mass of business, and time is, of course, always a great point. A difficulty may strike the examiner who first receives a title, and he may write a letter to the applicant upon that difficulty, and send the draft to one of his fellow examiners for concurrence. The fellow examiner may be very busy, and may not have time to fully investigate the title and ascertain whether that objection is clearly maintainable; but the letter having been drafted by one examiner, the other examiner may very well think "I shall send the applicant something, and I may perhaps save time if I send this letter on to him at once without decision on the point in my own mind, or arguing the case in my own mind."

488. Then I assume that such requisitions are sent for the purpose of saving the examiners' time, and in the hope that the applicant may show you that they are unnecessary? In some such way. It is desirable not to be under the discredit of having too many cases, either in the hands of one examiner or remaining in the office, at a time, and there is always some good done by sending any letter to the applicant. It reminds him of his case, and he can, thereupon, finding the thing has been under the notice of the examiners, come to them or write to them about it.

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489. In point of fact, do you endeavour to pass all titles brought to you, or do you endeavour to reject such as it is possible to reject? Certainly not the latter.
490. You try then to pass titles which are brought—try to see them in such a light as to accept them? I try to hold the balance true. After taking some objections, or after making some inquiries, and getting such answers as I can, I am apt to consider the matter finally and say to myself, "Well, now won't it be reasonable under the circumstances, on such an amount of information as we have, to pass the title," and that frequently results in my passing it.
491. Then, in point of fact, you endeavour to pass the title if you consider it safe to do so? Finally I do, certainly. But I try to get such knowledge of facts in the first instance as possible, and in cases where there is any law I desire to be safe upon the law.
492. Did the late Mr. Holden ever object that your requirements were unnecessarily minute or strict? He never objected to them as being too minute. I suppose that he did object to them as being too strict.
493. You have seen the printed copy of the report of the former Commission, with the questions and answers? Yes.
494. And Mr. Holden, in his examination on that occasion——? I would rather turn the thing up. I should not wish to state from memory anything as to what he said, after the lapse of nine years. (*Copy of the Report and Minutes of Evidence dated 7 September, 1869, taken by Board of Inquiry into the working of the Land Titles Branch of the Registrar General's Department, handed to witness.*) There is on the first page of Mr. Holden's evidence of the 12th of August, 1869, a memorandum from which he reads and which refers to myself and to other points.
495. Question 184 of the evidence before that Board of Inquiry is as follows:—"Do you find these requisitions now more full, minute, and particular than they used to be? There is more punctiliousness about Mr. Burton, and he is more apt to make slight objections as to the construction of language and so on; and in his mode of putting objections he is very precise. A great deal more time is occupied in the business of the office in consequence of his peculiar habit of mind." What I want to get at is whether in any way, we can modify these requisitions, so as to save time and get the titles passed at less expense and trouble to applicants,—possibly with some little more risk to the assurance fund. It becomes a question whether the assurance fund should not suffer a little rather than the public should suffer so much? Quite so; and I think I see ways in which I could assist in bringing about that result. There is one very material way, but of course the risk would be increased.
496. I assume that objections given up would increase the risk? I said the other day that I followed the late Mr. Norton's plan of perusing original deeds, and sometimes of course the deed contains a variety of properties. An application is made for a title to one of those pieces. The deed is perused, and everything in it or upon it so far as refers to that particular piece of land with which we have to do is taken into consideration, but of course we are not bound to notice anything in or upon the deed which refers to pieces of land with which we have nothing to do. But then sometimes we have to do with them afterwards. Sometimes another application is made for other lands included in the same deed. Well, it may be necessary to see the original deed again for the actually safe investigation of that second title. Now if it were made a practice that the original deed having been produced once, the examiners should be quite at liberty to use the registration copy only, for the future, that would certainly be a saving of trouble to the applicants and of expense.
497. Well there is no reason why that should not be done now? Well, there may be, in some cases I think, very great reason. A deed may be brought in containing we may say—take a very simple case—two properties, and the title to property A may be quite unobjectional. There may be nothing in or upon the deed to affect it injuriously; but with regard to property B, there may be a memorandum "sold to John Thomas and conveyed to him by indenture dated the 25th of January last." Well, that memorandum may have been made after the registration copy was sworn and filed; therefore the examiner at the time when the deed was before him had no occasion to trouble himself whatever about property B. When property B came to be the subject of his investigation he would have very great reason to notice that memorandum; besides which it is quite possible that the memorandum may have been made on the deed since the examiner saw it.
498. But you make very careful searches; would you not find that on searching? No, not if it were made after registration.
499. *Mr. Robertson.*] But it would be of no consequence? I think it would. I think it would destroy the title.
500. Not at all, because our Registration Act would prevent a memorandum written upon a deed after registration having any effect? Perhaps it would. As a matter of law there is a case decided by Lord Selbourne, which, perhaps, does maintain your view. That was a case in Ireland, where a party had made some inquiries about some original deeds, and he had been put off by false information, and he had eventually accepted a mortgage and had registered his mortgage; and then as he did not actually know of the fraud which had been practised in the way of a prior security kept back from him, he was held harmless. That case had induced me somewhat to take to the idea of not requiring original deeds to be produced a second time.
501. *President.*] But, in the case you put, there might be a sale by the applicant carried out by unregistered conveyance? Precisely; that is exactly the point of danger to which my mind is directed.
502. I cannot see how the assurance fund would be damaged by that. If a man does not choose to adopt the precautions the law imposes on him to protect his title he must take the consequences, and I do not think the assurance fund would suffer? With very great respect I think it would. I think it is out of the case which I have just quoted from recollection of Lord Selbourne's decision, because there is no registered deed to protect the office. The mortgage in Lord Selbourne's case was protected, not because it was considered that he had not been negligent, but because happily he fell within the terms of the Registry Act. Now there is no Registry Act, and there is no enactment in any Act that I am aware of, to say that an unregistered transaction shall not give any claim against the insurance fund.
503. No doubt there is not. But it seems to me that if this man chooses to keep this deed unregistered, and allows his vendor to commit this *quasi* fraud, he must suffer for it. It is like the case of a person signing a paper in blank which is not filled up, as a bill or note? If I make any suggestion at all I would suggest that the law of negotiable instruments stands *per se*.
504. *Mr. Robertson.*] I understand you to say that the law now stands thus:—That the owner of a freehold estate may sell it and may be paid for it, sign his conveyance, deliver his conveyance, and if the purchaser does not register that conveyance the vendor can get a title from this office to the land that has been sold, if he signs the usual application? I think he might, certainly.
- 505.

505. And that the purchaser holding an unregistered conveyance would then be in a position to claim compensation from the assurance fund? I think he would, if the officers of this department had not exercised that vigilance which Courts of Equity require from purchasers in general and their solicitors. Calling for the production of original deeds is no doubt a very great duty of every purchaser and of his solicitors, and therefore, I suppose, is a duty of the Examiners of Titles. I may say that the late Mr. Holden, whom we all respect, was very particular indeed about the production of original deeds; it is very well known that he was. Mr. Holden seemed also to attach great importance to the making of memoranda on deeds or registration copies. He would try sometimes to save the parties expense by letting them off the registration of a document, on condition that the memorandum should be placed on the principal original deed or registration copy. I think that if we were to accept the title without showing that we had used due diligence to get sight of the original deeds, then, if there were an outstanding good equitable claim in some other person, the assurance fund might be made to suffer for it.

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506. *President.*] Have you not in many cases required deeds produced by applicants to be registered? Certainly.

507. On what ground? On the ground that there is nothing in this Real Property Act to conclusively put an end to the provisions of the ordinary Registration Act.

508. But do you not know that an unregistered deed is just as good as a registered one, provided that there is no conflicting deed registered? I do, certainly, and that corroborates the view I have just expressed upon the other subject. But though I know that an unregistered deed is as good as a registered one, so long as no deed is registered on the subject, yet I feel that there is always the danger of another deed being registered on the subject.

509. Then you require deeds to be registered in order to prevent the applicant for the title from committing a fraud afterwards, which, it seems to me, is beyond the duty of the examiners? I have thought it my duty to take care of the fund.

510. I do not see how it affects the fund? A party may come here with an unregistered deed. If we were not to require him to register that deed his title might be wholly destroyed before advertisement even. It seems prudent to get the applicant's title put into as secure a condition as may be, and by simply occasioning him to get his conveyance registered, and searching up to the time of that registration, we know that the title is good, and are not left to speculate as to whether any other deed—which may not have been executed by the applicant—it may be a deed by the applicant's vendor—whether that will not be registered before the applicant's deed.

511. The case I allude to is this:—Suppose an applicant, having purchased a piece of land, has it conveyed to him, he does not register that deed, but makes an application for certificate of title;—why should he not get that certificate of title without registering his conveyance? Because I think the land may be wholly lost to him, and a claim may spring up on the assurance fund the very day the examiners report in favour of his title.

512. But then you search up to the issue of the certificate? We should not unless the examiners directed a special search.

513. *Mr. Archer.*] But is not that the habit—the final search being made during the last 5 minutes? Yes, but we must bear in mind against whom. Final search is made against the applicant to the last moment, but not final search against the other parties in the title.

514. *President.*] Well could it not be made against the person who had executed same unregistered deed. You have brought the search up to a certain point; could it not be carried on further? The search must be continued till the actual signing of certificate, and the public must be put to the expense of that continued search, and I am not at all clear that the assurance fund would not, after all, have to make good the loss in case a deed should be registered after the issue of our certificate. If you will allow me I will get my copy of the Act. (*Witness referred to Real Property Act.*) I find that the 33rd section of the principal Real Property Act, and though I do not wish to dwell upon it too much, yet that 33rd section never has been judicially construed, and it may, perhaps, be a fair subject for argument as to what the exact effect of it is. I think I may at once throw some light on it by instancing the case of a certificate supposed to be lost.

515. But you know we are dealing with titles not yet under —? I know that; I think I shall get home, though I am starting at some distance. A certificate of title may be lost; a provisional certificate may be obtained; a transfer may take place; a new certificate of title may be issued to a new man. Now, it may be, and I believe it has occurred in Victoria, that the original certificate has only been alleged to have been lost, and the provisional certificate may be obtained by an impostor who personates the proprietor. Then the thing may come duly into the hands of some other registered proprietor. Let the original registered proprietor, whose certificate may have been said to be lost, return to the Colony from which he has been absent, take legal proceedings to recover his land, and put in evidence his certificate of title, I think it will be evident that great difficulty would occur to a Court of Law thereupon in construing this 33rd section. The claimant would have a certificate of title duly authenticated under the hand and seal of the Registrar General, which the 33rd section says shall be received in all Courts of Law and Equity, and shall be “conclusive evidence that the person named in such certificate of title, or in any entry thereon, is seised of or as taking estate or interest in the land therein described is seised or possessed of or entitled to such land for the estate or interest therein specified,” &c. I suppose the plaintiff would thereupon rely upon that old certificate. I doubt, however, greatly whether the Court would not hold that the subsequent certificate, duly issued, must prevail. It is a matter of construction, and the 40th section rather increases the difficulty. The 40th section says, “Notwithstanding the existence in any other person of any estate or interest whether derived by grant from the Crown or otherwise which but for this Act might be held to be paramount or to have priority the registered proprietor of land or of any estate or interest in land under the provisions of this Act shall except in case of fraud hold the same subject to such encumbrances liens estates or interests as may be notified on the folium of the Register book constituted by the grant or certificate of title of such land but absolutely free from all other encumbrances liens estates or interests whatsoever except the estate or interest of a proprietor claiming the same land under a prior certificate of title” &c.

516. That looks as if the holder of the prior certificate obtained priority? It does. The object of my saying all this is that I think the 33rd section will be held by a Court of law to mean that the certificate of title shall be evidence of title at the date of that certificate, but not necessarily of any continuing title. The Legislature indeed seems to have recently supported this view. In the new Act, 41 Victoria

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No. 18, section 11, is the following:—"No title to land adverse to or in derogation of the title of the registered proprietor shall be acquired by any length of possession by virtue of any statute of limitations, &c." If section 33 of the principal Act was not to be confined to making the certificate evidence of title merely at its own date of course the question of destruction of registered proprietor's title by statute of limitations never could have arisen, because he would produce his certificate of title, however old—thirty years old or any other age—and whatever the possession might have been in the meantime he would say, "This is conclusive evidence that I am seized of, possessed of, or entitled to the estate or interest specified in the certificate." The Legislature therefore seems to have considered, as I humbly also consider, that the 33rd section is to be taken as enacting that the certificate of title shall be conclusive evidence of title only at the date of that certificate. If we accept that view then it follows that whenever a certificate of title is issued upon an unregistered deed the title so given by this office may be destroyed by the registration of another deed.

517. I cannot see that? I have endeavoured to make myself very clear.

518. But I do not come to the same conclusion as you do? You think there must be some general intention in the Act to save such cases.

519. *Mr. Robertson.*] But your certificate of title is indefeasible. I can imagine a case in which a claim might arise against the assurance fund on the part of a person coming forward with an unregistered conveyance, but I cannot see how a person coming forward with an unregistered conveyance, after you have issued a certificate, can have any claim on the land for which the certificate has been issued? Of course I do not presume to be magisterial on this occasion.

520. I only want to know if I properly understand you? I think you do. I do myself, subject to correction, think that what we call indefeasible certificates of title are defeasible.

521. *Mr. Archer.*] Then the public are deceived in supposing them indefeasible? I think they are. It is not of much practical importance. I do not think that that is of much practical importance, that any loss is likely to happen through this. But I do not think that our certificates are strictly speaking indefeasible. I do not think they are indefeasible against the Crown. I know nothing in our Act to bind the Crown at all. The Crown is not specially named anywhere.

522. *President.*] Now suppose a title where there is an unregistered mortgage, either by the applicant or some of his predecessors, and also an unregistered release of that mortgage, would you require those deeds to be registered? I do not think I ever have.

523. It has been done in the office I understand? There are many things said about the office which, at the least, are incapable of proof.

524. *Mr. Robertson.*] I had a case of the kind, in which there was a bundle of deeds. There was an equitable mortgage to the Joint Stock Bank, and a discharge endorsed upon it. It was required that both should be registered? It is very convenient indeed to have all documents registered, because the originals are apt more or less to be dispersed over the country, and copies are not always procurable. The registration copy is sometimes an exceedingly valuable thing for reference in other cases, and although I am not aware that I ever have made such a requisition as that to which *Mr. Robertson* refers, I may say generally that the examiner who occasions the registration of deeds may sometimes very greatly serve both the parties and the office, and all who are concerned in any way in that land, because it is a very great thing in many cases to know where you can find a copy of a certain document.

525. *President.*] The rule of the examiners I understood to be, that up to the date of application the title should be made complete on the old Register, and then start afresh with the new title? I do not think the examiners ever agreed to a rule upon the subject.

526. That is what I understood *Mr. Holden's* rule to be? *Mr. Holden* is a very good authority, and no other examiner has ever gone beyond that, or could have gone beyond that.

527. It is a thing I have always appealed against, but very often, as you are aware, it is cheaper for applicants to comply with unnecessary requisitions than to hold out, and therefore in many cases I gave way? No doubt it is a very sensible and discreet thing to do; and I am glad to hear that that highly respectable authority, *Mr. Holden*, did hold that opinion. It is very convenient if you cannot refer to the originals to be able to refer to the copy.

528. Is it now the rule of the office? No, there is no rule laid down.

529. *Mr. Archer.*] Is it the practice? I do not think the practice of the examiners is uniform. For my own part I adhere in the main to what *Mr. Norton* says has been *Mr. Holden's* view.

530. *President.*] You think the old register ought to be made perfect if practicable? I never care about that. Different minds look at things from different points. That I know was *Mr. Holden's* view. It has never struck me whether the old register should be made perfect, or left imperfect. I have only applied myself to making this particular title safe, and I have therefore, and for convenience sake, required the deed to be registered.

531. When the title has been once passed by the office, is it ever reinvestigated? Yes.

532. For what reason? I should like to refer to a case of *Eyles'*, in which I applied for the decision of the Board of Land Titles Commissioners upon that point. If you will give me leave I will set *Mr. Lander* to find this case, and give you the information.

533. If you can save our time we would rather not? I will give you a short account of it; but my account from recollection cannot be so certainly accurate as that which I could give you if I had the papers before me.

534. All I want to get at is the principle;—when a title has been once passed by the office is it ever re-investigated? Yes, it is; but not as a rule. As a rule it is not done, but as an exception it is.

535. Has it not been held out to the public by officers in this office, that when a title has been once passed it will not be re-investigated, so as to induce them to bring their titles in? I cannot conceive that any officer would act so improperly as to make such an announcement.

536. It has been done? That is touting for business. In *Eyles'* case the decision of the Board was such as to close the mouths of all officers from making such announcements for the future.

537. Was *Eyles'* case a re-investigation of title? Yes, decidedly; and we found that the title, as we humbly conceived, had been erroneously taken by our predecessors.

538. Who? *Mr. Holden*, I think, for one; but whether *Mr. Pennington* or *Mr. Dick* for the other I cannot say without the papers.

539. Well, do you not think it would be sufficiently safe to assume that all titles passed are good, and not to re-investigate them;—do you not think it a very fair thing that the assurance fund should run that risk?

risk? In general cases I do, and in general cases it is the practice of the office. But it is necessary to distinguish between B and the bull's foot, and in very many cases a good deal of investigation is requisite in order to make what might be supposed an obvious distinction. It will be said that the title to the Greenacre Estate has been accepted, and also that a particular applicant's land is a part of the Greenacre Estate; and therefore the inference will be drawn that the particular applicant's title ought to be accepted. Now, the premises may be strictly correct, and yet the conclusion wholly illogical. The estate may consist of several grants, the title of one of which may be undeniably good, and the title of another undeniably bad. The title which has been accepted may be part of the good title grant, and the title brought in on the second occasion part of the bad title grant, and as a matter of fact where the title has been once accepted in complicated cases it perhaps really gives the examiners more trouble than if it had never been accepted at all; because without disturbing the work of their predecessors they have to look through a long heavy case passed by their predecessors, and see whether the title now presented to them really does fall upon the same lines.

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540. *Mr. Archer.*] Have you not investigated very heavy cases in regard to certain well known estates so thoroughly that you might advertise to the public that any transactions in regard to these estates in future would be considered as clean titles? I think it would be very indiscreet.

541. *President.*] That is advertise you mean? Yes.

542. *Mr. Archer.*] It has been done in Melbourne? Eyles' case is a very remarkable case. It was shepherded by a gentleman in the office who brought it to me, and said he thought it might be passed in an hour. There was an abstract in the case, and upon the fold of the abstract there was a pencil draft of a letter by a solicitor taking a most grievous objection to the title. The title had been accepted before my time. I had, according to my general rule, accepted the work of my predecessors, and I had in consequence accepted the title twice, but when I saw this letter taking so very grave an objection I thought, "I must hold my hand." I applied to the Board, however, by special report from myself alone, stating how many times the title had been accepted by my predecessors, and how many times it had been accepted by myself, and setting out the particular circumstances of the case. I recommended that the title be further investigated; and the answer of the Board was: "The examiners to use their discretion as to the necessity of re-investigation of previous title." The title depended upon a very difficult point of law, the point being shortly this: A man devised lands —

543. *President.*] I really think you must try and save our time a little;—we do not care about the particulars of this case? It shows that I have been willing to take the Board's decision and to accept the work of my predecessors if they should think fit to say "do so." But the Board abstained from saying so when I formally brought the circumstances of this particular case before them and recommended a further investigation, and they answered as already stated. It was the practice of our predecessors from time to time to apply to the Lands Titles Commissioners for directions concerning certain matters connected with titles. I think case No. 20, which I happened to turn up some time ago, is an instance of such application.

544. *Mr. Archer.*] Have you not investigated cases so thoroughly and completely in regard to certain large estates that you feel assured they have now a perfectly clean title, and it is not necessary to re-investigate those titles? I do not think I ever have had the investigation of the title to any very large estate in this office.

545. So that such perfectly clean titles do not exist? I do not say that. In all matters of conveyancing things have to be taken *cum grano*. I govern myself a good deal by length of time. When I find that a good period, such as twenty years, has elapsed, I give weight to that. But I think a very great deal of the necessity of seeing that you fall within the lines of the case which has been accepted,—and it does happen that there may be an estate consisting of seven or eight grants, and the titles to, say, six of these grants have been accepted, but not a single allotment has been taken out of No. 7 or 8 grant. Of course it would be rash and ridiculous for the examiner to say that because the titles to the six grants are good that the titles to the seventh and the eighth are. This, in practice, is what happens. You will find it is quite true that the title to the Greenacre Estate, speaking generally, or I should say to many of the grants comprised in that estate, has been accepted; but then there are certain other grants in that estate the title to which has not been accepted.

546. *President.*] You may instance the Riley Estate? The late Mr. Norton said to me many years ago, the Riley Estate title is one of those facts which must be accepted, and I have invariably accepted that title.

547. *Mr. Archer.*] Suppose an estate or any portion of an estate has been thoroughly examined, and the title accepted as clear, is it the practice henceforth to look upon that title as equal to a Crown grant without re-investigation? The question is put in very strong terms, and I do not think that I can give a simple affirmative to it. When I came into this office I laid down for myself a rule that I would not interfere with my predecessors' work, that I would take their work as judgments or conclusions, and would build upon them, and that no doubt I should find plenty to do even proceeding in that course; and that course in the main I have pursued, but there is no rule on the subject binding the examiners.

548. But suppose you have investigated the case yourself, and given the title, would you in any subsequent transaction go over that title again as if you had never seen it? No.

549. *President.*] Suppose the first application was for a very small part of a grant, and the second application was for the rest of the grant, would you then re-open it? I think I should simply pass it. My object and endeavour have been to do my work so thoroughly in the first instance that I should be able to adopt that course in the second.

550. *Mr. Terry.*] I understood you to say that the Commissioners would not undertake on their behalf to allow you to accept your predecessors' work? Quite so. They left me to my own discretion. It is not for me to say it more than in the way of a humble suggestion, but I do say that a reference to Eyles's case may be very valuable both as regards practice and also as regards principle.

551. *President.*] If you will give us a short written statement of it our time will be saved? If you thought good to allow me to produce the papers I could with much precision and in a few words state it.

552. *Mr. Archer.*] Is it in print? No.

553. *President.*] I think we can let it go. In cases where an applicant nominates another person in whose name a certificate is to be made out, do you require the nominee to produce a contract of sale or any other document? If there be a contract of sale in existence.

554. You make the inquiry? Generally. I am not myself so very particular on this point, but if I find another examiner making such a requisition I do not generally quarrel with it.

555.

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555. According to the Act I see that the applicant can ask for the issue of a certificate in his name or in the name of some person to be named by him? Yes.
556. Yet this office has wanted to know in many instances why the name of the nominee is inserted? That cannot be the motive operating upon this office. The office must have been led to suppose there was a sale.
557. Have they not chosen to assume it in some cases? You will forgive the office for desiring to have all the light it possibly can before forming a judgment, and certainly it has been asked whether there is any contract for sale between the applicant and the nominee. I think this is very material, although I do not claim the credit of having introduced or very greatly supported the practice. I think it may sometimes be very material indeed. If the applicant says in the earlier part of his application that there is an agreement for sale between him and Mr. So-and-so, or if he use any expression which in the eyes of a Court of law or equity would affect the office with notice of the existence of that document, then I take the law to be that it is gross negligence on the part of the office not to inquire for the document of which they have notice. They want to see it merely in order to see that it does not contain any harm to the title. For instance, an agreement might disclose that the applicant was really only a trustee for somebody else.
558. The contract might disclose that? Yes. The contract might disclose that or the contract might disclose that the nominee, the purchaser, was really only a trustee for somebody else. There are two things to be borne in mind, namely, one that we have to investigate the title, and another that we have to advise in carrying out the provisions of the Real Property Act. A very important subject of the examiner's advice is as to the entry of caveats by the Registrar General. Section 11, subdivision 5 of the principal Act, enables the Registrar General to enter a caveat on behalf of any person who shall be under any of the disabilities therein mentioned, or on behalf of the Queen ———
559. Mr. Robertson.] That looks as if the Crown were bound by the Act? Well, it does; but I do not think the Crown is bound; there are no express words to do it. And the Registrar General may enter caveats for other purposes. Well, it is perhaps right I should say that under this clause a considerable and very important system of caveats has sprung up; and sometimes—especially in transmission cases—more important matters are decided by an examiner in advising the Registrar General to enter or not to enter a caveat, than perhaps in any other branch of his business.
560. President.] Do you not consider it rather stepping out of your way to ask the production of these contracts, inviting these difficulties—you are not bound to do so by the Act;—it seems to me that examiners should not make inquiries that will fix them with a liability or a difficulty? I quite agree that the examiners ought not to make inquiries fixing the office with a liability if it be clear that the office was otherwise not to be fixed, but if there is any doubt on the subject it is much the best way to get all the light you can and decide in the light rather than in the dark.

FRIDAY, 14 MARCH, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P., | WILLIAM HENRY ARCHER, Esq.,
THOMAS ROBERTSON, Esq.

Mr. Charles John Muddle, Deputy Registrar General, examined:—

- Mr. C. Muddle.
14 Mar., 1879.
561. President.] What office do you hold under the Real Property Act? Deputy Registrar General.
562. You were, I think, formerly counter clerk? I was.
563. So that you know the duties of counter clerk as well as the duties of your present office? Yes.
564. What are your present duties? Multifarious.
565. Be good enough to state generally what they are? Well, I sign all titles.
566. What do you call titles? Certificates of title. Occasionally grants, when the Registrar General has no time; the examination of all registrations and signatures, and a general superintendence of the work of the office.
567. Is your time fully occupied? Oh, yes.
568. Have you heard any complaints of delays in the office, or of difficulties unnecessarily made by the examiners? I have heard a great many.
569. Were there as many complaints when Messrs. Holden and Dick were examiners? We had very few complaints then.
570. Are not delays or unnecessary difficulties created anywhere than with the examiners? I am not aware of any.
571. Then all complaints made, or rather the generality of the complaints made, about the office are with respect to the Examiners' Branch? Yes.
572. Are applications for certificates of title increasing or otherwise? They are decreasing, except for transmissions—ordinary applications I mean; they are decreasing.
573. Of course in transmissions of properties under the Act they are compelled to make transmission applications, but the others are voluntary? Yes.
574. Do you know if any applications are not made because of the fear of unnecessary difficulties made by the examiners? I have heard of many of them. I heard a solicitor state in a public room, some time ago, that he advised his clients never to bring their property under the Act.
575. On what account? On account of the delays and difficulties he had met with in dealing with former applications.
576. Are there sufficient clerks to carry on the business of the office generally? No, I do not think so.
577. In what branch are the deficiencies? I think we are short-handed in the public room.
578. That is at the counter? Yes.
579. Do you know if the office pays its expenses in fees? Not quite, I think.
580. But nearly? But very nearly.

581. But if extra clerical assistance were obtained the business might increase, and the fees would increase too? I do not know whether the extra clerical assistance would increase the business below, because people are compelled to come to transact business in the land under the Act.

582. But land not under the Act? Yes.

583. Fees are larger for the land not under the Act? Very much larger.

584. How long does it take to get a transfer registered and new certificate issued? About ten days. Urgent cases twenty-four hours; sometimes twelve; sometimes less.

585. Is not ten days much too long? It is too long; but there is a great deal of work to be done. Transfer by endorsement may be had in a couple of hours, or one hour if necessary; it may be done even in half-an-hour. We merely endorse the transfer from the instrument.

586. That can only be done exceptionally? It can be done in every case where the whole of the land is transferred, except where certificates of title are bound to issue to tenants in common.

587. Could the time for completing transfers be in any way shortened by any alteration in the mode of taking business, or otherwise? If we had more draftsmen we could get on more quickly.

588. Then you think the delay is occasioned mainly by the endorsement of the new plan? Certainly, and getting out new certificate.

589. Which do you suppose creates most delay—preparing new certificate or endorsing new plan? I think the delay is divided between our room below and the draftsmen's above.

590. To which of the examiners do the objections made principally apply? Well, I have heard great complaints made against each of them—Mr. Burton and Mr. Jones.

591. Mr. Burton was here a long time before Mr. Jones? Yes, some years.

592. Have there been more complaints since Mr. Jones's appointment, or less? I think the complaints have been kept up.

593. Do people complain more of one than the other? I think they complain more of Mr. Burton than of Mr. Jones, but I have heard very serious complaints against each of them.

594. And these complaints are made by applicants or by solicitors for applicants? Yes, people interested in the application—either the solicitor or the applicant.

595. Are you capable of judging of the value of or the necessity for objections to titles? Generally I think I am.

596. What were you brought up as? I was brought up as a commercial clerk.

597. Not as a solicitor or in a solicitor's office? No, but I have had a long experience in this office.

598. Then how are you capable of judging of the value of such objections? By my experience in this office in connection with titles.

599. And how long have you been in the office? I have had so much converse with solicitors and other gentlemen having business with this office that I have a very fair knowledge of the Real Property law.

600. How long have you been in the office? Since the opening of it—1st January, 1863.

601. Well then, as you know something about titles, do you consider the objections sent out to applicants or their solicitors are always such as ought to be taken? I do not think they are; I think they are too technical, and as a rule the examiners are far too particular.

602. Do you make that statement with reference to all the examiners who have ever been in the office? I do not.

603. To which of them particularly? I allude to Mr. Burton and Mr. Jones.

604. Has Mr. Burton the confidence of the public? He has not—not as an examiner.

605. Do you think Mr. Jones has? I do not.

606. Of course you are well acquainted with Mr. Jones? I am.

607. Do you think he has sufficient self-reliance? I do not.

608. That he would be afraid to take upon himself the responsibility of passing a title? I do.

609. But Mr. Burton, I suppose, would? He would. His experience has been very much larger than that of Mr. Jones.

610. What objections have been made to Mr. Jones? Similar to those which have been made to Mr. Burton—that he is too technical and too particular.

611. And you think these objections are really well founded? I do.

612. Was Mr. Pennington considered a strict examiner? He was not.

613. Was he efficient as an examiner? Fairly so.

614. I suppose you mean he got through his work expeditiously? He did.

615. In what repute is Mr. Maddock held by the public? He is very much approved of by the public.

616. Does he get through his work expeditiously? He does, very expeditiously. Soon after he entered the office he told me he got through 106 cases in six weeks; and at that time he had no more work in hand.

617. What kind of cases were those? Ordinary applications and transmissions.

618. First-class, second-class, and transmissions? Yes.

619. How many of those would be transmission cases? I cannot tell.

620. Do all the examiners attend to their work during office hours? I think they do.

621. They do not absent themselves unnecessarily? I have not much opportunity of observing.

622. Are they all courteous to the public and to the officers of the institution? So far as I know they are.

623. And you think that they attend regularly during business hours? I believe they do.

624. Are there complaints of any other branch of the office? Sometimes we have complaints against the delay in obtaining certificates of title upon transfers.

625. To what branch do those complaints apply? To the public room.

626. Are the complaints well founded? I do not know that they are.

627. What is the nature of the complaints—simply that it is too long before the certificate is issued? Yes.

628. You have already explained the time it takes to issue these things; do you think the complaints are unreasonable? There may be foundation for the complaints in some cases, but not in all. I think the time is too long for issuing a certificate of title; it should be finished within a week certainly.

629. Have you sufficient officers to enable you to do that? We have not. My officers below are considerably over-worked. They always remain overtime. Some of them are here till 6 o'clock.

630. Are they paid for overtime? No.

631. Do the officers of the Land Titles Office try to facilitate the business of the office, and help applicants for titles and others having business here? Yes, they do.

632.

Mr.
C. Muddle.
14 Mar., 1879.

- Mr. C. Muddle.
14 Mar., 1879.
632. They take an interest in the business of the office? They do.
633. Have you heard that any of them do any work for the public? I have not heard.
634. Either during office-hours or after office-hours? I have not heard.
635. Have you never received any complaints nor heard any complaints that work is done in the office that ought to be done by applicants themselves, or by their solicitors? I heard Mr. R. P. Abbott jokingly remark one morning to Mr. Terry, "Oh, you come here, and get the clerks of the Land Titles Office to do your work for you." But I do not think there is any foundation for believing such a thing. I have not heard of it.
636. Have you heard of any instance in which bribes, *douceurs*, or gratuities have been given to any officers in connection with the business of the office? Never.
637. *Mr. Archer.*] You said that in your room every facility is given to the public? Yes.
638. If you found any extraordinary instance of delay, would you not help the public as far as lay in your power? Individually I have always done so.
639. Have you ever met with any extraordinary instance of delay that warranted your interference? I have; a great many instances.
640. In endeavouring to rectify the delay have you gone out of your way in your zeal to push forward the particular case? I have, very frequently.
641. Have you had to do that after office-hours as well as in office-hours? Well, I have done it in the early days, but not lately.
642. But you have done it? I have.
643. When parties have found that you have exercised this creditable zeal, have they ever offered you an *honorarium*? No.
644. They have taken what you have done for them as a matter of duty, and never recognized you in any shape or way? I have never received one single six-pence.
645. Have you ever been offered it? Yes, often.
646. Did those people who offered it ever get additional assistance from you in regard to their titles? I am not aware that they have. I have tried to serve all alike.
647. If a person were very persistent would you or your officers go and help that person, or would you let his case come in its order? The rule is to take every one in his turn.
648. Then how is it that when a person comes and complains of delays, and presses for action, you cooperate with him—you tell him he must wait his turn, or do you push his case forward? If they come when I am disengaged I may take them by the hand and go to the examiner, and see what their case is.
649. And you do not look to see whether they have come in their turn or not, but act in that way simply because of their persistence? I do not know. They may call at a time when I am disengaged.
650. But if a person came and resolutely put forward his case you would go and look after that case for him quite regardless of whether he had put it in three months or three years ago? I do not know that I would do that.
651. With regard to delays can you explain how it is that they exist—can you give any signal instance of delay that has struck you as a monstrous thing? Well, I cannot single out a case just now.
652. Take a group or type of cases? Yes, there was a case in which the President was interested. That Underwood case was a very very long one.
653. Was it a legitimately long time going through? I do not think it was. I think the objections raised by the examiners were not tenable. It was taken before the Court, and the Court did not uphold them.
654. Can you give a practical instance of a case in this regard: I put in an application to-day, when would it reach the examiners? The application would be sent up either to-day or the following day to the examiners' clerk. It is then with the examiners, but there is a delay I think then in passing it from the examiners' clerk to the principal draftsman.
655. Have you any authority over the examiners' clerk? I believe I have, but I have always left him to the control of the Registrar General.
656. But if you saw any *lâches* on his part would it not be your duty to pull him up? I have pulled him up many times.
657. In what way? I have told him I would report him to the Registrar General when he has not sent cases on as he should do in a reasonable time.
658. What would you call a reasonable time? I think he ought to do it in two or three days.
659. In what time have you found him do it really? I have known him have cases two or three months.
660. Did you report that to the Registrar General? I did.
661. What action did he take? I am not aware. I told the Registrar General what the state of affairs was, and what Mr. Lander had to reply to my statement. Mr. Ward said that Mr. Lander's having to do with the wills had caused great delay.
662. Did you put this in writing? I did not.
663. How often has this occurred during the last twelve months? I cannot say the number of times,—a good many times.
664. Once in two months? Oftener.
665. Once a month? Once a month, I dare say.
666. And did your representation go to this extent: that Mr. Lander having these duties to do, or from whatever cause, was not efficiently performing his duty as clerk of the examiners? I could not say it did. I told him he was not sufficient to perform his duty towards the public.
667. Did you ever speak to the examiners? No, because I do not think the examiners have anything to do with me.
668. Under whom is the clerk to the examiners really? Under the Registrar General exclusively, but he claims to be under the examiners.
669. In what sense? I do not know.
670. Does he claim that at all in any hostility to the Registrar General? I think so.
671. Do the examiners give him any support in that, do you suppose? I should not like to say so.
672. Then why does not the Registrar General exercise control over him and insist upon his doing his duty? I am not aware.
673. Then you, in the exercise of your duty, seeing the neglect of the clerk to the examiners, have reported

reported the circumstances to the Registrar General, and he has taken no effective steps to correct that which you thought in the public interest ought to be corrected? That is so.

Mr.
C. Muddle.

674. What would you suggest, from your experience in relation to the clerk to the examiners, as to the position which he should occupy, and the course that he should take, should he still remain under the Registrar General or be under the examiners? I think he should still remain under the Registrar General.

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675. Then there ought to be an effective control over him, which at present does not exist? Which has not been exercised. When applicants have complained to me of delay in the office, I have come upstairs and found that cases have been lying with Mr. Lander for a certain time. I have reported it to the Registrar General, and told him that I cannot do anything in it. Mr. Lander says he is short-handed and cannot get on with his work, and cannot send on the work. The Registrar General has said that Mr. Lander's time is too much occupied with the wills, and that he ought not to be custodian of the wills.

676. If you were in a position of authority to carry out all that you in your experience believe to be desirable, what would you do in relation to the clerk to the examiners? I would see that he did his work thoroughly well, and if he did not he should be removed.

677. What would you suggest as to the mode of procedure by which he should do his work thoroughly well? If he is overworked I should take the wills from him.

678. And having done that, what would you prescribe in relation to his duty to the examiners? I should say that he should be still under the Registrar General.

679. And then? That he should perform his duties in a satisfactory manner.

680. But what I want to get at is, what check would you exercise over him;—what would you insist upon that he should do. It has been given in evidence that a case coming in, say on the 2nd of the month, is retained until the beginning of the following month? That is an arrangement of the examiners. It has nothing to do with the examiners' clerk.

681. With the examiners and whom? With the examiners only.

682. Well, the examiners' clerk is a party to the arrangement or he would not retain the cases? I do not think he retains them, not cases at that stage.

683. Perhaps I misunderstood the evidence, but the point put was, that the examiners' clerk received the applications, and that he retained them until the beginning of the month, when he sent them on to the examiners? He may retain them until the beginning of the following or of the second month.

684. Why does he do that? He says he cannot get through his work.

685. Is there no one to indicate that he must send them on? I indicate it over and over again that it is necessary that this work should be gone on with speedily.

686. Do you know from your experience how often the clerk to the examiners does send to the examiners the applications which ought to go to them? He sends them to the principal draftsman to be dealt with first, and the principal draftsman sends them on to the examiners through the same clerk.

687. But does the clerk detain them before they go to the examiners? He does. I have known some cases detained one, two, or three months. They may remain this time before they go to the principal draftsman.

688. This detention on the part of the clerk to the examiners exists with the knowledge of the Registrar General? It does.

689. Do you know of any instance of the Registrar General insisting and prescribing as a part of the duty of the clerk to the examiners that such delay should not exist? No instance occurs to my mind at the present time.

690. And the examiners having no control over the clerk to the examiners in virtue of their office are not to be blamed for such detention on the part of this clerk? I do not think they are.

691. You said that the draftsmen are under the control of the Registrar General? Yes; they always have been, and were so in South Australia I believe.

692. Would it not be more convenient for the draftsmen to be under the examiners, and for the examiners' clerk also to be under the examiners, in relation to all cases referred to them? I do not think so.

693. In order that the professional branch may be kept totally distinct from the lay branch? I do not think the work could be got through even so expeditiously as now; that is with the present officers.

694. But may not that be through the mode in which business is carried out? I do not think so; I do not think an alteration in the mode of business would—

695. Why should not all be done in this department as would be done in a first-class conveyancing office; that is to say, that the purely professional work should be done in a professional way, and that the separate staff should be made responsible for the separate business? Then you require a professional head.

696. *Mr. Terry.*] That is your opinion? That is my opinion strongly.

697. *Mr. Archer.*] You said that you gave every assistance to the public in office-hours, that you stopped after office-hours, and that you never received an *honorarium*, although it had been offered? Yes.

698. Do you know whether other officers either follow your example, or in their own spontaneous action have shown the same kind of zeal on behalf of the public? I believe they have.

699. Do you know whether they, in every instance, have acted gratuitously? I believe they have. I know nothing to the contrary.

700. Did you ever hear of any accusation, openly and boldly stated or insinuated against the honour of any one of the officers of this department? The Registrar General once told me that he heard a statement of the kind out of doors.

701. But, in your experience, you have known no instance of an expedition fee, or any other attempt to reward an officer for extra zeal on behalf of any applicant? I have not. There are no expedition fees here. Money has been placed in my hands and I have returned it, over and over again.

702. Are there any officers who, by their position, could commit such an impropriety without your knowledge? I do not think so, as regards applications certainly, because they have not the power—they have no influence with the examiners. I suppose I am the only officer, with the exception of the Registrar General, who would have the influence.

703. *President.*] Do you know that applications have been prepared in the office? They have been, by the direction of the Registrar General and by the direction of the former Registrar General. Mr. Terry may come in and say, "I am in a hurry, and will you do this for me?" It has been frequently done.

704. I think you said that Mr. Lander's time was interrupted by other business besides that of attending to the examiners? Yes.

- Mr. C. Muddle.
14 Mar., 1879.
705. By the care of wills for instance? Yes.
706. Generally, you think it would be better to have the clerk for the examiners to do nothing but attend to their work? I do; that has always been my opinion. I am sure the connection of the examiners' clerk with the wills interferes with his legitimate work.
707. I understand you to say that the duty of Mr. Lander on receiving an application for title is to pass it on to the draftsmen's department? Yes. His first duty is to make out a search; hence the delay in passing on to the examiners. He tells me that he has not time to prepare the search, he is so busily engaged. In the early days—in the days of Mr. Holden and Mr. Dick—the searches were prepared by the examiners; but Mr. Lander took upon himself, on the appointment of the late examiners, to prepare the searches. I said to him some time ago, "Why not turn the searches over to the examiners who prepare the cases?"
708. However, it has now become the duty of Mr. Lander to prepare the searches? It has; and I think he has taken that duty upon himself.
709. Well, when the application comes to Mr. Lander's hands he makes or gives instructions for the necessary searches? He prepares the search paper, but he says his time is so much occupied that he cannot get to prepare that search paper.
710. That search paper being proceeded with, and the search having been made, the result is that the application and plan are handed to the draftsman? Before the search is made; while it is being made the case is passed on to Mr. Pearson.
711. Then when the search is finished it is also passed on to Mr. Pearson? Yes.
712. Well, when Mr. Pearson has done with the case, he returns it to Mr. Lander? He does.
713. Reporting that the case is correct so far as these things are concerned, or otherwise? Yes.
714. Suppose he reports against the application? In that event the case is sent on for requisition. Mr. Pearson makes his report to Mr. Lander, who forwards it to the applicant or his solicitor.
715. Those are requisitions arising out of the draftsmen's department? Quite so.
716. When they have been satisfactorily disposed of, then, for the first time, Mr. Lander hands the case to the examiners? For the first time.
717. Then I suppose there are not very many cases where difficulties arise in the draftsmen's office? Not often. They are very exceptional cases.
718. And how long do these cases remain in the draftsmen's office? I do not think they remain long. I went to Mr. Pearson yesterday about a case which he received on the 13th of February, and he told me that it would be another fortnight before he would be able to get at it.
719. Mr. Pearson is a very active officer? An excellent officer.
720. *Mr. Archer.*] With regard to diagrams, are they done by the office staff? They are.
721. Are they at times so numerous that the office cannot overtake them? They cannot keep pace with them.
722. Have you ever tried contract work in relation to diagrams? Never.
723. Have they ever been so numerous as to warrant the introduction of contract work? I do not think so.
724. *Mr. Terry.*] After you have made a search against a person in this office, do you keep it? We do.
725. So that you can refer to it in case of any other search? At any time.
726. Have you heard, among the profession, any objection about the difficulty of negating dowers? Oh, very many.
727. What do you think in reference to that, that the law ought to be altered? I think so.
728. Abolishing dower altogether? I think so.
729. Are you aware that in the South Australian Act they have absolutely abolished dower? I believe they have, and in the Victorian Act also.
730. Do you always ask, in case there is any negating of dower, whether there is any widow of So-and-so, and whether she is dowerable;—do the examiners inquire in every case? I believe they do.
731. *President.*] You know the form in which dower is noted on certificates? I do.
732. Simply stating the fact that the certificate is issued, subject to the dower, if any, in the wife of So-and-so; but no deeds are given, nor is there anything else for anyone dealing with that land to know whether the dower is worth anything or not? No; they have to go to the original title.
733. So that the person in respect to whom dower is noted may be a young man of one-and-twenty? Possibly; I knew one case. Charles James Augustus Storey's wife was made dowerable, or apparently so, by an endorsement on certificate. I knew him to be a young man of two or three-and-thirty years of age.
734. So that in cases of young men the note is made in exactly the same form as in cases where the man was married before the year 1837? Precisely the same.
735. *Mr. Robertson.*] Do you think that it would be an advantage for the Commissioners of Title under the Act if a Commissioner of Titles were appointed who should have supreme control over the examiners and the professional branch? I do; I have already suggested to the Registrar General that there should be an appointment of Master of Titles, who should receive a large salary, and that the examiners should also receive an increase of salary, all of which should be secured by Act of Parliament; and then all titles that are passed should be submitted to a Board composed of the Master of Titles, the Examiners of Titles, and the Registrar General.
736. *President.*] Then you consider that the Board of Commissioners really ought to be kept in existence, with some little modification, such as that you propose? I think so.
737. *Mr. Archer.*] Do you mean the lay Commissioners? No.
738. *President.*] You would still have the Commission, but differently composed? Differently composed.
739. *Mr. Archer.*] Would you have any lay Commissioners as they at present exist? No, certainly not.
740. *President.*] Except in the case of the Registrar General? —
741. *Mr. Terry.*] Who would be President? No; I do not say so, though that is Mr. Ward's idea.

MONDAY, 17 MARCH, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P., | WILLIAM HENRY ARCHER, Esq.,
THOMAS ROBERTSON, Esq., | JOHN DAWSON, Esq.

Edmund Burton, Esq., Examiner of Titles, further examined:—

742. *President.*] Does not the question of dower give a great deal of difficulty and create a great deal of expense in the working of the Real Property Acts? Yes.

743. Wherever land is conveyed to a man, do not examiners require it to be shown that that man has no wife entitled to dower? Not absolutely, but very nearly.

744. And if he has not shown that there is no dower then the fact of the dower is noted on the certificate? The possibility of the dower is noted on the certificate.

745. Of course you are aware that applicants are put very often to very serious expense in endeavouring to show that the dower does not exist? I do not know that they are put to very great expense; they must be to some.

746. In what proportion of cases do you suppose there is really dower—where the question is put? It is very difficult to answer a question as to proportions.

747. I want some general idea. You can put it in any way you like? Considering that the generality of married women's dowers now fall under what may still perhaps be called the new Dower Act, although it is over forty years old, no doubt most wives cannot maintain a title to dower as against their husbands' alienee. It is a matter of common sense and not of law. There must be a great many more persons married since 1837 than before, and of course there are some bachelors and some widowers.

748. In whose cases there is no dower? There is not.

749. Do you suppose there is one case in a thousand in which there is actual dower? Yes, certainly.

750. Give us some proportion? I should say one in fifty.

751. Do you not think you are making too much of it? It is wonderful how many persons have been married before 1837, although the proportion must be largely the other way; it is surprising how often you find that persons have been married before 1837. There is a case which occurred in the Equity Court a little while ago which has been a very great warning on the subject of dower: A man named Taylor came out to this Colony a great many years ago. He acquired property here, and he disposed of it by his will. He had been in the Colony a vast number of years, something like fifty. The property was sold under a decree in Equity. There were several batches of sales. The first sale went off comfortably enough, and nobody seems to have had any difficulty about dower; but after a little while an Equity suit was actually instituted by Mrs. Margaret Ashhurst, and her new husband, claiming that she was the widow of Taylor. There must be not the slightest doubt that the facts were so, for her dower was not denied by any of the parties concerned, when she asserted it, and I think I may say for certain a compromise was made with her.

752. Then you give this as an instance of the danger of ignoring the question of dower? I do.

753. In your long experience how many suits for dower do you remember to have heard of? In such experience as I have had I have not heard of very many.

754. Do you suppose a dozen? Well, I do not.

755. And yet your experience extends over thirty years? Well, my experience extends over about thirty-seven years. But of course I was only a clerk on the conveyancing side of Carr, Rogers, and Owen's office for eight years, and I had very little to do there with equity work.

756. But would you not have known if anything of the sort were going on? It is a very long while ago, and I may have forgotten.

757. However, during the whole of your experience you do not know of a dozen suits for dower? No.

758. Or cases where dower has been actually claimed? I cannot at all say, and I do not at all think that there have not been a dozen cases within my knowledge in which dower has been claimed. I am aware that dower has been most extensively the subject of negotiation and compromise. Some years ago, when the pecuniary affairs of the Colony generally were not good, it was what might be called every day's practice for the wife of an insolvent to stipulate with her husband's trustees that they should give her up one farm, or one piece of property in consideration of her releasing her dower out of the generality of the estate.

759. But a long time has elapsed since that occurred, and the lapse of time has cured a great many dowers since then? Quite true.

760. Have you heard any complaints that titles are not examined with sufficient celerity? Yes.

761. What is the cause of such complaints? I think they are partly manufactured in this office.

762. In what way? A gentleman comes to the examiners and to the draftsman with a difficult, complicated case. He is received with very great attention, very great pains are taken in going through the minutiae of allotments which have been sold out of the property, and allotments which have become in some other way special; and that gentleman goes away apparently as much pleased with Mr. Jones, Mr. Pearson, and myself as any man can possibly be. Within a few days we may be surprised to meet with a most remarkable letter, of a character certainly not indicating gratitude or acknowledgment of that attention which we gave, and which no doubt it was our duty to give; and, being an old client of mine, this gentleman has been good enough to explain to me how he came to write the letter in question. He has stated that he has been met in the office by an official who said to him something of this sort: "If your title is not going on fast enough come this way." Then he has been bowed into the presence of another official, and then it has been suggested to him that he should write the letter he did write. The gentleman is Mr. J. K. Heydon, of Ermington, near Parramatta.

763. Then you think that part of the office is working against the other part? I do.

764. Why should that happen? There is generally a jealousy between different services. There is a jealousy in this office against all members of the legal profession.

765. Do you not think the difficulty arises from the wish of these gentlemen to push on the work of the office, and that they consider that delays take place in the examination of titles? No, I do not.

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766. And you say it simply arises from jealousy? I say the jealousy is manifested in the most striking manner. The jealousy is not directed merely against those professional men who happen to be examiners. I can give an instance. A transmission case was brought into this office. I found, however, that the deceased had actually executed a conveyance of the portion of the land which was then sought to be transmitted to the party who wanted to get the transmission certificate. I said, "This is a good transfer," and the other two examiners said so also. The transfer happened to be on parchment, happened to bear a seal, and had been prepared by a solicitor. That document was not registered as a transfer. It was refused to be so registered.
767. Was it in the form required by the Act? I considered it was. That was the special matter to which I directed my attention. I considered that it was substantially in the form required by the Act; that it had all the requisites of the form required by the Act, and that it ought to be registered, not only because it was a sufficient transfer, but because the registration of it would save the party great trouble and expense.
768. And the annoyance of transmission? Well, if there be any. A delay of 1 year and 7 months took place.
769. Why do you give us this instance—what particular point is it intended to illustrate? If I am to disclose it, I must say I was told, "Oh! it would never do to have solicitors preparing these things after the old system," or words to that effect.
770. Who told you this? Mr. Muddle, the Deputy Registrar General.
771. And you say that was his reason for refusing or objecting to this form of transfer? I say he made that remark. The papers will speak for themselves. Mr. G. M. Holden was the solicitor in the transmission case.
772. Then what happened in this case? The examiners—Mr. Oliver and myself—who had charge of the transmission, having advised the right course to be pursued, and finding that the Registrar General would not pursue it, then completed the matter after the next best course, and recommended the case to be passed as a transmission case, having first brought the opinions of all three examiners before the Registrar General.
773. Before the Board you mean? No, I do not know that they went before the Board. They went before the Registrar General who is one of the Board, but I do not think they would go before the Board. A transmission case goes before the Board, but a transfer does not go to the Board. We advise the Registrar General to register a transfer; we advise the Board to register or record a transmission. It would naturally go to the Registrar General who had the power to register the instrument as a transfer, but it would not naturally go to the Board.
774. Then the case was ultimately passed? As a transmission case.
775. Involving a delay of how long? There was a period of 1 year and 7 months from the time I first advised that it should be completed as a transfer.
776. You and the other examiners? No. The date of my first advice was such that a year and seven months elapsed before the thing was completed.
777. Then did the other examiners concur with you in your advice? Yes, they did—Mr. Oliver very thoroughly indeed, and Mr. Jones also concurred. With regard to minutiae, I would refer to the original papers.
778. Do you not consider it within your duty to advise the Board on such questions? No, not to advise the Board.
779. Well, the Registrar General? Certainly, to advise the Registrar General.
780. It is the duty of the examiners to advise the Registrar General on such questions? I think it is. If the examiners see a thing going wrong, and if they can reasonably advise the Registrar General that the thing is going wrong and ought to be done right, it must be their duty to do so.
781. You consider yourselves as the legal advisers of this institution? Decidedly; we are so by statute.
782. Can you tell me who it is in the office that raises the difficulties you have referred to? I think that the Registrar General greatly encourages complaints against the office.
783. And who else? I do not say that anybody else does.
784. Do you mean against the office or against the examiners? I suppose the two phrases are almost identical.
785. Not quite? I do not mean to say that they are. I do not mean to say that the Registrar General encourages complaints against the Transfer Department.
786. Well, it comes to what I say then—he encourages complaints against the Examiner's Branch? It comes pretty much to that, but then the complaints come in a general form.
787. Is not the present Registrar General very zealous in forwarding the business of the office—I mean very desirous of forwarding the business of the office, and getting it into good repute and good standing? No; I cannot conscientiously give him credit for such a desire, because I know so much to the contrary.
788. What do you know to the contrary? The matters referred to in my letter to him dated 30th May, 1874.
789. That letter refers to a charge made by the Registrar General that seventy-four cases awaited treatment by you similar to that which the senior-examiner had bestowed upon them in writing requisitions thereon? Yes.
790. You hand in a copy of your letter of 30th May, 1874? Yes. (*Copy of letter handed in. Vide Appendix.*) The course of information generally supplied from this office to the Colonial Secretary's Office appears to have been such as to say all against the office that could be said, and to suppress anything that might have been said in its favour.
791. By "office" do you mean your department, or the office generally? I suppose I may say the Examiners' Department—I suppose it comes to that; but the form of the questions and answers has not been such as to express the Examiners' Branch.
792. Are you on terms of friendship with the present Registrar General? Oh, no.*
793. How is that? I do not like him.
794. Has not the difficulty between you arisen from his pressing you too much to get through the work which you have always thought ought to occupy more time than he thinks it ought to occupy? No; not by any means exclusively.

795.

* NOTE (on revision) :—I am on speaking terms with the Registrar General.

795. As to matters of private quarrels of course we have nothing to do? There is no private quarrel.
796. It simply arises out of the business of the office? Yes; the way in which he treats the examiners, the way in which he fails to protect his own office, and the way in which he always takes the side of every person whoever makes a complaint against the office.
797. Does that not result from his zeal in forwarding the interest of the office? No.
798. What other reason can he have? His desire to get his salary increased.
799. I suppose he could only get his salary increased by showing that the office was flourishing and could bear an increase? Well, by that means, and by persevering application for an increase, and by making all the friends that he could at the unfair expense of others.
800. In what form have complaints reached your ears—I mean complaints against the examiners? A letter perhaps exceedingly ill written and doubtfully spelt would be written to the Registrar General by somebody not too respectable, and then the Registrar General would forthwith endorse upon it something like a hypothetical condemnation of the examiners, if not an absolute condemnation.
801. I think you slightly misunderstand me. What I want to know is what are the complaints—are they complaints of getting through your work too fast? I cannot know any more about the complaints than any member of the public, except those complaints which come either in writing, or by word of mouth, to myself.
802. What complaints have come to yourself in any way or shape—what do they complain of? Insufficient speed. A gentleman has been known to have his transmission case passed within four days, and he has thereupon written a letter of complaint. That was in Bell's transmission.
803. Well, the complaints are of insufficient speed. Are they not also of over-particularity in objections or requisitions? There are no written complaints to that effect, speaking generally.
804. Have there been no complaints that the requisitions seemed to the applicants to be absurd? Very few persons use such a word as "absurd."
805. Perhaps I use a wrong expression—that the objections are untenable, ridiculous? Very few persons would use the word "ridiculous."
806. Weak? No one has ever used the word "weak" that I am aware of.
807. Well, extremely fine-drawn, highly technical? No, it is very rarely that such an objection is made to an objection. Those solicitors who receive objections are competent to judge whether the requisitions are well-founded or not, and they generally make no complaints.
808. Then the complaints they make, if any, take the form of answers to your own objections—arguments perhaps on the value of your objections? They do not put them in the form of complaints; they answer our objections. They argue against them sometimes of course. But I may say that we have very little difficulty with solicitors.
809. Do you always require the production of all instruments forming the title of the applicant, whether in his possession or not? Yes, except under special circumstances.
810. The Real Property Act does not, I think, require the production of instruments not in possession of the applicant, as a matter of course? That is a matter of opinion.
811. There is no statement—no actual requirement that these things should be produced. The applicant has to produce the instruments of title in his own possession; but the Act does not specially require that he should produce all instruments affecting the title;—is not that so? I cannot give an unqualified affirmative to that question.
812. The Act does not strictly require the production of all these instruments? That is quite a matter of opinion. The 17th section may be referred to. The 17th section seems to indicate that where the evidence of title set forth by the applicant is imperfect, a special course should be pursued. That certainly indicates an intention that the examiners should, generally speaking, require the evidence of title to be perfect.
813. Do you not think that in many cases of instruments registered at full length in the Registry Office, the production of the originals might be safely dispensed with, unless in cases where there is some apparent cause for being particular? I do not think it could be done safely.
814. In any case? As a rule, of course. I do not think it could be done safely, as a rule. Of course it will often happen that there will be no mischief.
815. You do not think it is safe to dispense with the originals in any except rare cases? I do not. I think that mischief will not often happen, but you cannot tell when it will.
816. Instruments are registered at full length? Yes.
817. Then what mischief do you suppose can happen? Something may be written on the original instrument after registration. Then you know nothing about that on the registered copy.
818. Are there any cases in which you can dispense with the production of the original deeds and satisfy yourself by the examination of copies? I very often do examine the registration copies. I very often peruse them instead of the originals, so as to get as much work done as possible. It is a more tardy process. The heavy books have to be carried from down stairs, and the registration copies, not so well written, of course may not be absolutely correct. No lawyer would like to trust to a copy when he could have the original. But notwithstanding that it has been my practice for years, in many cases, to peruse the registration copy. But when I have done this I have required the original ultimately to be produced. When the original has been produced I have looked to the registration receipt, so as to satisfy myself that it is the identical instrument. I have then looked over it to see it bears no exhibit memoranda leading up to suits and actions, and then I have been content.
819. You practised for many years as a solicitor? Yes.
820. And you know the way in which solicitors conduct the business of examining titles for purchasers? The ways, I think I may say, are various.
821. Do solicitors in every case examine the original instruments? They do not.
822. They are satisfied with copies or abstracts? I should like to say after "they do not," but I believe they are guilty of gross negligence whenever they fail to do so, and in the case of a mishap their client can make them answerable, unless they have special instructions.
823. Do you think that solicitors in large business could get through their business if they always insisted upon the production of original deeds? I believe that solicitors in large business do get through enormous businesses, and very profitably, and are in the habit of causing original deeds always to be examined.
824. And you think it would not add immensely to the delay and expense of completing purchases if they examined

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- examined the original deeds on every occasion? Of course expense may be saved by not making that examination, but risk is run, and occasionally a bad title is taken, as in the instance of the Eveleigh House title.
825. Well then, you say the client is saved expense at the risk of the solicitor, unless the solicitor examines all original deeds? At the risk of the solicitor if he be a solvent man, unless the client has given special instructions.
826. From your long experience in dealing with titles are you not aware that even in the most careful offices oversights are continually made, which, if discovered and taken advantage of, might ruin the solicitor employed in the matter? No, I am not aware of that. I suppose oversights must be frequently made, but I very seldom hear of any.
827. Do you not think it is very likely that oversights are constantly made? Yes.
828. A solicitor in a large business cannot get through his work without the assistance of clerks? Certainly not.
829. And these clerks are indifferent, careless, and very often ignorant, and must make a great many mistakes and oversights? I should not like to condemn the clerks of solicitors in such wholesale terms, and I cannot think, if they be open to such condemnation that their course of conduct can be a proper pattern for the examiners.
830. No; I do not say that. However, you admit that mistakes are made in solicitors' offices in the investigation of titles? I have no doubt that mistakes must be made in solicitors' offices as well as in all other places where human beings work.
831. Did you ever know an instance where a solicitor ever sustained any damage in consequence of such mistakes? Yes.
832. Many? Only one—the Eveleigh House case. There was an action brought against Mr. Cooper Turner many years ago, but his talented counsel showed I believe sufficient ground to exempt him in point of law.
833. Then he sustained no damage? And he therefore sustained no damage. The Eveleigh House case is another case. In that a highly respectable solicitor concerned did I believe sustain damage.
834. But was that not a case of misconstruction of a will? No; I have always understood that that resulted from being content with the abstract of a will instead of reading the original.
835. Are not most oversights and mistakes in conveyancing, do you suppose, cured by lapse of time, or by never being found out? It is impossible to answer a question as to what one would probably suppose.
836. Of course it is a matter of opinion? I do not think it would be safe to accept a bad title in the hope that its badness would never be discovered, and I think it would not be perhaps so safe to do that in this office as it would in a private solicitor's office. The proceedings of this office are far more public than those of any private solicitor's. When the Eveleigh House slip was discovered there was a great outcry made. "Oh!" it was said, "The examiners have taken that title four or five times over." I made an examination of the cases in which it was supposed to have been taken. It had been taken once, and that is the only material slip which I know to have been made in this office. That was made in consequence of not reading the original will.
837. Were you the examiner? I was not.
838. But the examiners could have access to the original will? They could have.
839. It was in the office—in the building? It was in the Supreme Court, if not in the office.
840. Mr. Robertson.] This is the case you mentioned when you gave your evidence before the former Commission? No, I do not think so; this has happened since. The former Commission was in Mr. Holden's lifetime, and this Eveleigh House matter has cropped up since.
841. President.] Then you consider it is necessary for the examiners to be more particular than solicitors practising on their own account? I do; it would be a disgrace to the office if they were not. Here is a public department, which is to the best of its power to pronounce upon the goodness or badness of titles. If the very best opinion that they could form were not formed it would be discredit to the department.
842. Do you not think that in many cases where the deeds are given up to the office after the title has been passed it would be almost impossible for persons having objections to raise them? No.
843. Well, it would throw great difficulties in their way—the want of the possession of deeds? No, the system of registration—the old system of registration—would, generally speaking, supply their need.
844. By the old system you mean the present system, not as applicable to the Real Property Office? Yes, in the Real Property Office language the old system is generally understood to mean conveyancing at common law plus the New South Wales ordinary Registration Act.
845. The assurance fund has never been in any way touched? Never.
846. Seeing then that the risk is so small, would it not be better that some of the extreme particularity with which the examiners have been in the habit of investigating titles should be dispensed with? If it could be dispensed with, without the public knowing that it was dispensed with, it might be more safely done. I attribute a great deal of the present safety of the assurance fund to the reputation which the office has gained of being very particular about titles; consequently persons are less, much less, likely to bring in titles which they know to be bad or very doubtful. In the early days of the office some great frauds were attempted, but as they were happily punished, and as the character of the office for being very particular in the examination of titles has been maintained for years, very much less is done in the way of attempting to palm off bad titles on the office than otherwise would be the case.
847. That is to say, you have cured them of trying to bring in titles not perfectly good? I think that the course of examination by the examiners has been such as to tend in that direction.
848. That is to deter people from bringing bad titles? Yes.
849. The bulk of the people do not know whether their titles are good or bad, though the solicitors may know? But titles are brought in here by persons who know they are bad.
850. It is one of the popular errors that this institution is established for converting bad titles into good ones? There are some titles brought in which no one could ever hope to have passed unless he could succeed in forcing the examiners to work under such pressure that they have not the opportunity of discovering what the title is.
851. If you are so extremely particular in titles, why should applicants have to pay the assurance fee? The assurance fee is so exceedingly small that it can make very little difference, but the guarantee of the public must surely be worth one half-penny in the pound.
852. Not to the applicant? To the applicant I respectfully think.

853. But is not the guarantee to the outsiders, not to the applicant? It is a guarantee which the applicant can carry in his pocket, and which, when he sells his land, he makes use of very greatly to the benefit of his pocket.

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854. But the guarantee is in fact a guarantee to other persons. He gets the benefit of a complete title, but other persons get the benefit of the guarantee? You mean the assurance fund has the benefit. The guarantee is to the applicant to this effect: "We will warrant and defend your title against all mankind"; and the assurance fund is provided to meet the demands of those who may have been injured.

855. If the assurance fee were increased would you feel justified in relaxing a little? Yes.

856. Will you tell us in what way you could safely relax either with or without increasing the assurance fee—some general rule which could be acted upon? I do not think that an increase of the assurance fee would ever be so good as a thorough examination of the titles. What I should like to see done would be for the originals of all deeds relating to land to be deposited in the Registrar General's Office. I think that for the future that might be very easily managed. I think that if the Legislature were to provide that, upon the registration of a deed, the original should be left in the Registrar General's Office, and that a certified copy should be issued to the proprietor, that, for the future, all that is wanted would be provided.

857. But that does not relieve you of your difficulties, as you have to deal with past difficulties mainly? The lodging in the Registrar General's Office of as many original deeds relating to titles as possible should be encouraged. It might be enacted that it should not be necessary for the examiners to refer to original deeds, and that no person should have any claim against the assurance fund for anything that did not appear by the registered copy.

858. Would not that be unjust? It would only occasion the parties to be at the peril of seeing that any deed under which they claimed was registered.

859. Is Mr. Jones as particular in the examination of titles as yourself? I think he is. Of course I ought not to speak about others, but I think that Mr. Jones is highly intelligent, and quite as painstaking and quite as particular as I am.

860. And he is as precise in taking objections? I think he is. I am, of course, not desirous of saying so against Mr. Jones, for whom I have a great respect, with whom I am very happy to associate, and from whom I derive very great assistance by the coolness of his judgment and the great acquaintance which he has with cases recently decided upon points of conveyancing law.

861. Then you and Mr. Jones work cordially together? Mr. Jones and I work very cordially together.

862. Does your reliance upon his judgment and experience enable you to relax some of the extreme vigilance which you have hitherto applied to the investigation of titles? I have not relaxed it. I think that if I were, without any examination, to sign my name to a report which Mr. Jones had previously signed, I should very seldom do any mischief.

863. Is he expeditious in getting through his cases? The term "expeditious" of course conveys different meanings to different minds.

864. Expeditious as yourself? I think he is more so.

865. Are you on perfectly good terms with Mr. Maddock? No.*

866. How is that? Because I understand that he got up that petition which was presented to the Legislative Assembly about a year ago. It is generally known as "Maddock's petition."

867. That was before he came into the office? Yes.

868. Have you complete reliance on his judgment? Certainly not.

869. How is that? Because I find that he makes slips in the investigation of titles.

870. Is he expeditious? Very.

871. Then I suppose you mean he makes slips on account of his expedition? I should think it is very likely that his extreme expedition assists in producing slips.

872. Have you ever known any grave error made by Mr. Maddock in the investigation of a title? One very grave one in a transmission case the other day.

873. What was that? Leaving out one of the most important parts of a will.

874. Overlooking it, you mean? I can only suppose that he overlooked it. He carefully provides for matters of perhaps minor importance in the same will, but there is a very striking clause indeed as to survivorship, which he does not refer to at all, and he signs the report in favour of the applicant, notwithstanding this clause.

875. Are reports of one examiner as to transmissions taken? No.

876. They require two? Oh, yes.

877. Is that the only error that you are aware of on Mr. Maddock's part? There was a remarkable one about dower. He seemed to consider that although a lady was married before 1837, yet that if the conveyance to her husband declared that no wife of his should be dowable, that that declaration would be effective against the lady. I can easily produce the case in which that appears, under his own hand.

878. Anything more? There was a case which has been made the subject of a letter from Mr. Jones and myself to the Colonial Secretary, and I do not know whether I ought to say much about that, as we have written to the Colonial Secretary on the subject. It was a case in which Mr. Jones and I considered that we had been used very ill. It was a transmission application. Messrs. Macintosh, Pinnock, and Price sent it here. It was under the will and codicil of Jacob Barnes. That gentleman devised certain lands to trustees in trust for the separate use of his daughter, Mrs. Müller, and, after her decease, then, I think, to the right heirs of his said daughter, prefacing the whole, however, with a power of appointment over the fee simple given to the lady. I was very busy in December endeavouring to clear off all the transmission cases I had, and when I came upon this one I wrote a letter to Macintosh, Pinnock, and Price, touching the difficulties of the law as to the effect of the gift in trust for the married woman, for her separate use for life, with the remainder to her right heirs. It seemed likely that the remainder to the right heirs was a legal remainder, and it was clear that the gift for the separate use of the married woman was an equitable estate only in her. If so, the life estate and the remainder in fee could not coalesce, under the rule in Shelley's case. I consulted Mr. Jones, who agreed to the letter which I had drafted. The gist of that letter was to propose that the difficult question of law which might probably never need to be decided, should not be decided, but that a certificate should issue to some such effect as follows:—
"The fee simple in possession of this land stands limited to such uses, &c., as Ellen Elizabeth Müller shall by deed or will appoint, and in default of appointment according to the effect of the other limitations contained in the will and codicil of Jacob Barnes, deceased, in reference to the said land." The applicants'

* NOTE (on revision) :—I am on speaking terms with Mr. Maddock.

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applicants' solicitors wrote a handsome letter in reply, saying that they quite saw the difficulty to which the examiners drew their attention, and they did not see any objection to the form of certificate which the examiners proposed. The report was signed by myself and by Mr. Jones, and the case was passed by the three Land Titles Commissioners on the 8th January. After some time—I suppose when the advertisement had run out—I was informed that the parties did not mean to take out a new certificate of title, but intended to have transmission memorials endorsed upon the four grants under a provision in the new Act, and I was requested to draw the form of transmission memorial accordingly. I asked for the form generally used downstairs in simple transmission memorials, and I endeavoured to make this special memorial come as nearly as I could to the common form. Of course it would vary very considerably from the common form, the intention being very different.

879. What has Mr. Maddock to do with this? I will tell you directly. It is rather a long story: Mr. Muddle wrote upon my draft memorial a memorandum of his objection thereto, which he did not send to me, but which he sent to the Registrar General. Then the Registrar General made some alterations in my form, but did not send them to me. Then another memorandum was written by Mr. Muddle, referring to the Registrar General's opinion, and re-submitting the case for the consideration of the Board. The case was re-submitted to the Board, and was thereupon deferred for the opinion of Mr. Maddock, who was not in the case at all. Mr. Maddock wrote an opinion upon it, which I took great pains to understand, but which I could not understand. On the 3rd of March he and I both went into Mr. Jones's room to distribute the cases amongst ourselves as usual, and I then called Mr. Maddock's attention to the matter, and Mr. Jones and I talked to him upon the subject, and I pointed out that all the requisites to the execution of a power must be complied with during the life of the donee. Mr. Maddock had advised, in his original opinion, dated, I think, 26th February, as to what notification should be placed upon the certificate of title, but his opinion did not at all clearly express what the effect of the certificate of title itself should be. After the conversation with Mr. Jones and myself, Mr. Maddock wrote a new opinion in substitution for his former one, and I must say that the new opinion seems to me to show that he does not yet know the point of law which I stated to him on the 30th of March, and which I have now stated to yourselves.

880. Is not the case you have referred to that which you mentioned to me the other day? Yes, but all the facts had not happened then.

881. Did not some one object to your endorsement on the ground that it disclosed a trust, and that this office does not deal with trusts? No.

882. *Mr. Robertson.*] Who applied for the transmission; who was the applicant for it? Ellen Elizabeth Müller.

883. What was her relationship to the deceased? Daughter of Jacob Barnes, deceased.

884. *President.*] Has the transmission then been granted? The Commissioners have reversed their decision of the 8th January last, and have rescinded qualification No. 2, which Mr. Jones and I had both advised, and have directed Mr. Maddock's form, contained in or subjoined to his new opinion, to be adopted.

885. You think Mr. Maddock's is wrong? I do.

886. And on that ground you have written to the Colonial Secretary? No, not exclusively on the ground that Mr. Maddock was wrong.

887. On the ground that the decision of the Board was wrong? Well the ground or reason of our writing the letter was I think really this: Mr. Jones and I both felt that too much slight should not be received from the Registrar General, and from the Commissioners, and from Mr. Muddle, without our showing, at any rate, that we are not wholly callous,—that we are, at least, aware that we have been slighted.

888. That is to say, that Mr. Maddock's opinion is taken in preference to the opinion of the two older examiners? That the opinion of Mr. Maddock, who never was vested with the case, is taken in preference to the opinions of the other two examiners who were vested with it, and so as to override the consent of the solicitors for the applicant, and also so as to overturn the decision of the Registrar General and the other two Land Titles Commissioners, given on the 8th January.

889. *Mr. Archer.*] Do you only put it as a matter of etiquette, or do you consider that Mr. Maddock's form is really dangerous? I consider that Mr. Maddock's form is wrong; that it is contrary to law; and that unless the examiners at some future period should exercise a great deal of care and take upon themselves the authority to say, "This entry in the register is wrong, and having looked back for ourselves to Jacob Barnes's will we see that it is wrong, and we will overrule this entry in the register, though it may have been in the register book perhaps for a great many years, and will nevertheless give effect to Jacob Barnes's will and codicil"—unless the examiners for the time being would undertake to do that, the property might get into the hands of a person who is not entitled to it. I can make my meaning very simple: Speaking from recollection (and if I in any way misrepresent Mr. Maddock—of course it is always possible accidentally—I do so subject to reference to the papers themselves, which will correct me.)—I think, however, I am correct in saying that Mr. Maddock advised that the power of appointment exercisable by Mrs. Müller should be stated to be exercisable by instrument registered under the provisions of the Real Property Act; whereas the power in Barnes's will was by deed or will. Mr. Maddock provides for appointment by the lady's will. That does not refer to that part of the subject to which I am directing my attention. A very material difference exists between the two forms "shall by deed appoint" and "shall appoint by instrument under the provisions of the Real Property Act." In the former case, if the lady execute a deed of appointment she has done her work, and although she may die without that deed of appointment ever having been registered the appointment is perfectly good; but if you say, "Shall by instrument registered under the provisions of the Real Property Act appoint," then if the lady die before the registration of the instrument the appointment is good for nothing; all the requisites of the execution of the power have not been completed during her lifetime, and it is like the case of a man with power to appoint by deed enrolled in Chancery; the deed must be enrolled in his life; he has a *locus penitentiae* till enrolment, and so the lady would have *locus penitentiae* till the registration of the instrument.

890. *President.*] Perhaps you will let us look at the papers on your further examination? Very good.

891. *Mr. Robertson.*] Assuming that the certificate in this case is issued under Mr. Maddock's memo. and endorsement, she would have got a certificate of title which would have enabled her to transfer the land by the ordinary form under the Act. Instead of executing a deed of appointment she could have
used

used the memorandum of transfer? I do not mean to say that. The subject is both delicate and difficult. Whether she might not have been quite at liberty to use the ordinary instrument of transfer is another question, and depends at least in part on section 35 of the Act. Section 35 at the close says, "Such instrument when so constructively embodied and stamped with the seal of the Registrar General shall have the effect of a deed duly executed by the parties signing the same." I am, therefore, myself inclined to think that she may, by executing an unsealed instrument, and getting it registered here as a transfer, really exercise the power of appointment given by her father to be exercised by deed. But I do not think that we ought to have gone into that in our register, and I think very particularly that we ought not to have clogged her with the condition that her instrument should be registered under the provisions of our Act. No doubt if an appointment be not registered under the provisions of our Act, it may be liable to be overridden by another appointment that is so registered. That is of course analogous to every day's common practice in reference to deeds under the Act for the registration of deeds. But when you say that the woman has the power of appointment to be exercised by instrument registered under the provisions of the Act you make the registration one of the requisites to the exercise of the power, so that there is no appointment at all until the instrument be registered; the consequence of which is, that if the lady execute the instrument of transfer and unfortunately die before its registration, then the appointment is good for nothing, and the registration of that instrument after her death will also be good for nothing. I certainly think that parties ought not to be entangled with such a difficulty as that, and that, if possible, it ought not to be left to future examiners to have to go back to Barnes' will and to say, "The entry in the register is clearly wrong; Barnes' will is the thing really to go by, and we will now deal with the title in spite of the register." I think it is much against the principle of the Act that they should do so, and if they had to do so in order to avoid an injustice it would certainly be a pity.

892. I do not see why the transfer signed during the life of the donee and registered after her death would not comply with the memo.? It would be bad in law.

893. Under the will she is to execute a deed of appointment? Truly.

894. She applies under this Act to get transmission; you issue a certificate and endorse upon it that she can substitute for the deed of appointment a memorandum of transfer? No, you do not.

895. What was the effect of it then? You do not say she can exercise the power by deed, but that she may substitute a memorandum of transfer. You leave the deed out altogether; you do not allow her to do anything by deed. You tie her up to an instrument to be registered under the provisions of this Act.

896. That is the very point. You need not tie her up to have it registered? You ought not, I think.

897. Then virtually we agree? —

E. Burton,
Esq.
17 Mar., 1879.

WEDNESDAY, 19 MARCH, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P.,
THOMAS ROBERTSON, Esq.,

WILLIAM HENRY ARCHER, Esq.,
JOHN DAWSON, Esq.

Edmund Burton, Esq., Examiner of Titles, further examined:—

898. *President.*] Mr. Pennington was, I think, your *locum tenens* during your temporary absence, shortly after you were appointed examiner? No, Mr. Oliver.

899. Then what was Mr. Pennington's position? Mr. Pennington's position was that of a sort of *locum tenens* of Mr. Dick at a previous period.*

900. Have you had any opportunity of examining Mr. Pennington's work? No; I think I may say I have not. I have never made it my business to examine his work, and I do not think it has ever been necessary to examine his work in order to do my own.

901. Then you cannot tell us, as an examiner, whether he was strict or otherwise? Of my own knowledge I know absolutely nothing.

902. Has the Registrar General any control over the examiners? That may be a question either of fact or of something approaching to law.

903. Take the question of fact. Does he profess to exercise any control over the examiners? Yes.

904. In what respect? That is very difficult to say, but that he certainly claims a control over the examiners is thoroughly obvious to everyone who has been here as an examiner. But yet it would require reference to a great many of the Registrar General's minutes in order to make that thoroughly obvious to anyone else.

905. But, however, I understand you to say he does claim to exercise some control over them? Well, I certainly consider that his minutes mean "I am master."

906. He makes minutes then reflecting on the conduct of the examiners;—is that it? I never like to speak of a written document without having the document before me; but he makes, as I said before, minutes of hypothetical condemnation upon the backs of letters which come to him.

907. Then he does not, as I understand you, directly charge the examiners with anything, but he makes minutes that encourage others in the belief that he has some control over the examiners? He does not make minutes that I can remember directly charging the examiners with anything, but he makes minutes on the backs of letters, which, certainly to my mind, show a very great leaning in favour of the writer of the letter, and a very great leaning against the examiners.

908. Does he ever direct the examiners to do anything? No.

909. Then, in point of fact, he does not interfere with the examiners? I cannot at all accept that logic.

910. I only want your opinion? I think he does interfere with the examiners.

911. State the way in which he does. These minutes do not seem to me to interfere with the examiners? That of course must depend on the character of every minute. I think it must be unpleasant to an examiner or any man to be condemned hypothetically—for any gentleman to write upon the back of a letter

E. Burton,
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19 Mar., 1879.

* NOTE (on revision):—I mean that Mr. Pennington was actually Mr. Dick's *locum tenens* during the latter part of Mr. Dick's life; and that after that gentleman's death, Mr. Pennington continued temporarily to act as an examiner.

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letter referring to that man in any way, some such memorandum as this: "If the statements in the within letter are correct I think that Mr. So-and-so has good ground of complaint." Either the Registrar General has jurisdiction over the examiners or he has not. If he has jurisdiction over them he ought to exercise it like every other upright judge by first of all making an inquiry into the facts, and if he had to pronounce any condemnation it should be pronounced after inquiry into the facts, and not hypothetically beforehand.

912. But what you say of the Registrar General seems to me no more than what I and other practitioners have done, that is, made complaints of the examiners, and yet we have no control over them, nor do we profess to have any? To me it appears a totally different thing. It appears that any complaint which you yourself or any other practitioner might make would be on the face of it a complaint; neither yourself nor any other practitioner would claim to sit in judgment on the examiners. What I object to is that these memoranda of the Registrar General assume to be judgments.

913. But nothing results from them? Vexation must result from them.

914. But in point of fact he does not do anything to compel you to rectify those grievances? No, not to compel.

915. He does not attempt to exercise any control over you in any shape at all as far as I can make you out? Words have so many meanings that I might go on and not precisely understand your question—I must not say you do not precisely understand my answer. Of course if a written document be referred to it speaks for itself, and it is difficult for me to bear in mind the contents of all written documents which I have seen during the last almost eleven years.

916. Well, suppose I put the question in another way: Do the examiners admit that the Registrar General has any control over them? Decidedly not. I may state that the examiners are borne out in that non-admission by a recent letter from the Colonial Secretary's Office, written in Mr. Fitzpatrick's time.

917. The examiners think then that the Registrar General has no control whatever over them? The examiners—I speak for myself—think that the Registrar General is not entitled to any control over them. The Under Secretary's letter to which I refer is to the same effect, so far as regards their professional duties.

918. But then he may have control over you in other respects? That might be an implication, but that has never been decided. A letter was written to the Colonial Secretary speaking of the examiners and of other officers under the control of the Registrar General. Having regard to the 5th and 6th sections of the principal Real Property Act the examiners do not consider that they ought to be referred to as under the control of the Registrar General. It will, I think, be observed that the 5th section gives the examiners a better position.

919. Then suppose the examiners neglect their duties, to whom are they answerable? I suppose they are answerable to the Government.

920. Do you think the Registrar General has no right to interfere or report them to the Government? I think he has every right to report them to the Government.

921. But not to interfere with them beyond that? Lines of distinction of course may be very fine. It is impossible sometimes that they should be otherwise. The 5th section to which I have referred evidently places the examiners of titles upon a footing different from Deputy Registrars General, officers, and clerks. The words of the section are: "The Governor, with the advice of the Executive Council, may appoint to the said department such Deputy Registrars General and other officers and clerks as may be necessary for carrying out the provisions of this Act"; and then comes the part referring to the examiners, which I submit, places them upon a totally different ground, "And may likewise appoint two or more persons, being barristers or solicitors, to be 'examiners of titles,' hereinafter styled 'examiners,' to advise and assist in carrying out the said provisions."

922. Of what advantage is the Board of Commissioners? I can hardly say that I am aware of its being of any advantage.

923. They do not in any way interfere with titles? Yes, they do.

924. How? I must not adopt the word "interfere," because I must do those gentlemen the justice to admit and to state that what they do in the vast majority of instances is what they are thoroughly entitled and bound to do. From time to time, though very seldom in proportion to the large number of cases passed, a report comes before the Board of Commissioners, not bearing the unanimous opinion of the two examiners who sign it. The report discloses that, either in whole or in part, one examiner thinks to one effect and another to another. The matter then must necessarily be decided by the Board whether the case shall pass or not. Clearly it is the duty of the Board to decide, and the Board performs its duty.

925. Where there is a difference between the examiners? That is what I have been speaking of.

926. Then, in some cases, they have really decided to pass a title, although the examiners were not agreed upon it? Yes.

927. Do you think the Board, as constituted, is a proper tribunal for deciding such questions? No.

928. There are none of them professional men? No.

929. Have they ever acted in opposition to the reports of the examiners by either rejecting —? This case of Müller is the only one which I remember, and there, of course, they were supported by the advice of one examiner brought into the case at a late stage.

930. Then that case was not decided absolutely in opposition to the whole of the examiners? No, only in opposition to two out of three.

931. They took upon themselves to decide which of the examiners was right, perhaps improperly, perhaps properly? Yes, but I must not be understood to admit that they decided that case properly.

932. Do you think it would be advantageous to substitute, in place of the Board of Commissioners, a barrister or solicitor of standing and of sufficient knowledge who might deal with reports of examiners? My own opinion is that the very best plan is to have as many examiners as may be necessary, and to authorize any two or more of the examiners to do in short anything.

933. In connection, you mean, with the acceptance of titles? That and other things also. To discharge all functions committed by the Legislature to the examiners as a body.

934. That they have already? I do not think so.

935. Except perhaps two. There is no statement in the Act that two can examine? Precisely; that is the very point. There is nothing in the Act to say that the duties imposed upon the examiners may be discharged by any two of them.

936. Would you give power to two examiners then to do the duty cast by the Act upon the examiners? Exactly.

937. Then you would give them further powers? It would have to be decided whether the present Board is to continue or not. I wish to say very little about that, but if the Board be not continued, I would enact that the duties heretofore discharged by the Commissioners shall henceforth be performed by the examiners, and then the provision which I have already suggested would come in, that two examiners might perform any duty cast upon the whole body. I think that plan would have some very great advantages. One would be this, that when the work was found and admitted to be too large for the existing number of examiners, one more examiner might be appointed. That would produce no violent change. When there are three examiners, every case has to be disposed of by two of them, so that out of 3,000 cases every examiner will have to dispose of 2,000. If the cases increase in number, or if it be thought right that in order to promote speed, the number of the examiners should be increased; if the number of cases be supposed to be increased to 4,000 ———

938. In the year do you mean? I am taking them as a mass.

939. Then you mean the number of pending cases? Well I do, of course. The figures are large—larger than is likely to be the case for a very great many years. If the number of cases should be increased to 4,000, and the number of examiners increased to four, every man would still have 2,000 cases, but, of course, 1,000 more cases might be disposed of in the same time than if there had only been three examiners. The appointment of a barrister or solicitor of standing to be professional Commissioner would in the first instance operate just in the same manner as the plan which I have suggested, but eventually it would not operate in by any means so good a manner, while the business of the office should remain such that a very talented superior man should be able to exercise a real supervision over the examinations performed by, say three examiners, which I think, if that gentleman were to do his work at all thoroughly, would be exceedingly hard work; that would be quite as good a plan as if that gentleman were appointed an examiner. But in years to come the business of this office must enormously increase. It has in one respect enormously increased already—I mean in regard to transmission applications—and whenever the business of the office shall have increased enormously in general, any supposed checking of the examiners' work by any barrister, solicitor, or other person whomsoever must be merely nominal. No man can possibly keep pace with six others, amongst all of whom an amount of work similar to that which he personally undertakes, is divided. The plan could, I think, only operate in this manner: The examiners should be more than ever sound lawyers and careful persons. The examiner having gone through a title and having made his notes upon it would send it on to his superior, the Commissioner, and the Commissioner, if thoroughly satisfied of the high qualifications of the examiner, would probably say, "Mr. So-and-so, you find little or nothing to object to in this title?" An affirmative reply might be given, and the Commissioner would, I suppose, thereupon pass the title subject to such qualifications or conditions as the examiner had suggested, and of course subject to such modification of those qualifications as the Commissioner might think fit.

940. Do you not think it would be advantageous to appoint a Master or Commissioner of Titles, who should be a barrister or solicitor of standing, and who should be a sort of head of the examiners, and who, when two examiners had passed a title, might say, "Very well, let it pass," doing nothing with it but passing it; and when a difficulty arose and any applicant for a title were dissatisfied with the decision of the examiners might not this Master of Titles deal with the matter as a Court does on appeal? Yes.

941. In many cases? Of course he could do it in every case.

942. Do you not think it would be advantageous if such a system were brought into force? I am very doubtful about that. The barrister or solicitor must be an undeniably excellent man in every particular.

943. He should be a man of very high standing of course? He must be as good as two or three Judges of the Supreme Court.*

944. But would not the appointment of such an officer save a great deal of time and expense to applicants in preventing appeals to the Court? I do not see it.

945. Suppose he were to decide the thing at once as the Board professes to decide. In some cases there would be no occasion to appeal to the Court? He could not decide a difficult case as rapidly as the Board can decide an easy one.

946. But he would not have to decide every case? Quite true.

947. The only cases he would deal with would be where there was a difficulty among the examiners, or where there was an appeal by the applicant from the decision of the examiners; so that perhaps he would not deal with more than one case in fifty? With regard to cases in which there was a difference of opinion between two examiners, such a functionary as suggested, if a thoroughly first-class man, would be very valuable, but with regard to appeals by applicants I think his appointment would be attended by considerable disadvantages.

948. You think you could not get a man of sufficient ability to deal with such questions? I do not mean that at all. If he were sufficiently paid of course you might get almost any ability that exists in the world.

949. Then you think it would be an advantage if the man were an able man? So far as I have already stated.

950. That is to say, where there is a difficulty between the examiners? Yes.

951. But you think he could not advantageously act where the examiners were unanimous? I do not think that, but I think there would be other mischief. I think that whenever the examiners did not give the applicant exactly what he wanted there would be an appeal to the Commissioner.

952. Do you not think there should be some control over the examiners beyond the control of the Government? Decidedly.†

953. Either a Board, or a Commissioner, or Master of Titles? I have been speaking of a Commissioner, and, of course, calling him a Master of Titles makes no difference.

954. In some places he is called by one name, and in some by another? Call him anything; call him by a Hindostance name; it would make no difference whatever.

955. But at all events I understand you to say that the Board of Commissioners is of very little use? I do not desire to say anything against the gentlemen composing that Board.

956. I am not speaking of the men? I like to say so much, because really one is obliged, in order to answer

* NOTE (on revision) :—Because appeals are at present decided by at least two or three Judges.

† NOTE (on revision) :—I do not at all recollect either this question or the answer assigned to it, and I am not prepared to agree with the opinion expressed in the latter, except so far as by control is meant an appeal to the Supreme Court as at present from the decision of the Board or the control vested in the Minister in charge of the department.

- E. Burton;
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- answer the searching questions which are put, to say a great deal which might not be altogether pleasing to some persons, and it may be said (I wish to say) that I have no desire to lower Mr. this or Mr. that. I have no desire to say anything against the Commissioners. I cannot say that I think they are of much use, but the fact of their sitting regularly once a week, and therefore of cases being, so far as possible, disposed of by that particular day in the week has always led to a certain degree of regularity and advantage. I do not honestly think that they are of any other use.
957. The fact of their sitting periodically then brings some kind of pressure on the examiners to proceed with cases? Precisely, to get certain cases disposed of.
958. And you think that the Board is of little value beyond that? Quite so.
959. Do you know whether applications for certificates of title or other documents are ever prepared by clerks in this office? I know that other documents are.
960. In connection with the working of the office. I mean documents for applicants? Certainly.
961. Do you think there is any objection to that? I do. I am aware that a very great recommendation of the Real Property Acts in the eyes of many persons is the saving of solicitors' costs; but then I think, at any rate, that that saving is not the only thing to be looked to. I consider it decidedly objectionable that any one in the office should be identified in any degree with any applicant.
962. Do you suppose those clerks who prepare these documents receive fees or gratuities for them? I do not suppose so.
963. Have you never heard that gratuities or fees have been paid to clerks for such work? Never.
964. What is your objection to their preparing the documents then? That to a certain extent it identifies the officer with the applicant; that it is an unfair mode of the officers currying favour with the applicant; and that it is unfair to other applicants, because this officer may be made a sort of shepherd, to see his good friend's case home, necessarily to the retardation of the cases of other people who have not friends in the office.
965. And it also, I suppose, wastes the time of the clerk who does the work? Quite so.
966. And I understand you to say that you are aware that documents have been prepared in the office for applicants? I have done so myself.
967. Why have you done so if you think there is an objection to it? I have done so for Mr. John Solomon, and although I think there is a great objection, and although, of course, it is a retardation of my other work, I very much incline to think that on the whole I expedited the business of the office generally by drawing for Mr. Solomon the declaration which I did draw, and by allowing Mr. Raymond to come up from the Union Bank and make the declaration immediately. Mr. Holden was also in the practice of drawing declarations.
968. Then I understand you have done this work to save your own time and the time of the office? Pretty much so. I have done it as a sort of *pis aller*.
969. Do you suppose that kind of motive influences the counter clerks, or other persons in such positions? I have not said anything at all about the counter clerks, and I know little or nothing of what they have done. The generality of your questions obliged me to answer in the form in which I did. I know that Mr. Holden has prepared declarations; I know that I have prepared declarations; I know that Mr. Lander has prepared declarations, but beyond seeing the handwriting in the schedule of deeds at the end of an application, I cannot say that I have ever seen or known anything of the sort to which you refer.
970. Then what you have stated applies to the examiners and to Mr. Lander? What I have stated does in substance apply to the examiners and Mr. Lander only so far as regards the fact of documents being prepared for applicants by anyone connected with the office. But what I have been really referring to in my own mind, in addition to that, is this, that I think it very objectionable for anyone in the office to perform the part of friend at Court to any applicant or his application. My mind was exceedingly impressed with that feeling in Eyles' case, to which I have already referred.
971. And who prepared the documents in that case? No one that I know of.
972. How did that case impress you with a difficulty if no one in the office prepared the documents? The case was shepherded by Mr. W. S. Muddle, the counter-clerk; the case was shepherded by him to this extent, that he came to me about it, and said that he thought I might dispose of it in an hour. That case turned out, from circumstances to which I have already referred, to be one of extreme difficulty. Mr. Oliver, as well as myself, was at work upon that case for a very long period. It became apparent that the examiners were not going to pass the case. The difficulty I may state had been disclosed to the examiners by the pencil draft of a letter which was written on the fold of an abstract. The papers were in my hands. I was asked to give them up on the ground that the case was about to be withdrawn. I gave them up, and in about four and twenty hours they came back again to me. The draft letter had been rubbed out in the meantime.
973. Mr. Terry.] Do you think it desirable in this Colony to assimilate the law with that of South Australia and Victoria, whereby dower is done away with under the Real Property system? I think that women are entitled to all the protection that men can give them. I know that dower has sometimes been a very great protection to a woman. For my own part I consider a man's wife is his first creditor, and I would certainly give her preference over all others; at least, I would not make her second to any. I should therefore personally feel an unwillingness to deprive women of their titles to dower, although, of course, I feel with everybody else having anything to do with conveyancing that titles to dower are very great plagues.
974. Mr. Robertson.] But the law as it now stands expressly deprives a married woman of any claim to dower out of any land on which her husband has secured any creditor, or upon which he has taken any advance? Yes.
975. So that the law as it now stands does not give the wife a preference; on the other hand, it expressly prefers the creditor? The law does not give a preference to the married woman over the secured creditor, but the law still gives a preference to the married woman over unsecured creditors.
976. Mr. Terry.] How does dower work in this Colony in reference to land brought under the Act? Plaguily.
977. Do you remember a case of application of Mr. Paling through his solicitor, Mr. M'Culloch? There were two cases—one by Paling, and the other by Paling and Starling.
978. Where he desired to bring land under the Act, having sold a large portion of it prior to the application, and the persons to whom he had sold consented to allow him to get a certificate? Yes.

979. Did you, in that case, recommend that each of those parties to whom he had sold ought to make an application? I do not think my recommendation went absolutely to that length; that is to say, I did not recommend that an application from each of them should be insisted upon, but I certainly thought each of them ought to have made an application.

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980. Why? Because the investigation of the title is, in each case, a thing of itself. I may state, however, that Mr. Paling's title was exceptionably circumstanced. He had not any conveyance to himself, so that he had no title at law. When he brought his case in he had not even paid his purchase money, so that his title in equity was only subject to the lien for unpaid purchase money. I got the solicitors to clear off that, so that there was eventually no difficulty on that head. Mr. Paling, having no title at law, had sold about 120 allotments. Of course he had no title in equity to those allotments which he had sold.

FRIDAY, 21 MARCH, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

WILLIAM HENRY ARCHER, Esq., | THOMAS ROBERTSON, Esq.,
JOHN DAWSON, Esq.

John Booth Jones, Esq., Examiner of Titles, examined:—

981. *President.*] You are one of the Examiners of Titles under the Real Property Act? I am.

J. B. Jones,
Esq.
21 Mar., 1879.

982. Will you be good enough to state what are the duties of the examiners? The duties of the examiners are mainly the examination and investigation of titles, and advising the Registrar General upon matters arising out of the administration of the Real Property Acts. According to the Real Property Act we are to advise and assist.

983. How do applications for certificates of title get into the hands of the examiners? Through the examiners' clerk.

984. And how do they get into his hands? I believe they are sent up from the counter. They are received at the counter and sent up by the counter clerk.

985. As soon as they are received at the counter they are sent to the examiners' clerk? In many cases I dare say they are not sent up as soon as received, but the course is that the applications are lodged below; they are then sent to the examiners' clerk, who prepares a search paper and places the search in the hands of the searcher; and when the search is made it goes back to Mr. Lander or to the draftsman, and from the draftsman into my room for distribution.

986. Then do you distribute the cases amongst the different examiners? No; I invite the examiners on the 1st of the month into my room, and we distribute the cases.

987. Why go to your room? As being the most convenient to the draftsmen. I do not distribute; we just simply cut them into three parts.

988. Then how long do they remain in your room before they are distributed? Never more than a month; they accumulate for the month.

989. Why cannot they be distributed before the lapse of a month? They might be, but I don't think that would tend to expedition.

990. Suppose that one of the examiners gets through his work more expeditiously than another, why is he not supplied with work? He is supplied with work. If we have no new cases to go on with we have always cases on requisition.

991. Why not allot cases when received? It might be done, but it has been found to be not so convenient. They would simply lie in the examiner's room. If an examiner wants work he knows where to go for it; that has been the experience of myself and others. If he has got through the allotted number the examiner wanting work would walk into my room and take a case, or send for it.

992. Has he a right to go in and take it? Certainly.

993. Then if an examiner has finished the work he has in hand he can go to your room and take other work to go on with? Yes.

994. But unless he does that some cases may lie in your room actually one month before being dealt with? They may, but that is on the assumption that they come in on the first of the month; but very few do come in on the first of the month. We distribute on the first of the month, and it may be a week or ten days or a fortnight before another case comes in for distribution, or rather for accumulation.

995. But a dozen may come in on the first of the month? Certainly; they may.

996. As soon as a case gets into the hands of the examiners' clerk, it is, as it were, under the control of the examiners? We do not hear of it.

997. But Mr. Lander is your clerk? He is, nominally; but we do not know when Mr. Lander receives a case.

998. Have you no control over him? Well, he has never hesitated, I think, to carry out the wishes of the examiners. If we give directions to Mr. Lander to let us know of the receipt of a case, he would let us know, but he does not tell us generally.

999. But that rests with you? Nothing would be gained by his informing either of the examiners that a certain case had been received.

1000. But supposing Mr. Lander were to allow an accumulation of three months of cases, would you take any steps? Certainly; if such a thing were brought under our notice we would take steps.

1001. What are your instructions to Mr. Lander? I cannot say we have given any instructions; the present practice is that which I found in force when I came here. Cases were sent to Mr. Lander, who prepared the search-paper without any instructions from the examiners, and sent it on to the searcher.

1002. Then it appears that Mr. Lander is his own master, with no control over him at all? I cannot say that. He well knows that his duty is to make out the search-paper immediately on receipt of the case.

1003. It is not the search-paper that I wish to deal with. Supposing all this preliminary work has been got rid of by Mr. Lander, and the case is ready for the examiners, why could not Mr. Lander immediately hand it over to the examiners? Mr. Lander prepares his search paper, puts it into the hands of the searcher,

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searcher, who makes a search; the result comes back, I am not sure whether directly to Mr. Lander or the draftsman, but at any rate it finds its way almost immediately into the draftsman's hands; the draftsman examines the search, notes the registration copies, and then carries it into my room, or he may give it to Mr. Lander, who immediately takes it into my room for the examiners. I do not think that after the search is made there is any delay on Mr. Lander's part; but there may be a little delay in giving out the search paper through pressure of work.

1004. Then those preliminary matters having been completed the case is usually brought by Mr. Lander to your room at once? I think I may say so.

1005. And there it may lie for a month before anything is done with it? It may, but very seldom does.

1006. Then at the end or rather on the first of the month the examiners meet, and divide such of the cases as require to be dealt with? Yes; there is only one exception, and that is in the case of first-class cases, which are carried immediately to the examiners, and they take them up almost immediately. We do not allow them to lie for a month. As far as I am concerned I deal with first-class cases as soon as they are placed on the table, or very soon after.

1007. Are they always placed on your table? Oh no, they are taken to the examiners, and divided.

1008. Divided by whom? By Mr. Lander. I take a certain number, a certain number goes to Mr. Burton, and a certain number goes to Mr. Oliver. Sometimes Mr. Burton, or sometimes Mr. Oliver, and myself might have taken them all if another examiner were pressed with work.

1009. Then Mr. Lander practically allots these cases? If you like to call it so, he does.

1010. If he thinks one examiner wants work he gives a case to him, and if he thinks another is in the same position he gives a case to him? I think the plan is as I have stated.

1011. On what principles are the cases allotted on the first of the month to the examiners? Equally.

1012. If there are thirty cases ten are handed over to each examiner? Yes, that is the rule. Sometimes one examiner may take more than the others, perhaps one examiner might get through his work more speedily than another. If you came to count the cases you might find that one examiner had more than the others.

1013. If an examiner wishes for more work he will get a larger proportion of cases if he chooses? Yes. The object has been to distribute the work equally. I think I ought in justice to say that Mr. Oliver and I have sometimes taken more cases than Mr. Burton, but the general rule has been to distribute equally.

1014. Has Mr. Lander any other work than that in connection with the examiners? Yes, he is custodian of wills.

1015. Does not that interfere with his duties in connection with the examiners? I think it must. It must take up much of his time. I have never asked Mr. Lander to do anything which he has refused, or hesitated long to carry out. The main delay has been in getting administration papers or probate papers when they have not been sent over by the Supreme Court. We have had sometimes to wait hours for administration papers or probate papers.

1016. I think I am right in assuming that when cases come into the hands of Mr. Lander they are practically under the control of the examiners, and beyond the jurisdiction of the Registrar General?—Do you mean by that question that after they reach Mr. Lander the Registrar General has no right to interfere with them?

1017. I mean that, in point of fact, the progress of the case then depends entirely upon the examiners? Well the progress of the case does depend upon the examiners, but I do not consider myself responsible for a case until it comes into my room, and has been allotted to me or taken by me.

1018. That is to say, that it is your idea individually. I am talking about the responsibility of the examiners as a body. The examiners do not consider themselves responsible for any delay created by Mr. Lander? I do not; I am afraid that I should get through very few cases if I had to look after Mr. Lander in every step he took in connection with the case.

1019. Is he not active enough? Well, he is not a young man. He is very accurate I think in his work, and very willing.

1020. But not expeditious? I cannot say that. I think he can get through a great amount of work within no extraordinary length of time, but I think he is very often interrupted by the public. He must necessarily be, and of course that would interfere much with his work. It will account no doubt for apparent delay in getting out search papers, for instance.

1021. You think it would be advisable to have the clerk entirely under the control of the examiners? I am sure of it.

1022. And some delay is now created by Mr. Lander having to attend to other matters? Yes; by that I mean, of course, in connection with the wills.

1023. What steps does Mr. Lander take with the titles on their coming into his hands;—you have told us I think before, but I want it concisely? He prepares a search paper. That necessitates, of course, a cursory investigation of title by him. He must ascertain the parties, and the dealings, the dates, and some particulars of the property. Then I think his duties cease until the title is investigated.

1024. What does he do with the search paper? Gives it to Mr. Hatton.

1025. Who searches for dealings with the property? According to his instructions.

1026. And returns the result of his search to Mr. Lander? I suppose so. The result then goes to the draftsman, who goes through the search paper and notes, for the information of the examiners, any deeds disclosed, and not produced affecting the property.

1027. Does the draftsman's report come back to Mr. Lander? It is enclosed in the packet, and I think it is laid on Mr. Lander's table, and then it is brought into my room; but sometimes the draftsman brings it into my room. I cannot say whether he invariably leaves it on Mr. Lander's table, but I think that generally that is done.

1028. Then it first comes to the hands of the examiners after the search has been made and the draftsman has dealt with it? Yes, after he has reported.

1029. You consider it then your duty to go into the case and investigate the title? It is then under the charge of the examiners. Before you leave this practice of distribution I should like to make an observation. There was no such arrangement, I believe, until Mr. Oliver and I came to the department, as the monthly distribution. The cases before that, I think, were carried in indiscriminately by Mr. Lander. He would take some to Mr. Burton, bring some to me, and take some to Mr. Oliver. It was found that
that

that plan did not work very well, because at the end of the month there would be a large accumulation of cases untouched. Sometimes cases which had gone out on requisition would remain untouched for a longer time than they ought. We then devised the plan of this monthly distribution in order, among other reasons, to enable the examiners to get rid of the cases which had gone out under requisition and had been returned, before going into new cases.

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1030. Those cases where requisitions have gone out, and answers to the requisitions have been sent to the office, I suppose go to the examiners who made the requisitions? That is the rule, but there have been exceptions.

1031. Does Mr. Lander make any requisitions? Oh, I think nothing beyond those of the merest preliminary character.

1032. Supposing the cases in the hands of one examiner accumulate a good deal, do you still make the allotment of cases at the end of the month evenly? Well, it has not been done in every case. There have been many instances in which Mr. Oliver and I have taken more than an equal third.

1033. In order, to some extent, to equalize the work then in the hands of each examiner? Yes, I suppose so.

1034. And from what you say I assume that Mr. Burton is slower than the other examiners in dealing with cases? Some cases. I have not spoken of "slow" at all yet.

1035. But you have spoken of yourself and Mr. Oliver taking more cases? Yes, and it has been to relieve Mr. Burton somewhat when he has had a large number of cases in hand.

1036. In what manner do you investigate titles when they do come into your hands? I go through the deeds lodged with the application. I make my notes as they arise in the title —.

1037. Notes of objections or requisitions? Any notes on the title at all which require consideration—I peruse all registration copies of deeds not lodged; I satisfy myself of the identity of the parcels, that is, the identity between the land applied for and that in the deeds. I then send the case on to a colleague.

1038. Who deals with it in the same way? Who deals with it in his own manner.

1039. What happens then? We send out the requisitions, if any.

1040. You consult together, I suppose? If necessary; if there is any doubt in the mind of an examiner not shared by a colleague, there would be a conference immediately, before sending out requisitions.

1041. And the requisitions are sent to the applicant, or to his solicitor? Yes; I would instance that if I went through a title and saw any points requiring to be cleared up, I would draft a letter, if the case were a short one, and send the case there and then with the draft letter to the examiner, for his concurrence. When he has concurred it goes forward. Sometimes an examiner will hold a letter over until he has perused the title himself. If it is a preliminary objection his attention is drawn to the particular point, and the letter goes on more quickly than it otherwise would. It is a preliminary objection which, on the face of it, shows that it ought to be cleared off before further investigation of the title.

1042. Then, in some cases, you send preliminary requisitions? By "preliminary" I mean simply what I have stated—an objection which, upon its very face, shows that the title is defective; or it may simply be for the production of deeds, without which we cannot complete the investigation.

1043. And when those preliminary requisitions are satisfied? Then I complete the investigation.

1044. At once? As soon as I possibly can. I do not mean to say that if I am in the middle of a case I would cast that case aside and take up the other.

1045. Do you go on with the case in preference to cases with which you have not yet dealt? I give the preference to cases under requisition over those with which I have not yet dealt. I ought to add that, in many cases I sign a report immediately on investigation, and then send it to a colleague.

1046. That is, if you see no difficulty and are prepared to pass the title? Yes.

1047. And if your colleague passes the title, the report goes to the Commissioners to be dealt with by them? Yes.

1048. Without communicating with applicants? Without communicating with applicants.

1049. Has that often happened? Repeatedly.

1050. What kind of requisitions do you send out; what I mean is, do you ever send out requisitions that you really do not think are essential to be answered? I do not think I ever do. I think I may disclaim ever having sent out what people call a "trivial" requisition.

1051. Then what you send out are really what you think are necessary to be dealt with? I think so.

1052. Has not a practice lately sprung up in the office of reporting in favour of titles subject to qualifications? It has; I do not say lately. There is such a practice, and it has been in force for some time past.*

1053. But has it not been much extended lately? Perhaps it has. But that is a somewhat difficult question to answer; for this reason, qualifications are dependent on the state of the title. I do not know that I can say generally that qualifications are more numerous now than in days gone by. I am inclined to think though that they are, and for reasons.

1054. Will you give those reasons? Well, they are reasons mainly in favour of the applicant. Where a title has been reported with certain qualifications, the examiners as well as the applicants know what points have been cleared off, and what points remain to be cleared off, so that they can direct their attention to the particular subject matter of qualification. I do not myself believe in qualifications except of the simplest character.

1055. Is it not possible that a title may be rejected for want of satisfying those qualifications—satisfying the Commissioners on the subject of those qualifications? I do not know a case which has been withdrawn or ultimately refused, on the ground of non-satisfaction of qualifications. I cannot remember a case.

1056. Does it not put the applicant in a very awkward position. Suppose those qualifications cannot be got rid of, his title is advertised and then has to be withdrawn, a doubt being cast upon it? Yes, but I do not know of a case having been withdrawn for qualifications, and with very few exceptions the qualifications are of such a nature as would not, I think, justify the rejection of the title or its withdrawal.

1057. Are not some of those qualifications really such as ought to be put in the form of requisitions? They have been before put in the form of requisitions and they have not been satisfied, so really the case has

* NOTE (on revision):—I did not mean to convey that the former examiners did not annex qualifications to their reports.

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- has been reported subject to those unsatisfied requisitions simply for the purpose of getting through work. 1058. Then those qualifications are simply a reiteration of prior requisitions? That is the rule. I think myself that a case ought to be reported without a qualification except such as the following: Such and such a deed to be produced and to be found satisfactory; searches to be continued; insolvency search to be made. I think those are such qualifications as you cannot well avoid.
1059. Supposing deeds are produced in compliance with such qualifications, may not a deed be fatal to the title? It might, but we have reported on the case in the interests of the applicant. He may have informed us that the deed cannot be found. He cannot prove the loss of it, and we have passed that title on the perusal of the registration copy, but it is impossible to say what the original deed may contain, or have endorsed on it.
1060. If deeds are produced in consequence of those qualifications do they go before the examiners? Before one or the other, not before both generally.
1061. And how soon is the question then dealt with? I think it is dealt with very quickly. It is as far as I am concerned. The case may remain in my room for a day or two.
1062. Are they dealt with before the next Board meeting? Qualifications never go before the Board again; they are never re-submitted to the Commissioners; they are dealt with wholly by the examiners.
1063. Then do the Commissioners pass the title? The Commissioners pass the title as reported, subject to the qualifications which the examiners think ought to be satisfied.
1064. The cases do not go again to the Board? No.
1065. Who draws up letters of requisitions? We do it indiscriminately.
1066. The examiners or Mr. Lander? The examiners.
1067. And they are signed by the Registrar General or the Deputy Registrar General? They are initialled by one of the examiners, but the mere initialling does not indicate the responsibility of the particular examiner. They are joint requisitions as a rule.
1068. Initialling, I suppose, is simply to show that they have come before some of the examiners? Before one of the examiners. I made the remark that the requisitions are generally the joint production of two examiners.
1069. I suppose all three examiners never report on one title? Only in the case of two reporting, and differing. I have known one or two cases which have been submitted for the opinion of No. 3.
1070. But as a rule you consider it sufficient if two are satisfied? Yes.
1071. And the Board of Commissioners consider it so? Yes.
1072. Do you deal strictly in rotation with the cases referred to you? Numerical rotation.
1073. Yes? Yes, but I must qualify that. The cases do not always reach us in numerical rotation. A case may lie sometimes in the room of the draftsman, who may want a plan or survey, or something of that kind, without which he cannot report, and that causes the case to fall behind.
1074. I mean in the order in which you receive them? I deal with them in the order in which I receive them, as a rule. I have advanced many cases.
1075. I think you told me that you did not allow first-class cases to accumulate—that you dealt with them at once? I have said so; and there is another class of cases which receives preference—transmissions. We have three classes of cases.
1076. Suppose you have one very long and difficult title, and a great many short and simple ones, do you still take them in rotation? I should take the simple ones, but it is difficult to find out their simplicity.
1077. Then you do not deal with them strictly in rotation, you take the simple ones first? The rule is rotation, but I depart from that rule when I have simple cases, to which I give the preference over long cases; and I also take transmissions before original applications.
1078. Are cases ever taken out of their usual course on account of extreme pressure brought to bear by applicants, or by officers of the institution? I know many attempts have been made, but unless I have been satisfied of the urgency or pressure, I do not think I have yielded.
1079. Made by whom? By the applicant or his solicitor? I must be satisfied myself of the urgency or pressure.
1080. Have any such attempts been made by the officers of the institution? I think I may say the Registrar General has made such a request. Persons have gone to him and, I suppose, represented facts, and he has endeavoured to press those cases on; but I cannot say, speaking for myself, that he has asked me to neglect other work for the sake of those particular cases. I do not mean to say the Registrar General has said, "Mr. Jones, will you take that case and leave half-a-dozen other cases undone"; but we have had cases represented as urgent and pressing by the Registrar General.
1081. Has any pressure been brought on you by other officers of the institution besides the Registrar General? I have had a little by the Deputy Registrar General, but I do not call it pressure. He may have come into my room and have spoken of what people call the delays of the office, but I do not know that he has ever unduly pressed me in relation to any particular cases. Without any egotism I might say that I do not, as far as my own work is concerned, feel any necessity for pressure, for I very seldom have any accumulation of cases.
1082. Were there any arrears of cases when you took office? Oh, there must have been, because I found upon the table in my room a great number of cases. By arrears you of course mean work remaining to be dealt with.
1083. By the office? By the office. But I cannot say whether or not they had been vouched by Mr. Burton or by Mr. Holden. I know when I came here there was a mass of work in my room waiting to be dealt with.
1084. Whom did you succeed? Mr. Oliver and myself succeeded Mr. Holden.
1085. Whose room did you go into? Mr. Holden's room.
1086. I suppose you cannot give us an idea of the number of cases in arrear? I could not. I could give a guess that I found more than fifty cases in my room, but it was long ago—four years ago. It would not be a correct thing to say the cases were in arrear, because they might have been dealt with either by Mr. Burton or Mr. Holden, and awaited the signature of the second examiner.
1087. Can you say how many titles on the average per week you examine, and either approve or send requisitions? I could not say. I have got an epitome here of the cases I have dealt with since I have been here. (*Epitome handed to the President.*)
1088. Can you make it out from that? It is hard to strike an average. I have got through as many as six or eight in a day; but that depends on the character of the cases. A dozen, or it may be twenty, first-

first-class cases could be got through in a day. I can tell you the total number examined by me since I came here, including everything—first-class, second-class, and transmissions. I keep a book in which I enter cases when received by me, when examined, and when reported on. I find I have examined 1,389. That may make a little against me or a little in my favour.

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1089. From what date? I commenced work on the 15th July, 1874, and this is up to the end of 1878. Out of these cases I have reported 1,189, leaving a balance, according to my book, of 200, either under requisition or withdrawn, or transferred from one class to another.

1090. By "under requisition" you mean —? Not passed. Of course I may have signed some of them, but they may not have been signed by the second examiner, or they may be under requisition, or withdrawn. But I have against myself 200 cases which have clearly not passed the Board.

1091. But with respect to which you have done all that is your duty to do? All I can do.

1092. Then, according to your statement, you have none in arrear? I have in my box ten or twelve cases untouched. Some have come to me during the last week, and some have been examined by one examiner, but not by me. There are about six cases not touched by either one examiner or the other.

1093. Then do I understand you to say that practically there are no arrears as far as you are concerned; nothing in arrear? I will not say that, because I have ten or twelve which I have not examined. That is all. That represents, at this moment, my arrears. I have got some cases which are under requisition, and some which have passed the Board and are waiting in my room for the clearing off of the qualifications; but I do not call these arrears. They have been dealt with; some examined, and some reported on.

1094. If you have anything to do with them I call them in arrear? I call arrears something more than that. They are simply waiting an opportunity of getting to them.

1095. Do you consider it your duty as examiner to make every possible requisition? I do not; nor do I.

1096. What do you dispense with? That depends entirely upon the particular title. I might be disposed to accept less evidence upon a point than another man might be disposed to accept. I may be more ready to waive the production of a deed than another man.

1097. Do you insist upon the production of all deeds in any way affecting a title? If we can get them. The rule is, if we can get them, to have before us all original deeds affecting the title.

1098. Supposing they cannot be got? That depends upon the ground of inability. If they are out of the Colony I do not think we have asked for originals; we are quite content with certified copies.

1099. Where the deeds are registered at full length do you still require the production of the originals? In many cases.

1100. Do you ever dispense with it on the ground of registration? It depends on the particular title. For instance, in the case of a bank, where a mortgage had been assigned to a bank, and the title was derived through that assignment, there was a difficulty in obtaining the production of the assignment;—production of that original was waived; the main grounds being that I thought we might rest content with the liability of the bank, its conveyance and covenant, and inspection of the registration copy.

1101. Do you endeavour to pass as much as possible of titles that are brought to you? Most certainly. Not only that, but I have had instances of what people call "building up titles." I have had some titles lodged which, upon their face were evidently defective, and from hunting out the titles here we have made titles for the applicants.

1102. You do not endeavour to reject any of them for fear of prejudicing the assurance fund? Oh, no—that is a secondary consideration. The only proposition with me is, "is this a good a title"; the assurance fund is a secondary consideration.

1103. Can you give us any idea of what guides you in the acceptance or rejection of a title? I really cannot say.

1104. You have heard of safe-holding titles,—that kind of thing, I mean? The difficulty here is to tell when the title is good, unless you comply with the rules of law. The title may be weak and open to attack upon a very technical point, which might escape many men, but would not escape others.

1105. Do you consider that you are bound to accept all such titles as would be accepted by the solicitor for the willing purchaser? I do not think so. I think I may say that the kind of rule which guides me is, "would a Court of Equity compel an unwilling purchaser to take this."

1106. Then, in point of fact, you require the title to be strictly perfect? That is the rule, with many deviations.

1107. But if you are absolutely correct in every case, what is the advantage of keeping up the assurance fund? I do not know that it is very much use; it is so very small that one shot at the assurance fund might, I think, carry it away.

1108. But it will never be touched if you are so particular—unless you make mistakes? Speaking for myself, I am always willing, when I cannot get the best evidence, to take that which is the second best, and which is safe.

1109. But your idea is only to pass titles which an Equity Court would accept? That is the general rule, and should be the rule to guide examiners in the acceptance of titles; but there are many cases with peculiar circumstances attached to them, and those peculiar circumstances always receive consideration.

1110. Do you require the registration of deeds forming links in the title? Not of very old deeds.

1111. But a conveyance to an applicant, or one or two back, I should say, supposing the conveyance to applicant comprises the whole of the grant? Whole of the grant or the land applied for.

1112. I say, supposing it comprises the whole of the grant? I should ask that it be registered. I think that it is a protection.

1113. To whom? To purchasers or people outside. Because, on searching in the index they would find that a person other than the applicant was the owner of the property.

1114. Have you any right to protect those persons? I do not know that we have; but I think it is a very great convenience to get the register perfect, and I do not think there is any objection on the part of the solicitor or the applicant to register such a deed of conveyance.

1115. But applicants are put to the trouble of registering the deed, the register being intended to give precedence to that deed? I have directed a notification upon the last registration that "this land has been brought under the Real Property Act, in such-and-such an application." But I have often concurred in the qualification "such-and-such a deed to be registered." I can tell you of another instance where I think registration should be insisted upon,—a conveyance to applicant of land over and above what has been applied for under the Act; in other words, where a conveyance contains several parcels of land not being

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- being brought under the Act. There, I think, registration should be insisted upon, because the original deed is taken away from us, and we have no record of it except what the examiners may make. We do not insist upon attested copies if registered deeds be taken away from us.
1116. Of course you know that an unregistered deed is as good as a registered deed, supposing there is nothing subsequently registered affecting it? Yes; we should have to be very careful with our searches because the vendor to the applicant might contract or convey, and the contract or deed might be registered before issue of our certificate of title.
1117. It seems to me, then, that it is not to protect the office that you insist upon this registration, but to protect outsiders? In such a case as you put—where the land comprised in the applicant's conveyance is being wholly brought under the Act.
1118. *Mr. Dawson.*] Assuming that the applicant cannot obtain the signature of either vendor or purchaser to a deed, and not an old deed which you have required to be registered, would that prevent the certificate ultimately issuing? No. I should then direct a memorandum to be made upon the registered copy of the last conveyance immediately preceding the deed you are referring to, to the effect that the land contained in the deed had been brought under the Act.
1119. *President.*] After a title has been once passed by the Board of Commissioners, is it ever re-investigated on a fresh application for a certificate for land coming under the same title? As a rule, it is not.
1120. Supposing you had passed it yourself, you would not re-open it? No.
1121. Supposing another examiner had passed it? Unless my attention was drawn to a particular point I would satisfy myself that the new application was on the same lines as the old.
1122. Have there not been many cases in which the titles have been re-investigated? I know of two in which attention was drawn by somebody outside the office to a particular point in the title accepted, and I think the old title was re-opened.
1123. Only on account of some subsequent supposed defect? On account of attention having been drawn—exactly. Although I may say I do not think that the examiners should be precluded, as we at present stand, from looking at the old title. It would lighten considerably the work of the examiners if they were prohibited in some manner (say) by some short section, something to this effect—that when a title has been once accepted no question arising out of the early title shall be re-opened. It would save a very great deal of time. It is sometimes a labour to ascertain whether a new title is on the same lines as the old ones, and I would myself rather investigate the title *de novo*.
1124. *Mr. Archer.*] You said that you considered the duties of the examiner were indicated in the 5th section of the Real Property Act, which prescribes that the examiners of titles should advise and assist in carrying out the provisions of the Act? The 5th section, yes.
1125. Do you so advise the department in all matters of a legal character? On all matters submitted.
1126. Have you ever advised the Registrar General and the other officers of the department in regard to the carrying out of their duties, if they brought under your notice any defects in the mode of conducting business? I do not think those defects have been brought by those officers under my notice.
1127. Has the Registrar General on no occasion come to you and stated that there is such a slowness in the mode of procedure, or that such technical objections were taken, as to in effect stay the business of the office very materially? Oh, he has, I think, both orally and by minute made observations as to the slow manner in which the work is cleared off.
1128. Have you ever attempted to satisfy his mind for the information of those complaining that there really was no unnecessary delay? The Registrar General has not sought "*my advice*" upon the subject. He has not in a friendly manner, for a very long time past, come into my room and said "there are such and such objections made to this case," or "somebody complains of the delay, will you be good enough to tell me how the matter stands, or what is the cause of delay, or can you suggest a remedy."*
1129. He has never, in your instance at all events, courted your advice and assistance as to how to concert measures to prevent delay or alleged delay? He has not. He may casually have done so when I first came here, but for some years past there has not been sufficient harmony between the Registrar General and the examiners to lead them to take that course.
1130. Do you mean harmony with the examiners as a whole, or with any one in particular? As a whole or individually.
1131. Are you in harmonious relations with him? I cannot say I am. I have had no quarrels with the Registrar General, but there is a total absence on his part of any disposition to confer with the examiners upon the Real Property Act.
1132. Did he ever speak to you as to the desirability of the clerk to the examiners being under your or his control? I think not. I think he has generally acted as if he considered the examiners' clerk under his control.
1133. Has he ever consulted with you as to the desirability of the clerk's being relieved of the duties in regard to the wills? He has never consulted with me. I believe he has made the remark, but not to me personally. He may have made the remark, but it is a long time since I had any interview with the Registrar General. I can say this: he may some long time ago have made an observation similar to that you suggest—not in the way of consulting, or in the way of asking advice, but in a casual off-handed remark, to the effect that the clerk ought to have been relieved of the wills.
1134. Can you say if he ever did make such an observation to you, whether you did or did not express hostility to Mr. Lander's being relieved of the wills? Not hostility. I saw objections to the wills being under the charge of somebody not under the control of, or subject to, the examiners; because they want to refer every day to wills or administration papers; and if these were in the charge of somebody over whom the examiners had no control, the work of the examiners would be very much interrupted.
1135. But if the Registrar General represented to you as an examiner that Mr. Lander's having the charge of the wills was a cause of his not being able to do his duty effectively as clerk to the examiners, in reference to applications, would you or would you not consider that Mr. Lander still ought to have charge of the wills? I might have said something of that sort, in the absence of any suggestion from the Registrar General. If it had come before me in the way you put it, I might have replied, "I do not think that he ought to be relieved of the wills," and I might have gone on to tell him that if the wills were beyond the control of the examiners, it would interfere with their work.

1136.

* NOTE (on revision):—I wish to add, I have always given the Registrar General any information in my possession required by him.

1136. But that is no reason why Mr. Lander should retain them? Oh, no.

1137. Can you account for this want of harmony between the Registrar General and the examiners? I think it has accumulated gradually. I know that friendly relations did not exist for very long after the appointment of Mr. Oliver and myself. There never has been what I consider there should be, a cordial relationship existing between the Registrar General and the Examiners of Titles. The Registrar General's ear has always been open to complaints made against the examiners. My opinion is that the Registrar General's duty was to see the examiners individually or as a body about complaints, not made generally, but in connection with particular cases. I think his duty was before taking any action at all in those complaints to see the examiner in charge of the case, ascertain what difficulties he had to encounter in the case, what was the cause of delay, and so on. The Registrar General's course has not been so.

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1138. He has not endeavoured assiduously to establish and maintain amicable business relations with the legal branch of the department? In so far as I am concerned he has not.

1139. Could you point to any act of a decisive character of antagonism? This want of harmony manifested itself in this way. I have pretty well stated how it has been going on. We have offensive minutes sometimes made upon letters, complaining of delay; minutes which I am perfectly sure no gentleman, no practising solicitor, would make, even to his clerk, unless he really were a very troublesome, idle, fellow; things which no gentleman would tolerate.

1140. Can you lay your finger upon any minute of the sort? I should have to look —. I think I could. Then there is this instance, which I consider an attempt at interference with the course which the examiners have adopted in regard to the speedy disposal of business. It was in connection with a letter addressed by him to the Deputy Registrar or to Mr. Lander, to this effect: complaining first of all of the delays in the disposal of cases, and then he went on to direct that for the future as the cases were received by Mr. Lander, they should be handed immediately to Mr. Oliver or to Mr. Jones for disposal. Well, I say, that is an interference. The examiners knew better than he what rules to lay down for the speedy disposal of their own business.

1141. Did you on that or any other occasion say to yourself, "Well, if this goes on, this want of harmony will be very disastrous to the public, and by all means should be obviated; I will go and see the Registrar General, and have a quiet talk with him"? I never said that to myself, nor did I do it; but I will tell you what was done in all cases. I think a courteous minute was sent in to him in reply to his.

MONDAY, 24 MARCH, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

WILLIAM HENRY ARCHER, Esq., | THOMAS ROBERTSON, Esq.,

JOHN DAWSON, Esq.

John Booth Jones, Esq., Examiner of Titles, further examined:—

1142. *President.*] In cases where the applicant directs certificates to issue in name of some other person, do you require production of a contract for sale by applicant to nominee or any other person? I may answer, generally, no.

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Esq.

1143. But you have required it? Yes, wherever a contract is disclosed.

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1144. What is the advantage of making the inquiry? It is to ascertain whether the nominee is entitled under his contract to the certificate.

1145. But is it not sufficient for you that the applicant has directed the certificate to issue in his name? I think not. We do not know but that the nominee may be a trustee under such a contract, and unless we have the contract I do not know how we are to protect the interests of *bénéficiaires*.

1146. It seems to me it is not your business to do so, but simply to deal with the question whether this man is the nominee or not? I do not think that is the simple question. Under the Act the applicant has the power of nominating, but we do not know, without the contract, whether the nominee is correctly nominated under it. Suppose it should be that, under the contract disclosed, the purchaser, who is taken to be the nominee, is a trustee,—the fact of the trust being disclosed by his contract—for the examiners do not ferret out the capacity in which he purchased—we would, I think, in duty bound, have to take the necessary steps to protect the interests derived through him, or rather represented by him. Suppose again the purchaser should in the contract be described as trustee of such and such a marriage settlement, I apprehend that that alone would be sufficient justification for calling for the contract and for the marriage settlement in order to ascertain his powers and to protect the interests under the settlement.

1147. And yet the nomination is unconditional? Yes, unconditional. If no contract be disclosed, my rule is not to call for any contract, or anything leading up to the nomination. If A, the owner, is applicant, and he simply directs certificate to issue unconditionally to B, it goes, as a matter of course, because I think we are protected in that instance by the Act. Then again I may go a little further with reference to the production of a contract. Where a contract has been disclosed without it, we do not know how to make our searches. It may be that the nominee, since purchase, has sequestrated, or mortgaged, or otherwise encumbered, and we would not know what searches to institute without the production of the contract.

1148. *Mr. Archer.*] What danger do you apprehend from certificate being issued in favour of an absolute nominee? There is no danger, except in the case I have mentioned, that is to say, where contract is produced and discloses the fact that the nominee or purchaser is a trustee. The purchaser moreover might be a married woman, and then we would certainly, before issuing the certificate of title, require the concurrence of the husband.

1149. What proportion do you consider that such cases obtain—what proportion of such cases come under your notice? Do you mean absolute nominations in cases of purchaser?

1150. And disclosed purchaser? I do not think that a third of the applications are disclosed purchases. I am drawing distinctions. I draw a distinction between the absolute nomination with no contract disclosed, and a nomination pursuant to a contract.

1151. *President.*] All I refer to are unconditional nominations; where an applicant does not choose to attach a condition to the nomination? Although he does disclose the contract?

1152.

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1152. Yes? Then, as I have stated, the invariable rule has been where a contract is disclosed by an applicant, to ask for its production.
1153. Does not the dower question create a great deal of trouble and expense? I do not think so. We are content with very slight evidence on the question of dower.
1154. But you require it to be negatived in every case where it is possible it may have attached? Where the parties are not known to us. We are quite content if one examiner say, "From my own knowledge of Mr. or Mrs. So-and-so, he has or had no wife, or she is not entitled to dower." I accept that, and we let it pass.
1155. That has not been my experience? Well, I think that Mr. Burton has acted upon that, and I am quite sure that both Mr. Oliver and myself have done so.
1156. Then I understand you to say that examiners do not require dower to be negatived where they personally know that there is no dower? That is my experience.
1157. Supposing there is a suspicion of dower which is not removed, the dower is noted as an objection on the certificate? Yes.
1158. And it is noted as I understand, in such a form as not to give any person dealing with the land the slightest idea as to whether the objection is a good or a bad one? It is simply noted subject to the contingent right of so-and-so, or the wife of so-and-so.
1159. And how many cases do you suppose there are of actual dower where the dower is noted? I could not say, from want of knowledge of the parties. In intestacy cases it is very often noted unless evidence of death be given, or the widow release her dower.
1160. Do you suppose that, in one case in a hundred, there is actual dower;—you must remember that the dower Act has been passed over 40 years? I could not give a proportion.
1161. One in a hundred? That actually exists? Oh! I think so. I think when noted the proportion would be greater than that of tangible claims. I am perfectly convinced of that. We have to deal with intestacies, and in those cases I think the proportion is much greater than that. That style of notification appears more frequently in transmissions than applications.
1162. I see no objection in the case of intestacies, but I am referring to applications — ? To old dowers. I think there are comparatively very few old dowers existing.
1163. Can you say not one in a hundred cases? I could not state the proportion.
1164. In how many cases do you know of dower having been actually claimed;—I should say in how many cases under the old system? At this moment I remember but one. You mean of course claimed after notification on certificate.
1165. I mean where dower has been actually claimed by the dowress against the holder of land. Never mind the Act at all? I have known of cases where dower had existed, and the wife has released for the purpose of the application. But I remember one case in which the certificate has issued with the dower noted and the widow has claimed.
1166. Claimed from whom? Claimed the dower from the registered proprietor.
1167. Actually enforced it? I think she has got the worth of it. It was compromised; a sum was paid her, and she released.
1168. Then, in your experience, you know of only one case in which dower has been actually claimed? That is all, after certificate of title has been issued. I am speaking from memory.
1169. Have you heard any complaints that titles are not examined in this office with sufficient celerity? Oh, yes; I have heard complaints from the Registrar General mainly.
1170. From anyone else? From applicants sometimes.
1171. Why should there be such complaints? The complaints have been that the work has not been done so quickly as people wish.
1172. Has it been done as quickly as it is possible to do it? As far as I am concerned it has.
1173. As far as the whole office is concerned? I cannot say; my impression is that it has been. I can speak with certainty as regards myself; and with regard to my two colleagues, Mr. Burton and Mr. Oliver, my impression is as I say.
1174. Then, if the complaints are well-founded and the examiners do all the work they can do, you want more examiners appointed? I think we do, if the work is to be done as quickly as people desire, and as consistently with accuracy as the examiners think it should be.
1175. Have any other complaints been made against the examiners? I have heard of nothing else. The burden of the complaints has been that the work has not been done so quickly as it should be.
1176. Have there been complaints that the objections to titles are untenable or too fine drawn, or highly technical, or captious? I do not think I ought to say that as regards the examiners as a body.
1177. Take them in detail if you like? I have heard remarks to the effect that some are too particular.
1178. By whom have those remarks been made? I could not say at this moment.
1179. By applicants or by their solicitors? I could not say; perhaps in some instances by applicants or by the solicitors themselves.
1180. When were you admitted to practise as a solicitor? I think in 1862.
1181. Have you practised on your own account? Yes, I practised nearly four years.
1182. Then I suppose you know the way in which solicitors for purchasers conduct the business of examining titles? I do.
1183. Do they always require production of original deeds? When they can get them they do. That is, provided they are not tied up by contract. Of course in many cases they are prepared to waive the production.
1184. Suppose they cannot get them? Then I imagine they are satisfied with searches, and are prepared to waive them, as we are.
1185. Suppose the expense of getting at them would be so great that the clients would be dissatisfied? That is, of course, a matter for the consideration of the vendor's solicitor, and the purchaser's solicitor respectively. The purchaser's solicitor, if tied by contract, certainly would not be disposed, unless his client were willing, to pay the expense of attested copies. I imagine the whole difference is between buying under an open contract, and buying subject to terms.
1186. But is it not safer for the purchaser to look at those documents even if he pays for them? By all means.
1187. Then it is a mere question of expediency and expense? Under a contract on terms; but I have known a case in which a purchaser under an open contract would not waive his right to attested copies.

1188. I do not care about attested copies—I mean in regard to examining the originals? I think it would be an exceptional case in which the purchaser's solicitor would neglect the examination of the originals. J. B. Jones, Esq.

1189. But suppose it put his client to great expense to look at the originals? That is a matter of expediency. 24 Mar., 1879.

1190. Suppose the case of a small purchase—the cost of examining the originals might be excessive in proportion to the amount of the purchase money? Then I am quite sure that the solicitor would advise his client to dispense with the examination of the originals, and to be content with the registration copies.

1191. Do you think that solicitors in large practice could get through their business if they always insisted on the production of all original deeds? It depends upon circumstances. Take yourself for instance: Suppose you are acting for a purchaser, I think that you would expect to see all original deeds affecting the title, and if you did not see them I imagine you would then exercise your judgment as to whether you would advise your client to dispense with their production or not. If it were a large purchase I imagine a solicitor would like to see the originals. If the purchase was for a small sum there would be a freer scope for advising the dispensing with the originals.

1192. Then it is a matter of judgment on the part of the solicitor whether he insists on the production of originals or not? Between the solicitor and his client, as a matter of judgment and expense.

1193. Are you not aware that in the most careful offices risks are constantly run and oversights made which, if discovered and taken advantage of, would ruin the solicitor? Of course there must be risks in every large office where the principal cannot superintend the work of his clerk.

1194. I assume that in large offices the principal cannot do everything himself? Then I imagine that, as a matter of course, risks must be run and mistakes made.

1195. You are aware that solicitors are obliged to trust clerks, who are often indifferent, careless, and ignorant, and make many mistakes and oversights? I am aware of it.

1196. Did you ever know of an instance of a solicitor having sustained loss through oversights and mistakes made in his office? I do not remember an instance of actual loss at this moment.

1197. Are not a great many oversights and mistakes sooner or later cured by lapse of time, so that no harm comes of them? Naturally; I suppose that must be so.

1198. Do you consider it necessary for examiners to be more particular than practising solicitors? I think that an examiner of titles would only be justified in accepting a perfect title or a title as nearly perfect as he could reasonably obtain.

1199. But suppose they cannot obtain a perfect title your answer goes to the length that they are entitled to accept it? No, as nearly perfect as they can reasonably obtain. Of course I include in that a title free from tangible objection.

1200. Well I think the substance of your evidence is, that examiners must be more particular than practising solicitors? I do not compare myself with any practising solicitor, but set before myself the duty of accepting the title as perfect. If I cannot get a technically perfect title, I get a title free from tangible objection.

1201. But you know that solicitors, if they took all the objections that are taken in this office, and made all the difficulties made here, could not get through their business, and would in fact lose their business? Very likely, but unfortunately we have nothing to guide us. We have no direction from the Colonial Secretary, and nothing in our Act which leaves us discretion. If we accepted a defective title which gave rise afterwards to litigation, I do not know where the examiners would be, or whether they would be able to shield themselves behind "the practice of solicitors."

1202. It seems to me they ought to be able to do so. You know that no claim has ever been made on the assurance fund? I believe no claim has been made. I know of no claim having been made.

1203. Although the office has been established for —? Since January, 1863. I look upon the examiners as placed in very different circumstances to those of practising solicitors. The discretion of a practising solicitor is considerably curtailed under the terms subject to which his client has bought. Very often his client is a willing purchaser, and is prepared to accept risk. The clients purchase, under contracts very often drawn to meet the circumstances or state of the title. They will often take guarantees and safeguards which we could not. We have simply to accept or reject the title. You have your covenants, and your bonds, and in many cases the authority of your clients.

1204. Then I suppose you would compare the position of the examiners to that of solicitors for unwilling purchasers under open contracts? That is more the position of the examiners.

1205. Seeing that the risk of claims on the assurance fund is so small, would it not be better that some of the extreme particularity with which examiners have been in the habit of examining titles should be dispensed with? I discard that imputation. I do not think that I, speaking individually, have exercised peculiar accuracy.

1206. Accuracy? Peculiar accuracy; in obtaining first-class evidence, for instance.

1207. My words were "extreme particularity"? I do not think they have exercised extreme particularity. I think we have acted as reasonable men, considering the circumstances in which we are placed.

1208. Do you think anything could be done to facilitate the passing of titles without raising so many difficulties? I really do not know. I am not prepared to suggest anything. If we have men who know their work, I do not know what there is to suggest for the purpose of facilitating the disposal of titles, or dispensing rather with what is called minute accuracy. I am not prepared to propose anything. I think that any man would act just as the examiners, as a body, have acted. If we see that the title is weak in a particular point, it is our duty, I think, to strengthen it, or to get the difficulty removed. But I am not prepared to point out any particulars in which the examiners might relax on points of title. I might in such matters as asking for the production of deeds, or dispensing with registrations.

1209. My question covers all that? I think there might be a little relaxation there; but that is so easily done. I think the same course might be adopted here as I believe has been adopted in Melbourne, of embodying in an Act a section to the effect that old memorials should be accepted as evidence of the contents of the deeds registered. For instance, we have registrations such as these: "Lease and release," "conveyance in fee," or "mortgage in fee," or "mortgage by demisc." We might accept those registrations as complete evidence and not call for the production of originals. Old dowers might be disposed of in a similar manner.

1210. How? By Act.

1211. You mean to sweep away the dower? Sweep away the dower.

1212.

- J. B. Jones,
Esq.
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1212. That might act unjustly? But I would not sweep away the dower of people who died intestate. I am speaking of old dowers—marriages before 1837—those which we now call old dowers.
1213. If you do not dispose of them it seems to me you do not relieve the difficulties that at present exist? Then you should go a little further and enact that dower shall not attach to land under the Act.
1214. As the examiners are so extremely particular in examining titles, what is the necessity for the assurance fund? I suppose in the best offices there will be mistakes in the pressure of business. We are not infallible; mistakes are not found out, but I am not vain enough to say that mistakes have not been made.
1215. If the assurance fee were increased, would you feel justified in relaxing? Not simply on that ground. The difficulty would be with me to know where to relax unless in those simple instances I have stated. In points of title the difficulty would be to know where relaxation should take place. You have to deal with each particular case on its own basis, and according to its own circumstances.
1216. Solicitors in private practise can make a great many allowances that you cannot? I think they can.
1217. Is Mr. Burton as particular in the investigation of titles as yourself? I think he is.
1218. Not more particular? He may be; he may be on some occasions; I think perhaps he is.
1219. Do you and he work cordially together? We do.
1220. Do you place much reliance on his judgment, his knowledge of business, and his experience? I place great reliance on his knowledge of real property law.
1221. Do you investigate titles less severely if you know he has passed them? I do not think I do; I go through them as if they came from Mr. Oliver or Mr. Maddock; but if I differ from him a conference comes about; and if we still differ I should be very much disposed to reconsider my own opinion at any rate.
1222. Is he as expeditious in his work as might reasonably be expected? If you speak comparatively I can answer that question. I think he is as expeditious as can be expected from Mr. Burton. He is not a quick man. He is very correct, but not a quick man.
1223. He is naturally slow, then? I think he is. I must amplify that a little; he is very minute, but he gets through a very great deal of work.
1224. His slowness does not result from idleness? No, most certainly not.
1225. Are you on as good terms with Mr. Maddock as with Mr. Burton? No.
1226. How is that? I would rather not speak of Mr. Maddock. I am prepared to state the fact, though, that the present examiners do not work harmoniously—certainly not so harmoniously as the old three, when Mr. Oliver was here. During four years—Mr. Oliver was here that time, I think—I never knew of a breach or anything approaching it.
1227. And there have been difficulties since? There have been difficulties since.
1228. Is Mr. Maddock a reliable examiner? I should not like to say anything prejudicial to Mr. Maddock.
1229. I only want the fact? Well, I would not place implicit reliance on his work. I say this with reluctance.
1230. Is he expeditious? Very.
1231. Do you know of any mistakes he has made? Well, I think I can only now speak positively of what, according to my opinion, was a mistake.
1232. Will you let us know what that mistake was? It was a legal point. It was on the construction of a will on a transmission, and he was of opinion—I ought not to speak without the case before me, because I might do Mr. Maddock an injustice—at any rate, he took one view of the construction of the will and I took another. I humbly think his was wrong and mine was correct.
1233. Is it not possible he was right and you wrong? Quite possible, but I think he was wrong.
1234. Did Mr. Burton agree with you? I do not think I spoke to him about the matter.
1235. Then it was simply between you and Mr. Maddock? Simply between me and Mr. Maddock.
1236. Was that case Mrs. Müller's? No; it was on a will which contained a charge of debts on the realty and a devise to trustees, who were also appointed executors. The trusts of the property were to wife for life, and a power to sell upon the death of the wife. The trustees came here for transmission. Mr. Maddock was of opinion that the trustees should by caveat be tied up, on the ground that the trustees had no power of sale until the death of the wife. I thought they had power of sale before her death.
1237. Is there sufficient cordiality between you and the Registrar General to enable the business of the office to be carried on satisfactorily? I have never allowed the relationship between Mr. Ward and myself to interfere with my business; I have gone on as if nothing unpleasant existed. It has not interfered except in this manner—that when minutes have been written, or questions have been asked in the House, there have been at times irritation and of course conferences among the examiners, which have to a certain extent led to a delay of business.
1238. Then you and the Registrar General are not quite on cordial terms? No. I am only speaking as an examiner, of course; privately, I have not the pleasure of knowing the Registrar General.
1239. Does that not interfere with the proper working of the office? I think it does. I think a want of harmony between the Registrar General and the examiners, who have entrusted to them the duties they have, must be prejudicial. It certainly tends to unpopularise the office.
1240. Has the Registrar General any control over the examiners? I do not think so, nor do I recognise it.
1241. Does he profess to exercise any? I think that must be so from some of his minutes, and from his conduct generally. I can give no other meaning to his acts.
1242. Do you not think he is bound to report anything going wrong in his office? Certainly.
1243. Is that not the object of his minutes? Well, it may be the ostensible object; but I say that these minutes have not been justified; I say that his conduct towards his examiners, or towards the examiners, has been so, I think, without warrant. I think if he had objections to any particular examiner, those objections should be so framed as to apply only to the one examiner. If he had no cause of dissatisfaction with the others he should have let that appear also.
1244. Then I understand you to say that he has made charges applicable to the whole of the examiners, when possibly they might have been intended only for one? I do not like the word "charges." He has so expressed himself. I do not know that he has made any charges beyond that of delay, and I cannot say that I think the charge has been made to me. I do not think there has been enough in the minutes to lay hold of a personal application. I do not remember that there has.
1245. However, he has made certain minutes which have been the cause of offence? Which have been the cause of offence.

1246. To whom are the examiners answerable if they neglect their duty? To the Colonial Secretary. The Colonial Secretary, Mr. Fitzpatrick, has, in a letter addressed to the examiners, or to two of them—Mr. Oliver was not here then—admitted as much, that the Registrar General has no control over the examiners in the exercise of their professional duties. We contend for nothing more than that. I have no desire to encroach upon the Registrar General's Department, or work, or interest.

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1247. Why do you suppose the Registrar General does not feel any cordiality towards the examiners? I have heard of no alleged cause except delay in getting through the work of the office. I have a minute or two here which perhaps I had better read. It is better than speaking from memory. It will show the tendency of the minutes. Here is one, dated 28th October, 1875:—"Memo.—October 28th, 1875. Mr. Muddle.—The number of complaints which I receive as to the delay in examination of titles appears to be increasing. I wish, therefore, that for the future all new applications shall be forwarded alternately to Mr. Oliver and Mr. Jones, to be reported on by both these gentlemen. This will allow Mr. Burton more time to deal with his arrears. Inform Mr. Lander that I expect no application to be over one week in the office before it is in the draftsman's hands. As each application leaves the draftsman it must *forthwith* be handed to the examiners as I have directed above.—E. G. WARD, Registrar General." That we looked upon as an attempt on the part of the Registrar General to interfere with the examiners in the conduct of their own business.

1248. Do you produce any others? Here is a memorandum written by the Registrar General and addressed to Mr. Lander for report:—"Memo.—Mr. Lander for report. Application 3,908, W. Perry. I find the abovenamed case was received on 23rd March last. The title is a very simple one, and should have been reported on—at all events within one month from date of receipt. *The delay in this case, as in nearly all others, is a source of much vexation, and sometimes of actual loss to the public.* As the head of the department I confess I feel ashamed that it is out of my power to remedy the present state of the business immediately under the control of the Examiners of Titles. Let this memo. be placed in the packet of deeds belonging to the case above referred to.—E. G. WARD, R.G." There is no date to this, but it accompanies the case which is No. 3,908, William Perry, and in which the Registrar General appears to have taken some interest. I see the application is in his own handwriting. I give this evidence very reluctantly, and would rather content myself with the general statement that at present and for some time past differences have existed between the Registrar General and the three examiners, excluding Mr. Maddock. I have no desire to go into these minute particulars, but the fact exists that there is a great want of harmony and of confidence on the part of the Registrar General and the examiners. I am prepared to assert that I know of no justification except what has been called delay in getting through the work.

1249. What we have to inquire into is, whether there are any hitches in the office, and what they are? I have no difficulty in saying what the hitches are.

1250. Will you be good enough to state what the hitches are? They are a want of confidence on the part of the Registrar General in the Examiners of Titles. I assert confidently that the examiners have done their best to get through their work and satisfy the wants of the public. I am perfectly satisfied that the work cannot be done as speedily as the people desire, and as consistently with that accuracy which the examiners think essential, with three Examiners of Titles. I have other minutes here which I think are worse than those I have read, though I would rather not publish them. Here is one, dated 25 January, 1876. Case 4,039: "It is now over five months since the application within referred to was received, and it appears the applicant has had no tidings of the progress of the case, except that it has been enrolled among a lot of names, martyrs to the same delay of which the applicant complains. Surely a sufficient time has now elapsed to satisfy even the greatest procrastinator.—E.G.W." Mr. Burton writes thereon: "Whom does the Registrar General mean by the greatest procrastinator?" To which the Registrar General replies: "I take it that the term 'greatest procrastinator' means one who is in the habit of postponing to a future time that which should be taken in hand at once.—E.G.W., 25/1/76." Another is dated the 1st of September, 1876. Case 4203: "I find that the slow and easy course of the case alluded to in this letter is as follows: Received 8th May; forwarded to Mr. Lander for the examiners' examination and report, 22nd May. Mr. Jones takes it up on the 30th June, and forwards it to Mr. Burton on the 20th July. Here it appears to stick. Some excuse, however, must be made, when I consider that Mr. Burton has been engaged of late in duties which do not pertain to the functions of his office, and to these no doubt some delay in the examination of titles must be attributed.—E.G.W., 1/9/76." To this is appended a minute by Mr. Burton:—"To what does the Registrar General allude by the words which I have underlined?" The Registrar General replies: "I cannot enter into any explanation with Mr. Burton in case of controversy, which will only produce still further delay.—E.G.W., 5/9/76." On the 4th of January, 1876, there was a minute to Mr. Muddle, on an application of Messrs. Barnes and Smith, No. 4,030: "Considering that the case within referred to has been in the office nearly five months, I think the applicants have good ground for complaint. I wonder if the time will ever arrive when the work of investigating titles will be done as well and expeditiously as some years since.—E.G.W., 4/1/76." In reply to a memo. dated 2nd March, 1877, signed by the three examiners, Mr. Oliver, Mr. Burton, and myself, respecting the weakness of the clerical staff attached to the Land Titles Department, the Registrar General wrote the following:—"I regret I cannot concur with the Examiners of title that an increase in the clerical staff is required to expedite the investigation of titles. A large staff does not necessarily imply a greater amount of work. The remedy which I would suggest is a more diligent attention to the legitimate functions of examiners of title, and a more punctual attendance on official duties. I feel satisfied that regard to the foregoing would soon show a marked improvement in the present deplorable state of arrears. In addition, I would recommend that Mr. Oliver be placed on the same footing as the other examiners, so that he might give the whole of his time to the examination of titles, and that Mr. Lander's undivided attention should be obtained, by relieving him of the custody of the wills. If the examiners still consider that the clerical staff should be enlarged, I will bring this memo. under the notice of the Colonial Secretary, with such other observations as I may deem necessary.—E.G.W., 5/3/77." The Registrar General having, without consulting the examiners on the subject, directed that the searches in the Sheriff's Office should be made by Mr. Hatton, who was not an officer or clerk in the Land Titles Office, but employed to make searches in connection with titles under investigation, a memo., dated the 22nd June, 1876, was sent to the Registrar General by the three examiners, stating that the attention of the examiners had just been drawn to the practice said to have been in existence for some months, of leaving the final search in the Sheriff's Office, in connection with applications to bring land under the Act, certified by Mr. Hatton instead of by the Under Sheriff,

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Sheriff, as heretofore, and pointing out that it was both undesirable and prejudicial to the security of the Land Titles Branch of the Department, that the guarantee afforded by the former practice should be in any respect diminished. The Registrar General did not, however, revert to the former practice. On application No. 3,979, William Barnett Smith, there is this minute, dated 20th October, 1875: "Mr. Muddle, I find that this case was received into the office 23rd June last, and was forwarded to Mr. Oliver on 27th August following, on which day Mr. Oliver referred it to Mr. Burton. Inform Mr. Lander that I wish it to be transferred to Mr. Jones, as the only chance of procuring a report to the Commissioners.—E. G. WARD, R.G., 20/10/75." The foregoing minute is, I think, rather dictatorial, and not very conciliatory in its tone. In a letter written by the Registrar General to Mr. Macintosh, M.L.A., dated 25th February, 1878, and published in the *Sydney Morning Herald*, the following passage appears:—"As constituted under the existing Act they (the Commissioners) are a great safeguard to the public. While the former examiners were in office, and the machinery of the department worked so smoothly, I was, like many others, under the impression that the Board of Commissioners might safely be dispensed with; but with the present staff of examiners I feel assured that the Board of Commissioners is of great advantage to the public."

1251. *Mr. Archer.*] Do you consider the Registrar General is justified in stating that there is undue delay on the part of yourself and Mr. Burton, as examiners? I do not think he is justified.

1252. Can you state how many cases you deal with, say in a week, on an average? It depends very much on the length of them. I have got through six or eight in a day; but I cannot, upon an average, get through more than two a day.

1253. There are about 300 working days in the year? About that, I suppose.

1254. Do you think you, individually, get through 600 applications in the course of the year? Oh, no.

1255. I leave out transmission cases? No.

1256. How many cases could you get through? I do not think, if you tot up the gross it would exceed 300 a year.

1257. That would be one a day. Do you think you get through one a day; that is, applications to bring land under the Act? No. I find from my own book I do not get through one a day.

1258. Do you remember approximately how many you have got through in the course of the year? I think about 275 a year—all classes.

1259. That is to bring land under the Act? Oh, no. I must take transmissions from that. I do not think I have got through more than 200 a year; that is exclusive of transmissions, but including first-class cases.

1260. Have you ever compared the rate of progress between yourself and the other examiners? I have not the means.

1261. You do not know whether Mr. Burton does as much or more than you? I do not think Mr. Burton does as much as I do.

1262. Does Mr. Maddock? He gets through more cases than I do, I think.

1263. Considerably more? I do not know; I have, I think, two of his cases awaiting examination now.

1264. My object is to ascertain what is the fair average number of cases that should be passed through the office with reasonable diligence by an active examiner? That depends on the length of the cases. It is so hard to come to an average. One examiner may have a case which would take a week to peruse.

1265. That would occur with all the examiners in the course of the year? Of course.

1266. I am speaking of a yearly average? I think it may be put down as I have stated.

1267. 200 a year? I think that is a good average.

1268. You are not aware whether Mr. Maddock exceeds that average? I cannot say; he has not been here a year. But I should not be at all surprised if he does.

1269. And in so doing may he not do his work safely? I must respectfully decline to answer that question.

1270. You said that Mr. Burton was slow in his mode of doing business—that he was excessively minute? I did not say excessively minute.

1271. Very minute? That he was minute.

1272. A man less minute may still be accurate? I think so.

1273. As in your own case? I think so.

1274. Might not some one be more expeditious than yourself and yet be perfectly accurate? Of course, but I think I do my work as quickly as most men.

1275. But some men might do it more quickly? Of course, and accurately.

1276. And Mr. Maddock might be one of those men? Mr. Maddock might be one of those, and is one who gets through his cases quickly.

1277. You said that there was an unpleasant relation between Mr. Maddock and yourself, as in the case of the Registrar General and yourself? Yes.

1278. Can you assign any cause as to how that arose? The unpleasantness is simply a want of intercourse, and not a very clearly-marked inclination to understand.

1279. Can you give any definite testimony in his regard as you have in the case of Mr. Ward? I can only say that Mr. Maddock is a great friend of the Registrar General.

1280. Do you mean a private friend? I believe so.

1281. And why should he not be a private friend? Certainly there is no objection.

1282. Then in what sense do you use the term private friend as inimical to business? I think there are more harmony and intercourse between the Registrar General and Mr. Maddock. I think the Registrar General would not hesitate, before making returns for the Colonial Secretary, or for the House, to talk to Mr. Maddock.

1283. Then you consider that the Registrar General treats Mr. Maddock with confidence? I think so.

1284. And that there is a want of confidence in regard to the other examiners? Yes. I do not object in the slightest degree to the Registrar General's intimacy with, or confidence in, Mr. Maddock.

1285. But how has the difference between you and Mr. Maddock arisen? I cannot account for it. I am ignorant of the cause.

1286. But what evidence is there existing of the difference—what tangible evidence,—anything in writing? These things arise so strangely that it is hard to account for their origin. I do not know the origin of the want of harmony and good-feeling which at present exists between Mr. Maddock and Mr. Burton and myself, except on hypothesis.

1287. Can you instance it in documentary evidence as in the case of the Registrar General? Yes; Mr. Maddock might peruse a title and make certain qualifications or requisitions which would go, of course, to one of his colleagues. A quiet objection to any one of his minutes, or to any one of his qualifications, would not be met in the manner in which I think it should be.

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1288. Can you give a case in point? The case I refer to is a pretty good one. In the case of the three other examiners, if a difficulty ever arose, there was a conference. If one examiner dissented from the view of another, an interview would take place immediately. We would talk the matter over quietly and freely, and modify or waive, but now such a thing never takes place.

1289. Have you ever tried? When Mr. Maddock first came here I visited his room two or three times; that was not reciprocated. Of course that is a small thing, but small things in the end amount to something.

1290. There has never been anything so evident in the shape of record with regard to these differences between the examiners as in the case of the Registrar General? All differences between Mr. Maddock and myself have been by minute in the cases, but they are not serious. Here is another instance: I have known an action of this sort on the part of Mr. Maddock. It was a case in which Mr. Burton and Mr. Maddock were concerned. Mr. Burton annexed a qualification and sent it in to Mr. Maddock, or it reached Mr. Maddock. Mr. Maddock, upon the report which was to go before the Commissioners, made a minute to the effect that he considered the above ("my colleague's") note, or above qualification, to be simply "farcical," and there was something more.

1291. Well that is a case in point? It is a very unseemly thing to send anything like that before the Commissioners.

1292. That is the sort of evidence I was alluding to? He has put a note to one or two of my cases to this effect (but if he had a doubt about anything he might have walked into my room and had it removed):—"I think my colleague's qualification—number so and so, 'altogether unnecessary.'" Well, it was a point of law and expediency whether it was unnecessary. One examiner may think it very essential, and another may be of the contrary opinion.

1293. On receiving that did you go to him? I did not see it until it had passed the Board; and I think in a case following, in which there was something of the same sort, I wrote a note to him telling him in effect that it had not been the practice hitherto; that the report should go before the Commissioners as the joint report of two examiners; that it was not a seemly thing to annex these minutes to the reports. The Commissioners have nothing to do with our differences or quarrels. I am relying upon my memory in regard to this. I would rather have the cases. I do not know whether your attention has been called to another case—the Müller case—in regard to this subject. There, I think, Mr. Maddock did not take the proper course. The case was, I think, submitted to Mr. Maddock upon the united report of two examiners, and I think Mr. Maddock's proper course when that case was referred to him, seeing that two examiners had recommended a particular course, was to take the trouble to see Mr. Burton or myself or both of us, and to talk over the matter. It was a difficult case, and I think that two minds in a difficult case are just as good as one. Instead of that we met in my room on the first of the month to take the cases, and Mr. Burton fortuitously brought this matter before the three of us. After that Mr. Maddock remodelled his view, which he had already expressed in writing, wrote something else, and sent it away. I think the door was open to him, so that he might have conferred with us on the second occasion. On the first occasion Mr. Burton removed the difficulties to a conference by talking the matter over in a quiet way in my room; and before sending the second memorandum Mr. Maddock might have talked the matter over in Mr. Burton's or my room. These are petty, paltry things, but they interfere with the harmony of the office.

1294. They indicate a want of cordiality and readiness to carry out kindly official etiquette;—is that what you mean? I think so.

THURSDAY, 27 MARCH, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P.,
THOMAS ROBERTSON, Esq.,

WILLIAM HENRY ARCHER, Esq.,
JOHN DAWSON, Esq.

John Booth Jones, Esq., Examiner of Titles, further examined:—

1295. *President.*] Of what advantage in the working of the office is the Board of Commissioners? I fail to see any use or advantage whatever. It has been said that their use is to determine the periods and frequency of advertisements, but I do not know of what essential value they are in the working of the office.

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1296. Could not those duties be very well performed by the Registrar General or the examiners? I am perfectly sure they could. In some cases time might be saved.

1297. Do they take any responsibility with respect to the acceptance of titles? None whatever that I am aware of. I presume you mean apart from the examiners?

1298. Either apart from the examiners or in opposition to the examiners? I have known them to discard some qualifications, but those would be qualifications which would appear upon their face very simple. I know of such qualifications as directions for searches to be made. I know of another qualification which I think was a very important one indeed, but there appeared a difference of opinion between Mr. Maddock and myself in that case—a difference which appeared in the report after it left my hands, and was unknown to me.

1299. Do the Commissioners ever pass titles where two examiners have not reported in their favour? I do not know of a case, not during the time that I have been here. I have known of their substituting—the case was brought before you, I think—of their substituting a qualification recommended by one examiner only in opposition to a qualification recommended by two—by the two reporting examiners on the case. I have in my mind's eye Müller's case. I do not wish it to appear that this is the only case of which I know of the Commissioners acting on the advice of one examiner in regard to qualifications.

1300.

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1300. Do they ever reject titles in favour of which the examiners have reported? No; I know of no such case.
1301. Then their duties are simply formal? I think so. I think their duty is to accept or decline as advised by the Examiners of Titles; I think that is mainly their position under the Real Property Act.
1302. And in your experience they have never interfered with the Examiners of Titles except in some small matters of qualifications? I know of one case in which the Commissioners passed a title which had been reported against and went to the Supreme Court; and the order of the Court was that the investigation should be proceeded with. I daresay you know the case yourself. That case was passed without a second reference to the examiners.
1303. Were you then an examiner? I was.
1304. Do you think the Board as constituted is a proper tribunal for deciding questions of title or qualifications? Certainly not. I cannot conceive how the Commissioners can possibly exercise any discretion or judgment whatever, because the whole of the points are considered by the Examiners of Titles, and it is a mere report which goes before the Commissioners—nothing else but a sheet of paper recommending that such a title should be passed, subject to such and such qualifications.
1305. And these all involve matters of law? Oh, not always; they are sometimes very formal, such as the continuation of searches or the production of deeds; but I have known the qualifications as to searches being dispensed with, and I know of other, perhaps not very important, qualifications being disregarded. But still, for all the Commissioners know, they may have involved matters of consequence.
1306. Would it not be advantageous to abolish the Board, and substitute a barrister or solicitor of standing and ability, with power to decide all questions in which there was a difference of opinion between the examiners? I did not think so some few months ago, but lately I am coming round to the opinion that there should be a professional head of the department, and a complete severance from the office of the Registrar General.
1307. That is to say, from the ministerial part of the office? The whole Land Titles Department,—that it should be put under the sole control of a professional head. The objection in my mind to that would be, what would the Commissioner do? It would not be possible for him to investigate the titles lodged in this office; he would have to rely very greatly upon those who reported to him; they might be "solicitors" or "examiners." It would be very hard work indeed for him. I question whether one man could do it.
1308. That is, assuming he would have to go through every title? Yes, as it is said Mr. Carter, in Melbourne, did.
1309. Could it not be arranged that he should only examine titles where there was a difference of opinion? I think so, but it would be necessary that two examiners should always report to him. You could not get the work done well and satisfactorily by only one. I think a great safeguard would be lost if the Commissioner, or the head of the department, passed or rejected a title on the report of one examiner only. And then again, another difficulty would arise from the fact that although the examiners reporting to him might be men of eminent ability, yet they might be the reverse.
1310. Of course if this head, whatever he is called, were to examine every title, he certainly could not get through the work? Certainly not.
1311. But suppose he examined only titles where there was a difference of opinion between the examiners would it not be possible for him then to get through the work? Yes, I am quite sure of that, if he accepted as a matter of course the joint report of two examiners.
1312. Would not such a system prevent many appeals to the Supreme Court? It might; it would depend entirely upon the ability of the man at the head, and of the reporting examiners.
1313. Do you not think there might be some control over the examiners beyond the control of the Government? I do not know what control there could be.
1314. Such a head as I have asked about? I do.
1315. A Commissioner or Master of Titles? I do think so. I have come to the conclusion that it is almost essential that there should be a man to whom the examiners in case of difference could appeal. As at present constituted there may be no finality. Mr. Burton and Mr. Maddock may disagree, or Mr. Burton, or Mr. Maddock, and Mr. Jones. You may take up a case, and the only way of disposing of that case may be by one or the other retiring, which would be an unpleasant thing for the third examiner.
1316. Or by an appeal to the Court? Or by an appeal to the Court, which would be very expensive and I think circuitous. The least objectionable course would be a professional head.
1317. When were you admitted to practise as an attorney? In 1862. I practised nearly four years, and I managed for Stephen and Stephen their conveyancing and equity business for about eight years I think.
1318. You were appointed examiner while employed in the office of Messrs. Stephen and Stephen? Yes.
1319. Why did you give up your practise to enter into the employment of another solicitor? Taste had a very great deal to do with it.
1320. Would you not have done better on your own account? I think I would, but it was not altogether a pecuniary object.
1321. Then why give up your practise? The main object was to devote one's time to particular branches. A man in practise cannot well do that unless he has a very large practise and has a partner. I had not a very large practise.
1322. You mean the range of practise is too extensive to be grappled by yourself? Not quite that, because that pre-supposes that a man has this extensive business. I preferred devoting my time and attention to certain branches of the law.
1323. And you had not an extensive business then? No; I practised in the country, and down here for a short time. I had a very fair business for a young man, and good prospects.
1324. I do not know whether you are aware it is said that you gave up business because you did not like the responsibility attached to carrying it on 'on your own account? I told you I did not care for the other branches of the law.
1325. Beyond conveyancing? Beyond conveyancing and equity. With reference to my leaving Stephen and Stephen, and accepting the office of Examiner of Titles, I take it there is vastly more responsibility here than in managing for Stephen and Stephen, or for oneself. I take it that every report which we sign has, in so far as the Government of the Colony is concerned, the effect of a judgment of a superior court. I take it that every title we commit the Government to, involves a vast amount of responsibility, and it is a responsibility which would weigh on one person, and perhaps not on another. It does weigh upon me.

1326. But you do not suffer in any way from that responsibility pecuniarily? Certainly not, not pecuniarily.
1327. The assurance fund would suffer, not you? The assurance fund would suffer, but one individually suffers. It is a great mental tax; one has to be very careful that he is administering the law according to the very latest exposition of the law.
1328. And that is the reason why you are so extremely particular in examining and investigating titles? I would not put it in that way. That is a very substantial reason. The main object with an examiner is to do his work according to law.
1329. Do you know whether applications for certificates or other documents are ever prepared by officers of the Real Property Office? I have seen applications in the handwriting of some of the clerks.
1330. And other documents? I daresay I may have seen other documents, perhaps declarations.
1331. How is it they prepare those documents? I have no notion. All I know is, I find the documents in the packet when they come to me.
1332. Do you see any objection to their preparing them? I think they should not give their time to the public in that manner, but that they should perform the duties allotted to them. It must take up time. I have not seen very many, but, as I mentioned the other day, there was one in the handwriting of the Registrar General.
1333. What I allude to particularly is the clerks, not the Registrar General? I have seen the handwriting of one of the clerks, at any rate.
1334. Do you know whether those clerks who prepare documents receive any gratuities or payment for the work they do for the public? I do not know.
1335. You do not know of any instance? I do not know of any instance; in fact I do not know that I had heard even of a suspicion until you asked me the question the other day.
1336. There have been such statements made openly? Before I heard you ask the question I had not heard anything of it.
1337. *Mr. Terry.*] Do you think it necessary to charge the assurance fee in transmission cases? Well, it is looked upon as a re-insurance of title. We incur a risk, because it involves the interpretation of wills, and therefore it is, to a certain extent, a new risk.
1338. *President.*] May not a dozen wills occur in a title brought in originally, for which only one assurance fee is paid? Certainly.
1339. *Mr. Terry.*] You are aware it is abolished in South Australia on transmissions? I am not aware.
1340. Do you consider that the examiners' clerk has too much work to attend to? I have been examined on that subject. He has a great deal to do.
1341. Would you recommend any alteration as to his duties? Well, the question involves the custodianship of wills. When the President asked me some questions the other day in reference to this subject, I meant to convey by my answer that it does not much matter to the examiners who is custodian of the wills so long as we have, at all times, access to the wills and the administration papers.
1342. *Mr. Archer.*] Are you aware that the Registrar General has, with a view to save time, taken upon himself to deal with any legal matter in connection with business in the Office of Titles? I do not think so. I cannot say that I remember that the Registrar General has ever disposed of legal questions.
1343. It has never come under your knowledge? I do not remember. I know that in connection with qualifications it is just possible. I think I may answer with certainty, in so far as titles are concerned before report. I do not well see how he could dispose of legal points connected with a title before the case had been reported on.
1344. The Registrar General stated, in regard to transmissions, that, in cases of doubt, he used to go to the examiners, but he dare not do that now. Are you aware that he does deal with doubtful cases of transmissions without going to the examiners? Doubtful cases of transmissions. He dare not do it.
1345. Here is the statement: "Ordinary transmissions are dealt with by the Deputy and myself. In cases of doubt we used to go to the examiners, but we dare not do that now." Then he is asked, "But are not the legal officers appointed to this department for your guidance—for your special assistance as a layman?" *Answer:* "Yes." *Question:* "And are you not taking an unfair share of responsibility?" *Answer:* "Yes, certainly." *Question:* "And what in the interests of the public you are not required to do?" *Answer:* "In the interests of the public I think I am required. I act purely as the Registrar General, and with the Deputy." *Question:* "And do you feel yourself thoroughly capable to undertake this responsibility?" *Answer:* "In nearly every case I do. I should not undertake it if I did not. But I ought to be in a position to have a legal man to refer to whenever I wanted to do so." That would seem to indicate that, in order to get through the business, he goes beyond administrative work at times? I think he is referring to something different. The transmissions he is referring to there are insolvencies, or transactions by transfer—dealings, in fact—dealings as distinguished from the Investigating Branch, Transmissions under will or administration he dare not deal with.
1346. But the point is, whatever the nature of the business may be, does he, in order to save time, go beyond the fair scope of his duties as a layman? Oh, I think he does; but I do not know of the Registrar General's disposing of legal questions.
1347. But does he take upon himself a responsibility that should not attach to him as a layman? He might do it in many cases and we not hear of it.
1348. You are not aware of it? I cannot say I am of his disposing of legal questions for the purpose of expediting business. I think if a case came before us we would draw his attention to it.
1349. Do you think there is any need of his avoiding an appeal to the examiners with the view of despatching business;—are they not always ready to assist him? I think so. I may say, without hesitation, that they are always accessible.
1350. And ready to meet him? Ready to meet him on friendly terms. I should like to interpose an observation. I think on the first day's examination a question was put to me, and my answer may not be quite clearly apprehended. I was asked whether the Registrar General had sought my advice or counsel for the purpose of getting rid of delays and so on in the office. What I intended to convey is this: that the Registrar General had never conferred with me as an examiner. He may, as I think I went on to say, have come into my room during the early months of my appointment and have stated that he had received a letter in such a case, complaining of a certain requisition or of some delay, but in the way of conferring and of seeking friendly counsel my answer remains good. I simply wish to direct my answer to that feature. I think I ought to read this letter to you, as forming the finale to the unpleasant minutes I read

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the other day. It is one in connection with another matter, and I think had the effect of inducing the Registrar General to adopt a different course. This is the letter which was signed by the three examiners and sent to the Colonial Secretary.

1351. *President.*] Who were the three examiners? Mr. Burton, Mr. Oliver, and myself. The letter is dated 10th October, 1877:—

“Sir, “Land Titles Office, 10 October, 1877.
“We have the honor to bring under your notice, as the Ministerial head of our department, the accompanying copy of a letter under date the 4th instant, addressed by Mr. William Day to the Registrar General:—

“1. The writer of that letter, who it would appear is an applicant for a certificate of title, after informing the Registrar General that he had lodged his application on the 1st ultimo, and had called twice at the office in reference thereto, goes on to say (to use his own language) that his ‘object in writing is to know if anything can be done to expedite this matter, as it is a loss to me to have to wait, not knowing how long it may be before the first step is taken.’

“Endorsed upon Mr. Day’s letter are the following minutes by the Registrar General:—‘Mr. Muddle,—If the allegations in this letter are true, it appears to me that the examination of titles must be in a hopeless state of arrears. I should like to know the number of cases waiting the examiners’ pleasure, with the date of receipt in each case, with a view of bringing the subject under the notice of the Government.—E.G.W., 5/10/77. I should also like to have the number of cases in charge of each Examiner of Titles.—E.G.W., 5/10/77.’

“2. As a matter of fact, Mr. Day’s application, though stated by him to have been lodged on the 1st, was not forwarded for examination until the 10th of last month; and indeed it has not even yet reached that stage of preparation to entitle it to be handed to an examiner for the purpose of investigating the title.

“3. But apart from any question of facts or merits, we submit that the tone and language assumed by the Registrar General in these minutes are wholly unwarranted by the allegations contained in Mr. Day’s letter; and further, that the official relation in which the Registrar General stands towards the examiners of titles—even were there nothing to indicate that relation but the mere instinct of official courtesy—is not such as to justify that officer in minuting anything derogatory to the position assigned to the examiners by the Real Property Act, or reflecting on the manner in which the duties devolving upon them are performed.

“4. We have on many occasions been subjected at the hands of the Registrar General to the like offensive comments, and memoranda endorsed on letters and papers in our custody, which were obviously intended to attract general attention, although officially addressed to the Deputy Registrar General or to our own clerk. We have, nevertheless, hitherto abstained from bringing these matters under your consideration.

“5. But we feel that to delay doing so any longer would be to acquiesce in an attempt to subordinate our office to that of the Registrar General, and what is perhaps of more moment to acquiesce in the demoralization and weakening of the Investigating Branch of this department—a branch obviously intended to be protected from acts of aggression and interference, at all events at the instance or in the person of an officer whose principle it should be to work harmoniously and in co-operation with the professional advisers of his department.

“6. We are therefore, but with great reluctance, constrained to invite your consideration of the subject of this letter, with a view to the discountenancing for the future of the course of conduct adopted by the Registrar General towards us, and, if need be, to causing the position of that officer in his relations to the examiners of titles to be defined in accordance with the true meaning and intention of the Real Property Act.

We have, &c.,

“E. BURTON,

“J. B. JONES,

“ALEXR. OLIVER,

“Examiners of Titles.

“The Honorable the Colonial Secretary.”

With the letter are a copy of Mr. Day’s letter on his case and the minutes of the Registrar and Deputy Registrar General, and a separate minute by Mr. Oliver.

1352. *Mr. Archer.*] Did you ever get an answer from the Colonial Secretary? I do not remember seeing it. But since that time Mr. Ward has generally sent in copies of letters received by him. We do not receive minutes now, or very rarely. I suppose a clerk is kept for the purpose; we receive copies of letters which may be received on matters in hand. I think the President asked me the other day whether, notwithstanding our monthly distribution of cases, an examiner standing in need of work could go into my room and take a case. I said certainly. I should like to say that shortly after Mr. Maddock came here he sent into my room for examination a case taken up (for examination) by him direct, I think, from the counter before the usual monthly distribution, and I sent him in a minute drawing his attention to the fact of our practice of the monthly distribution, and expressing an unwillingness on my part to break in upon that rule at present, but that if the case were exceptional I should only be too glad to take it up.

1353. *President.*] Or to allow him to take it up? No, he had taken it up. I make that explanation because I subsequently heard it stated that Mr. Maddock at that time had no work in hand, and that was the reason he had taken this up in anticipation. I had an objection, but I thought it wrong that rules which we examiners found to work well should be broken in upon by one without any reference to his two colleagues.

1354. Then do you consider it better for one examiner to be quite idle than to break through a rule? Certainly not. I do not know whether Mr. Maddock knew it at the time. He could easily be informed. He knew of the practice of the monthly distribution, and he might have walked into my room and have taken a case, as he has done since; or he has sent for me. There is no difficulty in taking up cases.

1355. *Mr. Terry.*] Does he take fresh cases? He does, sometimes; so do I.

1356. *Mr. Archer.*] Would you think it a fair amount of work for an examiner to do in a year if he dealt with 250 cases long and short? Yes, a fair amount of work. I think I told you that my average was over that.

1357. That includes transmissions? That includes transmissions.

1358. I am speaking of original cases? Oh, I think it is a very fair amount. But you cannot well compare the other colonies with the circumstances of this. Our titles are longer.

1359. No, that is why I asked you. The number I mentioned is what very slow men in Melbourne would do? I find that one main cause of what appears to be delay in reporting on cases is the imperfect condition in which titles are presented for investigation. I may say I could get through a third more than I do, if the cases were ready for reporting on when lodged. And we have a great deal of correspondence.

1360. Can you give any idea of your second-class cases—such as you could pass, and such as you certainly could not pass;—is there any general type or specimen? They are as different as they can be.

1361. But different minds would look upon these cases in different ways; one mind would exclude a great many cases, perhaps, that you would not? I do not think so. I think any man would adopt the course the examiners have adopted.

1362. But they are more strict than solicitors in private offices? I do not think they are more strict: assuming, of course, that the solicitor is not tied down under contract or is not urged by his own client to waive objections.

1363. *Mr. Robertson.*] You mean they are no more strict than you think solicitors ought to be? If they are purchasers under open contract.

1364. *Mr. Archer.*] But from your experience do you think they are more strict than solicitors in such cases usually are? I think we are—than solicitors usually are. I should like to disclaim any imputation of delay on my own part. I work, I think I may say, intently from the time I come here to the time I go away, and I do not think, considering the interruptions to which we are subjected and which cause delay, that my work is in arrear at all. As I mentioned the other day, I have in hand in my box eight or ten cases which are not reported on and not examined.
1365. Do the examiners adopt the system of allowing the public to come and interfere in their work at all times? We are always open to them.
1366. Would it not be more judicious to restrict the time for the public to come;—is it not a great loss of time to be interrupted in the investigation of a title? It does interfere very greatly at times, but although a rule with regard to the public was laid down by the early examiners it was very soon departed from. I have on my mantel-piece an intimation that the examiners would be glad to receive on certain days persons wishing to see them on business, but country gentlemen and solicitors on business of an urgent nature might see them at all times.
1367. And the practice now is to allow the public to run in and out when they please? They come to see us when they please, and if we were to lay down a rule that we could be seen only on certain days I do not know what the public would say.
1368. If you were to fix certain hours each morning would that not be a protection? It might be.
1369. *President.*] Are there many interruptions? A good many.
1370. *Mr. Archer.*] How many in a day? A day may pass without any interruption, and the next day I may have three or four.
1371. Would it not be easy to revert to the old rule, and have so many hours a day open to these interruptions? I think so; if we had the minimum of authority.
1372. You certainly have authority to make those rules I think. It would not be to the prejudice but to the benefit of the public? The Colonial Secretary should be addressed on the subject.
1373. When it was known that the examiners could not see the public after a certain hour it would liberate the examiners and indicate to the profession the precise time when it was most convenient for the examiners to see them —
1374. *President.*] When you are interrupted while engaged in examining a title it is not almost impossible to take it up again at the point at which you were interrupted? Of course it is better to go right through a title from commencement.
1375. And if you are interrupted you are obliged to commence again from the beginning? Not always.
1376. *Mr. Archer.*] You act like Lord Sugden, you go right through a thing? Not always so. A very pregnant source of delay is when requisitions remain unanswered for months and months. They remain unanswered, and then it is just simply an investigation of a new title.
1377. Can you not drop them out after the lapse of a certain time—consider them no longer in the department? I think not.
1378. Then you would keep the title on for years? I think so. What an easy thing it would be for the solicitor or the applicant to reply (*i.e.*, to requisitions), “We cannot satisfy requisition number so-and-so; it is impossible to do so; we think the examiners have taken a mistaken view—see such-and-such an authority.” But instead of that we have, in many cases, no evidence furnished, just simply, “I cannot find this deed”; “I think the examiners are wrong.” That simply means writing another letter. We ought not to have such replies to requisitions. It causes delay, and necessitates labour.

J. B. Jones,
Esq.
27 Mar., 1879.

TUESDAY, 1 APRIL, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P.,	|	WILLIAM HENRY ARCHER, Esq.,
THOMAS ROBERTSON, Esq.,		JOHN DAWSON, Esq.

Henry Dyer Maddock, Esq., Examiner of Titles, examined:—

1379. *President.*] You are a solicitor, and now Examiner of Titles under the Real Property Act? I am.
1380. When were you admitted a solicitor? In 1862.
1381. Where? In New Zealand.
1382. And when were you appointed examiner? On the 3rd September, 1878.
1383. Were you engaged professionally in Sydney before that period? I was.
1384. And had a good deal to do with the investigation of and dealing with titles to land? Yes.
1385. Before your appointment as examiner had you any business in connection with the Land Titles Office? Yes.
1386. Can you inform us of the repute in which the office was held out of doors? Well, generally in very bad repute.
1387. On what grounds? Consequent upon the vast delays which had taken place, and also because of the frivolous and uncalled-for objections which had been taken to titles.
1388. Was that the general repute of the office in Sydney? Yes.
1389. Among solicitors? Yes.
1390. Can you say, of your own knowledge, whether there was any foundation for the opinions that were held concerning the office? Every foundation.
1391. Had the business of the office fallen off—I mean up to the date of your appointment—was the business increasing or falling off? Falling off considerably from what I could gather.
1392. But you were practising in the profession and knew what was going on? Yes.
1393. Did solicitors advise their clients to bring titles under the Act, on account of the benefits they would thereby obtain? Yes.
1394. They did? They did.

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1395.

H. D.
Maddock,
Esq.

1 April, 1879.

1395. Notwithstanding the prejudices or charges against the institution? Well, I will not say in all cases. There were some cases, no doubt, where it was considered that very few objections would be taken—where it was seen that the title was tolerably clear.

1396. Had solicitors any hesitation in recommending persons to bring their titles here and to apply for certificates? They had as a rule.

1397. As a rule? Yes.

1398. In what state did you find the work in the office when you joined it? Greatly in arrear.

1399. Can you give us any idea of the amount of arrear,—the number of cases in arrear? The number of cases left behind by Mr. Oliver, whom I succeeded, was about five-and-thirty. A great many of those were untouched, and others partially gone over, partially investigated.

1400. Were there no arrears with the other examiners? Oh yes, a great many.

1401. More than with Mr. Oliver? Well, I should say so,—that is Mr. Burton and Mr. Jones together.

1402. The two together would have more arrears than Mr. Oliver had? Yes.

1403. Not each of them? Not each of them. At least that is my idea; I cannot speak positively as regards that.

1404. Have you heard, either before or after your appointment as examiner, that titles were not examined with sufficient celerity? Yes.

1405. Why should there be such complaints? Well, I am quite at a loss to conceive. The system here is very good indeed. An application is lodged, accompanied by the title deeds, in support of the application. Then instructions are given for the search. The search is made, and I may say that the searches are made very carefully indeed. I am very much pleased indeed with the searching part. Then the search, and also the application, together with the deeds, are forwarded on to the principal draftsman, whose duty it is to see that the plans and descriptions are correct, likewise the searches. Then the case is returned to Mr. Lander, who places it upon Mr. Jones's table in his room, and then the month's applications are divided on the beginning of every month between the three examiners.

1406. Equally? Yes.

1407. But suppose one man has got all his work up and the others are in arrear; do they still divide them equally? On several occasions I have run out of applications; in fact, have had none before me to deal with, and I have requested Mr. Lander to bring me in cases that were ready to be dealt with. On the first occasion of my doing so I dealt with a case and sent it on to Mr. Jones for report. I was met by receiving a letter from Mr. Jones reminding me that it had been the practice of the examiners to divide cases on the first of every month, and that, therefore, he did not feel disposed to make a departure from the rule, which departure might be fraught with danger; but however he would have no objections to take it up if it was an urgent or exceptional case, or a first-class case.

1408. To take it up himself? Yes.

1409. Not to allow you to take it up? That he would take it up and report upon it if it was urgent or exceptional. I then sent a memo. in to Mr. Jones to say that I was perfectly aware of this practice, but inasmuch as I had no cases before me to deal with, and being desirous of facilitating the public business I asked for a case to be dealt with, although it was not an urgent one.

1410. Then did you get cases when you made such applications? Yes. This circumstance transpired about three months ago; but applications have been coming in rather rapidly of late, and the consequence has been that on the 1st of every month I have had sufficient to land me over nearly until the beginning of the following month.

1411. Simply on account of the increase of business? Yes.

1412. Not on account of the other examiners deviating from their rule? No, consequent on the increase of business.

1413. Then they have not deviated from that rule? No, but I have during the last ten days deviated from that rule by taking up several cases, and which they have dealt with, notwithstanding any objections.

1414. By what rule do the cases go into the hands of a second examiner, after having been dealt with by the first? I deal with a case and then I forward it on either to Mr. Burton or to Mr. Jones alternately.

1415. And do they adopt the same plan with you? Yes.

1416. Have there been any complaints of captious, fine-drawn, or highly technical objections being taken by the examiner of titles? Yes, very many.

1417. Is there any foundation for such complaints? Every foundation.

1418. Of course you see the objections of the other examiners? Yes, and I have protested against very many of them, and nearly in every case the Commissioners have upheld the objection raised by me.

1419. Can you give us the nature of those objections, or requisitions I think they call them? Yes, requisitions or qualifications. For instance, in an application, where the applicant requests certificate of title to issue to his nominee and nothing more, they—my colleagues—will require the contract which might be between the applicant and the nominee, and also before the issue of the certificate of title a receipt for the balance of purchase money lodged.

1420. Although the applicant has not asked for those precautions to be taken? No, and I have protested against that, inasmuch as we are bound to respect the request of the applicant, to issue the certificate to his nominee, and if any loss did attach it would not fall upon this office but would be the *laches* of the applicant.

1421. Where the contract is referred to in the application do you consider it necessary then to look at it? Yes. I have met with cases where they have asked us not to part with the certificate of title without production of the receipt for the balance of purchase money, and of course such an application is respected; and very often we have a mortgage lodged to secure the balance of purchase money, and we give effect to that by registration.

1422. But unless the applicant in some way calls for the protection of the office you do not consider it your business to go into the question of contract between him and his nominee? Certainly not. There are other objections if you desire that I should state them; for instance, transmission cases. A certificate of title or Crown grant, as the case may be, is deposited with the application, together with probate of will. It is the custom that we should see the will. We ask for the will and it is brought to us together with the accompanying affidavits used in proof of the will. These papers are very often accompanied by an affidavit of the attesting witness; but in this particular case there was no affidavit by one of the attesting witnesses

to

to the will with the papers. The attestation, however, appeared to be perfectly in order, and with the probate before us a qualification is made to this effect: "An affidavit or declaration by one of the attesting witnesses of the due execution of the will must be lodged."

1423. That was the business of the Court in granting probate? Yes; I sent a memo. to the Commissioners which they upheld, stating that inasmuch as probate had been granted, and the Primary Judge in Equity not having considered this affidavit necessary, we had no right to make that qualification and put the applicant to unnecessary trouble and expense.

1424. Was that the case of a late proof of a will, or was it one of many years back? Lately.

1425. There is no rule requiring such an affidavit at all? No.

1426. But the Judges insist upon it? Not so long I think as the attestation of the will is in order, but if there is any departure from the usual form of attestation then the affidavit is required as absolutely necessary.

1427. Then you consider that if probate was not properly granted the responsibility rested on the Court and not on the examiners? Certainly.

1428. Can you give us any other objections showing the particularity to which the examiners have gone? Yes, in administration cases, where the Registrar General is advised to enter a caveat. I have set my face against that as being entirely unnecessary. The grant of letters of administration gives to the administrator a statutory title to the land. It is very true that before granting letters of administration it is necessary that a bond should be entered into, with sureties, but the bond is only to secure the personalty and the due administration of the estate, the value of the realty not being included; so that an administrator if he chooses to act dishonestly can without any interference sell the freehold lands which may perhaps be worth £40,000, and afterwards decamp with the money. Notwithstanding all this, letters of administration having been granted, we have no right to enter a caveat. My colleagues say it is for the protection of the *bénéficiaires*, and that in other words we should not sanction any transfer unless it is for value. Now the absurdity comes in. Supposing a transfer is brought in, and the consideration expressed therein say is £50, how are we to know whether that is the true value of the land the subject of the transfer? To arrive at that it would be necessary that a valuator's report should be lodged at the same time as the transfer, so that it might be seen that the amount stated in the transfer is the true value of the land.

1429. In fact the same difficulty arises as in an Equity suit to set aside a deed for an adequate consideration? Yes.

1430. Then do you mean to say that the other examiners insist upon lodging a caveat in every case of administration? Yes. I wrote a special memo. about ten days ago to the Commissioners upon the subject, with a view to the discontinuance of lodging these caveats. In order to remove a caveat the applicant has to pay 5s.

1431. And solicitor's costs in the matter? Yes.

1432. The office seems to me to be very fond of these caveats? Yes.

1433. And use them on every possible occasion? Yes; and this no doubt arises from timidity more than anything else.

1434. Does not the constant use of them multiply the work of the office? Yes, most certainly it does; and there is another thing that saddles the office with a considerable amount of work. It is this, that if there is a reservation of coal contained in a Crown grant, or of gold, a special reservation is asked to be put on the certificate, although the form of certificate of title says "subject to all liens and encumbrances and also the conditions and reservations (if any) contained in the Crown grant hereinafter referred to." That I have put a stop to; it no longer continues.

1435. Then certificates are all issued subject to the reservations of the grant? Yes.

1436. And yet that grant is taken away from the applicant, and is lodged up here, and is virtually inaccessible? Yes.

1437. Do you not think it an advantage to put those reservations on the certificate as the grant is not accessible to the owner of the land? They can always be inspected in the office and produced in a Court of Justice on a Judge's order.

1438. My opinion is that these reservations ought to be swept out of all the grants; that would get rid of the difficulty. Are there any other objections you can mention? There is another, and that is requiring production of deeds which have already been produced to this office in prior cases.

1439. Why should they call for them a second time? I suppose to see if any endorsements have been made since the first production prejudicial to the title. I think all that is necessary, if production is required again, is to inspect the registration copy.

1440. I understood from the other examiners that they did not require the reproduction of deeds? I have had several, almost recent, cases where they required it, and where I have not concurred in it for the reason that they have already been produced in prior cases, and only serve to incur unnecessary expense to the applicant.

1441. What are those endorsements which they expect to find on them? They fancy it might be something to prejudice the title. It is some idea of their own.

1442. *Mr. Terry.*] That would be registered, would it not? Yes; it should be.

1443. *President.*] Are there any further matters? I may now state, that in order to save time in the investigation of titles I make what observations I consider absolutely necessary on the title without reference to my colleagues, and upon my requisitions (if any) in the title. Being satisfied by the applicant I prepare my report, and I send it in to one of my colleagues for signature. This means that I have investigated the title thoroughly, and that the qualifications named in the report are all the objections I have to make to the title, and subject to these being removed, the title, so far as I am concerned, is passed.

1444. Do the other examiners adopt the same plan? No, but they see no objection to the course I am now adopting. Prior to the adoption of this course I was met by their being too busy to give attention to my notes on the title, so I could not obtain their concurrence thereto.

1445. Too busy for what? So many prior cases in hand which they do not feel disposed to put aside.

1446. They mean they will take this case in its regular order? Yes.

1447. They deal with the cases they have in hand before they touch this one that you have reported upon? Just so.

1448. The result of that may be that you have reported in favour of a title, and they may not report for three or four months? Yes.

H. D.
Maddock,
Esq.
1 April, 1879.

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1449. Does it ever extend to as long a time as that? Oh yes, sometimes five or six months—five months.
1450. But you have not been here so long as that? have been here over five months.
1451. Can you suggest anything which would enable the Examiners to dispense with the extreme particularity with which they have been in the habit of investigating titles? I should fancy the appointment of a Master of Titles, who, in case of any difference of opinion between two Examiners, would have the power to —
1452. I do not mean that. That would be transferring the difficulty from one person to another. What I mean is, can you give us any idea of whether certain rules may be made by which certain objections may be ignored or got rid of; certain classes of objections I should say? The only way is the course which I am now adopting: As far as I am concerned, if I see anything which is not absolutely necessary or uncalled for, I make a memo. to that effect, which memo. goes before the Commissioners, and they expunge the qualification.
1453. You do not quite understand me. In every case searches are made against the applicants and others; what I mean is, could those searches be safely dispensed with, or some such thing as that, which would save labour and loss of time? I think not; it would be too dangerous to do so.
1454. The searches could not be dispensed with, I think, but anything of the same character—production of original deeds for instance? Yes, production of original deeds which have already been produced. It would be very dangerous to rest on the registered copies always, because I know from experience that alterations have been made in deeds afterwards, which have never been re-registered, and many things have been left out of the registration copies. Any number of registration copies no doubt come into this office, which are never examined, although sworn to as being correct.
1455. Do you consider that the requisitions made by Mr. Burton and Mr. Jones are such as ought fairly to be made? A great many, no.
1456. Are the objections of both of them alike? Yes.
1457. Of the same character? Yes.
1458. They are men of the same turn of mind? Yes, and travel in the same groove.
1459. And you think they are too particular? Yes.
1460. They could dispense with many of the requisitions without running any risk of damaging the assurance fund? Most decidedly. In investigating a title it is not only the knowledge of the principle of conveyancing that is required, but also more particularly good sound common sense, and the latter is a very material essential in administering the Real Property Act.
1461. Are Mr. Burton and Mr. Jones sufficiently expeditious in their work? No.
1462. What is the cause of the delay? I cannot account for it at all.
1463. I suppose they are constantly at work? That I cannot tell you. It is very surprising to me that they do not get through their work more rapidly.
1464. Do they get through as rapidly as you do? No, certainly not.
1465. Are you on good terms with both of them? Tolerably good terms—just speaking terms.
1466. I mean do you work cordially together? No. I cannot say we do. Certain practices have grown up between Mr. Burton and Mr. Jones, from which they do not feel disposed to depart. I kick at that in the interests of the public, and so far as I am concerned I won't submit to unnecessary requisitions being made, putting applicants to unnecessary trouble and expense.
1467. Is that the only reason that makes a difference between you? That is all I am aware of.
1468. Are they at all jealous of you? Not that I am aware of.
1469. At the expeditious way in which you get through titles? That I do not know.
1470. Are you on good terms with the Registrar General? Yes.
1471. He and you work cordially together? Yes.
1472. And he has no difficulty in consulting you as to the working of the office? Not the slightest, and the other officials of the office, the Deputy Registrar General, and others the same.
1473. You are on good terms with all the officers? Very good terms indeed.
1474. Are not the other examiners on as good terms with them? I do not think they are.
1475. The officers then consult you in preference to the other examiners? They do.
1476. Why should they do that? Simply because I am approachable and answer at once any inquiry they have come to make.
1477. What do you mean by approachable? I do not say "I am too busy," or, "I am busily engaged in this matter, and you must not disturb me," or something of that sort.
1478. Then although you are in the midst of work you would give that up to advise them when they required it? Certainly.
1479. Does that not interrupt your work? No, if that assistance was not rendered, the work in the office would be partially stopped.
1480. I think you told us how applications for titles got into the examiners hands? Yes.
1481. They are sent up from the counter to Mr. Lander? And then Mr. Lander prepares the search paper and hands it over to the searching clerk, who makes the search and returns it to Mr. Lander, and he forwards the application together with the deposit of deeds and the search to the principal draftsman. That officer satisfies himself with the plan and with the property as described, and sees that the searches are correct. Then the case comes back to Mr. Lander and goes into Mr. Jones's room, and on the first of the month the number of cases received during the past month are divided between the examiners equally.
1482. How long do these preliminary processes take, from the time the application is lodged at the counter to the time it goes into Mr. Jones's room? Too long in my opinion; and now I may mention that I think Mr. Lander requires assistance. I know of many cases where instructions for searches have not been made out for a month or six weeks, or for a couple of months. Of course that is a bad state of affairs.
1483. And that is the cause of delay? That is one cause.
1484. In their coming into the examiners' hands? Yes. Mr. Lander is a very good clerk, but I am afraid that his being custodian of wills takes up his time a great deal, and not only that, but answering questions to the public. That also takes up a lot of time.
1485. Is Mr. Lander the examiners' clerk? Yes.
1486. Do you consider the examiners have jurisdiction over him? Well, I have never considered that point. If they had any complaint to make, or if I had any complaint to make, I should make it to the Registrar General, the head of the department.

1487. Who gives him directions as to the work he is to do? It is his duty, according to the practice of the office, to make out the search paper. He also fills in the examiners' report and copies draft letters; and if I want anything in connection with my duties, I simply ask him for it and he brings it in to me.

1488. Supposing any alteration were desirable in Mr. Lander's work, who would give him instructions on the matter? The Registrar General, I should think.

1489. Not the examiners? No. If any alteration in the opinion of the examiners were required they would no doubt move the Registrar General in the matter.

1490. What do you consider the duties of the examiners? Well, of course, to investigate all titles brought before them.

1491. And to advise the office generally as to all difficulties that arise? Yes, I think so, in connection with the department.

1492. And as to forms? Yes.

1493. Prepares all forms? Yes.

1494. Does the Registrar General profess to exercise any control over the examiners? No, not so far as I have seen.

1495. Do you go on with cases in which requisitions have been answered in preference to new cases? Well no, not so far as I am concerned. If requisitions are sent in and I receive replies, I look into those at once; I look to see whether the replies are satisfactory or whether there are any evidences of titles that are necessary to be lodged in support of the application —

1496. You take them at once? Yes.

1497. Without waiting for their regular turn? Yes.

1498. Then you take them in preference to cases not touched? Yes.

1499. In what manner do you investigate titles? I make a short epitome of the title before me, and in making this epitome I note any remarks I may have to make on the perusal of each deed. So really after a perusal of the deeds I look at my marginal notes and see exactly what is absolutely required to support the title. I may make a note, and there may be nothing in it after consideration; common sense comes in then. But if there is any very glaring objection to the title, of course notice is taken of it and the requisition is made.

1500. Does that epitome go into the hands of the second examiner into whose hands the case goes? Yes.

1501. And if he choose to rely upon your investigation he passes the title? Yes.

1502. But do the examiners ever, in fact, rely upon their predecessor passing the title? In the office—I should think not.

1503. Suppose you investigate a title and hand it over to Mr. Jones, would he take your report as satisfactory? I should think he would not, because in nearly every title—whether it is from jealousy or not—he makes objections which when I come to look at them are really frivolous and should not be made.

1504. He goes beyond you in making objections? Yes.

1505. Has he ever made objections that you have omitted to see? No.

1506. The objections then are those you have considered and rejected as unnecessary? Yes.

1507. When titles come from either of the other examiners to you do you investigate the titles? Yes, most decidedly —

1508. You do not take their reports as conclusive? Certainly not. Of course they relieve me to a very great extent, for there is the matter before you; it is out of the deeds, as it were, and that assists me a little of course; it saves a lot of time.

1509. Do you find that their requisitions are more severe than yours? Considerably, and unnecessary, most of them.

1510. And suppose you do not agree with the examiner who has dealt with the title before you, what do you do, do you see him? No; I attach a memo. to his report, as he may to mine, protesting against, or rather, not concurring with, the qualifications. So, if the question afterwards came up through the outside public being annoyed, it would be seen at once that I did not concur in this unnecessary qualification or requisition, as the case may be.

1511. In the event of those objections being sent to the applicant, how are they stated;—does Mr. Lander or the examiners state all the objections taken by both examiners, although one does not concur? They all go to the applicant. Then if the applicant or his solicitor sees me upon the particular requisition or qualification to which I objected, I refer him to the other examiner.

1512. Have you any rule as to seeing applicants or solicitors? I believe there is a rule in the office, but I do not pay any attention to it.

1513. You see applicants at any time they choose to call upon you? Yes.

1514. Does not that interrupt business? I have not found that it does.

1515. Would it not be better to see them at stated times? Perhaps it would; but I do not think any one of the examiners adheres to that rule. I fancy it was a rule made by them some time ago, not by the Registrar General.

1516. I suppose you deal with cases in rotation? Yes, unless they are very urgent.

1517. What is your test of urgency? Simply taking the *ipse dixit* of the applicant.

1518. That is to say, if in your judgment the case is urgent, no matter how you arrive at that conclusion, you deal with that case first? Yes.

1519. Are you able to deal in the month with all the cases allotted to you? Yes, and more sometimes.

1520. Urgent and otherwise? Urgent and otherwise. Of course I may mention that many are transmission cases, which do not occupy very long.

1521. What rule have you as to reporting on the title subject to qualifications; what qualifications are considered as right? There is no particular rule at all. It is thought that sending qualifications serves as an incentive to exertion on the part of the applicant, or his solicitor, to comply therewith without delay. That is the only motive for adopting this particular course that I can comprehend.

1522. What is the nature of the qualifications? Requiring production of deeds.

1523. Noting of dowers? Yes, noting of dowers, and also some evidence to show that the title has not been destroyed by the Statute of Limitations—where the grant is more than twenty years old, and the land admitted to be "unoccupied."

1524.

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1 April, 1879.

- H. D. Maddock, Esq.
1 April, 1879.
1524. Is that a qualification you impose? If the value of the land is small I do not make the qualification, but where the value is large I think it is desirable, if practicable, to get some evidence to show that the title has not been destroyed by the Statute of Limitations.
1525. That is negative evidence? Yes.
1526. Do you consider it right to make that objection at all? If practicable I think we ought to get it.
1527. *Mr. Robertson.*] That is not a requisition that is ever made in private practice? No; I admit that.
1528. *President.*] Is this made a matter of objection where the application states that the property is unoccupied? Yes.
1529. Then you think it is possible that some stranger may have come upon the land, held it for twenty years, thus acquiring a title, and then gone away? Yes.
1530. And you make this qualification to protect such a man? Yes. I may mention that so far as I am concerned if practicable I get it, but I do not really and in fact press it.
1531. I do not see why it should be asked for if the land is unoccupied. I know there is a case which gives some colour to the objection, but I doubt if that case would be upheld now. How many titles on an average do you investigate per week and either approve or send requisitions? About eight or nine.
1532. I do not include transmissions or first-class cases? Well, I suppose upon an average about seven; I should think so.
1533. About seven second-class titles per week? Yes.
1534. In addition to that you deal with first-class cases and transmissions? Yes.
1535. And you could deal with more, I understand you? Yes. In fact I have taken over from Mr. Burton some of his cases which he had in hand a considerable time. The applicants have come in and asked me if I had any objection to take them over from Mr. Burton, and he offering no objection I have taken them. I have said of course, that it was establishing a very bad precedent, that is I doing my colleague's work, but at any rate I have had no objection. In three or four cases which I have dealt with in that way, the applicants have certificates of title, though the cases had been in the hands of Mr. Burton for two years unreported upon. The late Mr. Raphael was the first that came in and said the case had been in the hands of Mr. Burton for two years. I got it from Mr. Burton, and the applicant received his certificate of title six weeks after.
1536. On your report solely? No; on my report and that of Mr. Jones.
1537. This case was taken out of Mr. Burton's hands, and dealt with by you and Mr. Jones? Yes.
1538. Had Mr. Burton made any requisitions in it? None at all. It simply lay with him untouched.
1539. Has that happened more than once? Yes. There was an application of Mr. J. L. Begg, which had been in Mr. Burton's hands for some considerable time, and the applicant called and asked me as a matter of favour to take it up. I did so, and now he has got his certificate of title.
1540. Has Mr. Burton objected to part with these cases? No. He has put a memorandum on the back of them, that "by the desire of the applicant, and with the sanction of Mr. Maddock, I forward this case to him, in order to be dealt with."
1541. I suppose such a thing has not happened with Mr. Jones? No.
1542. Mr. Jones is more expeditious than Mr. Burton? I have had lately several cases where applicants have come in and asked me as a matter of urgency to proceed with them, which I have done, and sent them on to Mr. Jones as urgent, but he has disregarded them.
1543. He will not step out of his way? No.
1544. In inspecting titles do you require as perfect a title as an unwilling purchaser under an open contract would require? No.
1545. To what extent do you go—do you accept such a title as a willing purchaser would accept? Not as a rule. I want to see before me and make myself satisfied first that there is an indisputable title.
1546. Well, I suppose that is all that an unwilling purchaser would require? Of course one has to be very particular. It is all very well to think we have got the assurance fund to fall back upon, but I should be very sorry indeed to see it touched. There are, however, a great many things that are not worth taking notice of in the investigation of a title.
1547. Then you can lay down no exact rule as to the titles you accept? No.
1548. Do solicitors insist upon the production of the original deeds in all cases? No.
1549. Are they not perfectly safe in dispensing with the production very often? Yes.
1550. Could solicitors in large practice get through their business if they did require the production of those deeds always? No; there would be great delay if they insisted upon it.
1551. Do you know of any case in which they or their clients have suffered by not requiring the production of deeds? No.
1552. Do you think examiners should be more particular than practising solicitors? No; I do not see that they should. I know that I simply place myself in the position of being in an office—in my own office—investigating a title. I do not feel it necessary from the position I hold that I should go in and raise all manner of objections.
1553. You do not consider it necessary to raise objections unless they are really necessary? Certainly not.
1554. To guard against an almost certain risk? Yes.
1555. You do not consider mere remote possibilities? No.
1556. Do the others? Yes. I very often have occasion to disregard too remote possibilities.
1557. Are applicants and their solicitors satisfied with your mode of treating their titles? Perfectly, so far as I know.
1558. What evidence have you of that? Well, they very often say to me that they hear I am giving great satisfaction to the public, and that they are very pleased at the way in which I took up their case and disposed of it so expeditiously.
1559. Are they equally satisfied with Mr. Burton and Mr. Jones? No, they are not. If they speak to me about them they always mention the names of Mr. Burton and Mr. Jones by contrast with myself.
1560. Do they not consider that Mr. Burton and Mr. Jones are acting conscientiously, and only taking objections that they feel themselves compelled to take? Yes, but they consider that very many objections taken should not be made.
1561. And you think they are quite conscientious? In fact over conscientious; and competent, but possessing too much of the objective faculty —
1562. Does the custody of wills interfere with Mr. Lander's work? Considerably. 1563.

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1563. Is he sufficiently active and energetic in the performance of his duties? Well, he might be more so.
1564. Notwithstanding the interruptions created by the custody of the wills he might do more than he does? Yes, but at the same time it must be remembered he is now advanced in years.
1565. Do you not think he should be entirely under the control of the examiners? I think so, most decidedly.
1566. Free from the Registrar General, and without the incumbrance of looking after the wills? Yes. I may mention that as far as the wills are concerned it offers great facilities to business to have the wills here in this department.
1567. But some other clerk might have them? Yes, no doubt; wills are wanted by the examiners almost every day.
1568. Does dower create much difficulty in dealing with titles? A good deal.
1569. Applicants are compelled to negative dower that does not exist? Yes.
1570. Do you not think the form of noting dower where it has not been negated very objectionable—it gives no idea of whether the dower is an actual claim or a mere possibility? Yes; I do not see, at the present moment, how you could act otherwise.
1571. You could easily do it if you chose to make a little more work by stating the dates of the conveyance to the person in respect of whom the dower is claimed—of course it would increase the work of the office? It would.
1572. But the mere fact of noting dower makes very serious objection sometimes—that dower may be an actual fact or a mere possibility? The best course would be to abolish the Dower Act altogether, as is done in Victoria.
1573. *Mr. Terry.*] You agree with that? Quite, although the dower question is now almost dead.
1574. *President.*] In how many cases being noted do you suppose actual dower will attach to the land. You have seen sometimes half-a-dozen cases mentioned on the certificate, where people will not take the trouble to remove them? I have seen very few lately, though since I have been in Sydney I have seen a great many cases where dower has been noted on certificates of title.
1575. Then dower is much less frequent than formerly, or have the applicants taken more trouble to get rid of the objections? They have, I think, taken more trouble to get rid of the objections.
1576. Do you know of any case in which dower has been actually claimed against land? I cannot say I do.
1577. Notwithstanding all the trouble it gives to the office you do not know of a single case where it has been actually claimed? No.
1578. Of what use is the Board of Commissioners? Well, they can expunge any qualification they like. They have the examiner's report before them, and they are clothed with full discretionary power under the principal Act to do so. The report to the Commissioners is simply a recommendation that the property be passed subject to the following qualifications.
1579. Do their duties consist of anything more than dealing with the reports of the examiners? No, that is all, except fixing times for advertisements. They have a regular scale before them, and they note on the back of the report the number of the days the application is to be advertised.
1580. Then the only good they do to applicants is to get rid of some of the qualifications that the examiners annex to their reports? Yes.
1581. Would that not be much better done by a man able to deal with such matters? I think so.
1582. By one man? By one, most decidedly.
1583. Do you not think it would be an advantage to have some person over the head of the examiners, to deal with all those questions, and to have the entire control of the department separate from the Registrar General? Yes, that has been my opinion for some time.
1584. Do you consider it necessary that the assurance fee should be paid on every transmission? I do not think so.
1585. The original fee paid on application should cover all subsequent dealings? Yes, because the subsequent dealing is a transmission under the Act, the property having already been certified to.
1586. Is it necessary to advertise those transmissions? No.
1587. The advertisements create delay and some expense? Yes. I very often dispense with some of the public notices.
1588. You are not obliged to advertise them? No, it is not compulsory; although it is expedient sometimes to do so.
1589. Then you would abolish advertisements in all but exceptional cases? Yes.
1590. And the transmission fee in all cases? Yes.
1591. Have you ever heard complaints that work is done by officers of this institution for the public, either before you were an examiner or since? Yes, I have, so far as wills are concerned—the copying of wills.
1592. Making copies of wills? Yes.
1593. Which are bespoken by some one outside? Yes. Of course the original wills are supposed to remain here, and never to go out of the office; therefore somebody must make the copies. Copies of registration deeds are made in this office by Mr. Kenyon, law stationer.
1594. Then copies are made here? Yes; but Mr. Kenyon has nothing to do with the office. This Department employs him on jobwork; he is paid for making the copies, and a regular charge goes to the office.
1595. That is not what I mean. Statements have been made that officers in this office do certain work which ought to be done by applicants themselves, or by their solicitors, and that those gentlemen are paid for that work? That is very true; it is so, according to the practice of this office.
1596. It is, in point of fact, true? Yes.
1597. How do you know that? I have seen it with my own eyes. What I have seen is copying of wills in this office by one of the clerks to the examiners, who has done this during business hours instead of doing his own work.
1598. You have only one clerk, have you not? Two; Mr. Lander, and a young clerk named Hiddlestone.
1599. Where are these wills copied? I have seen them copied in Mr. Lander's room during business hours.
1600. But the fees for those go to the office? No; they go to Mr. Lander. It is one of his perquisites.
1601. Does the Registrar General know that? I think he does.
1602. Does he permit it? I should think not. I do not know whether it continues. I suppose he has put a stop to it.
1603. Do you know of any cases of certificates of title or applications for transmission having been prepared? No; all I know is in reference to the copying of wills, and of registration copies.

- H. D. Maddock, Esq.
1 April, 1879.
1604. Have you heard that *douceurs*, gratuities, or expedition fees have been paid to any officers of the establishment for pushing titles through? Never.
1605. You do not know of any instance? No.
1606. Do you not know that there is a complaint outside that such things do happen here? I cannot say I do; I have never heard so.

THURSDAY, 3 APRIL, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P., | WILLIAM HENRY ARCHER, Esq.,
THOMAS ROBERTSON, Esq., | JOHN DAWSON, Esq.

Henry Dyer Maddock, Esq., Examiner of Titles, further examined:—

- H. D. Maddock, Esq.
3 April, 1879.
1607. *Mr. Terry.*] I should like to know if you can offer any suggestion, by way of amendment of the Real Property Acts, which would improve them? Not at the present moment.
1608. I understood you to say that you were in favour of assimilating the law of this Colony, in reference to dower, to that of South Australia and Victoria? Yes.
1609. That is, by abolishing dower? Yes.
1610. *Mr. Archer.*] Are you able to state the number of applications that come before the examiners in the course of a year—I mean applications to bring titles under the Act? You might arrive at it by the number of cases that have come before me since I have been here, from the 1st of October up to the 31st of March—226 cases, that is altogether.
1611. That is without counting transmissions? That is including transmissions.
1612. That is not what I call bringing land under the Act? Very well, then, 125.
1613. At what rate is that per annum? I should say about 600 altogether a year.
1614. What proportion of those 600 per annum have you gone through? I should think half.
1615. That is to say, you can get through, you think, about 300 applications? Yes.
1616. In the ordinary course of business? Yes.
1617. That would be about one for every working day? Yes.
1618. Then the other two examiners would get through the other 300? Yes.
1619. Then you consider you can do the work at twice the rate of either of the other examiners? Yes.
1620. In fact, you can keep pace with them? Yes. I have several times gone ahead of them, and in fact have had no cases to deal with on several occasions.
1621. And what have you done then? Simply asked for cases that have come in pending distribution.
1622. Have you obtained them? Yes.
1623. In such quantities as to keep you fairly going? Yes.
1624. Are you abreast of your work now? Yes; I have just finished a case now, and I want another case to go on with.
1625. According to your evidence you have reason to believe that there are considerable arrears still in the hands of the examiners? Oh, yes.
1626. Have you any idea of the extent of those arrears? No, I have not.
1627. Can you not judge them by scores or hundreds? Between Mr. Burton and Mr. Jones I daresay they have got 20 cases waiting for their report, *from me*.
1628. And how many cases are waiting in their hands for your report? That I do not know.
1629. Do the profession or the public complain of the number of cases waiting? Yes, every day.
1630. And you can get through all this business you describe, and yet be daily interrupted by the profession and the public calling when they please? Yes.
1631. You can drop your work and take it up again, and not only keep abreast of one examiner but of two together? Yes; it does not affect me in the slightest; it is what I have been accustomed to for the last twenty years.
1632. You were speaking of the delays occasioned by Mr. Lander having too much to do and from other causes;—have you ever consulted with the Registrar General as to the propriety of getting rid of that difficulty? Yes I have, once or twice—rather upon getting additional assistance.
1633. And what did the Registrar General say? He merely expressed an opinion that it was desirable, that was all, so far as I can remember.
1634. He did not say he had any difficulty in getting the assistance? I think, by the way, he did tell me that he had placed himself in communication with the Colonial Secretary, but had received no response.
1635. So that, in your opinion, every effort has been made so far as you as an examiner are concerned and the Registrar General to obtain a sufficient amount of clerical aid, and you have not been supported? No.
1636. *Mr. Dawson.*] You had charge of the conveyancing department for some considerable period in Messrs. Want and Johnson's office, had you not—the sole charge? Yes.
1637. For about how long? For about five years.
1638. And you were also for some period with Mr. Barker, conducting the conveyancing department? Yes.
1639. Was it not almost the invariable or *the* invariable practice when persons wished to bring titles under this Act to advise them not to do so, owing to the untenable objections and to the delays, over and over again? Yes.
1640. That was the usual course rather than the exception? Yes.
1641. Do you fancy that additional accommodation to the carrying on properly of the business of this department could be afforded by having more counter clerks to attend to applicants? No; I fancy so far as the counter clerks are concerned that the staff is large enough.
1642. You have not heard any complaints at all of delay occasioned by an insufficient number? No, I have not.
1643. Do you conceive that an undisturbed possession of land for a certain number of years, based originally upon the ordinary evidence of title, is, under any circumstances whatever, sufficient to warrant a certificate being issued? Most certainly not.

1644. Can you suggest any certain number of years, under any circumstances, for the undisturbed possession? I should like to get the twenty years.

1645. Could you with safety say what undisturbed possession, based originally on the title, ought to be conclusive on certificate issuing;—could you say thirty? Most decidedly.

1646. Would you have any particular mode of advertising so as to call in claims and show that no certificate has issued behind their backs? Yes, by special advertisements and special notices.

1647. Are you not aware that great delays, as well as great expense and considerable annoyance occasionally, are very often experienced by applicants in having a series—that is different batches of requisitions, instead of the requisitions being the subject of one communication? Yes.

1648. You conceive that the whole of the requisitions ought to be made in the first instance? Most decidedly.

1649. And that after one batch has been satisfied at great expense, another not arising from the replies should not be sent? Certainly not. It is my practice to forward in the first instance all requisitions that I may have occasion to make in connection with titles.

1650. Are you aware of any cases where requisitions being sent piecemeal, applicants, after going to considerable expense, being subjected to very great delay, and possibly having their title damnified, have had to withdraw their title, being unable to satisfy subsequent requisitions? Yes.

1651. Do you conceive that in transmissions on intestate estates, when letters [of administration are produced to you, that those letters ought to be conclusive to the examiners of the value of the property, without the examiners endeavouring to go behind the action of the Court to ask whether the property is not of a greater value? Most decidedly I do.

1652. Are they not by doing so usurping the action of the Court? Yes, to all intents and purposes.

1653. That has been done, and is being done every day, or nearly so? Yes.

1654. *Mr. Terry.*] You have had some considerable correspondence in Müller's transmission case? Yes, the Commissioners referred the matter to me. They had power to deal with it themselves, but I suppose they desired, in order to ease their minds on the subject, to seek my opinion on the matter.

1655. Would you mind producing that correspondence? Certainly. (*Correspondence in Müller's case produced.*)

1656. *President.*] This is what Mr. Burton said in his evidence respecting Müller's case:—"There was a case which has been made the subject of a letter from Mr. Jones and myself to the Colonial Secretary, and I do not know whether I ought to say much about that, as we have written to the Colonial Secretary on the subject. It was a case in which Mr. Jones and I considered that we had been used very ill. It was a transmission application. Messrs. Macintosh, Pinnock, and Price sent it here. It was under the will and codicil of Jacob Barnes. That gentleman devised certain lands to trustees in trust for the separate use of his daughter, Mrs. Müller, and, after her decease, then, I think, to the right heirs of his said daughter, prefacing the whole, however, with a power of appointment over the fee simple given to the lady. I was very busy in December endeavouring to clear off all the transmission cases I had, and when I came upon this one I wrote a letter to Macintosh, Pinnock, and Price, touching the difficulties of the law as to the effect of the gift in trust for the married woman, for her separate use for life, with the remainder to her right heirs. It seemed likely that the remainder to the right heirs was a legal remainder, and it was clear that the gift for the separate use of the married woman was an equitable estate only in her. If so, the life estate and the remainder in fee could not coalesce, under the rule in Shelley's case. I consulted Mr. Jones, who agreed to the letter which I had drafted. The gist of that letter was to propose that the difficult question of law which might probably never need to be decided, should not be decided, but that a certificate should issue to some such effect as follows: 'The fee simple in possession of this land stands limited to such uses, &c., as Ellen Elizabeth Müller shall by deed or will appoint, and in default of appointment, according to the effect of the other limitations contained in the will and codicil of Jacob Barnes, deceased, in reference to the said land.' The applicants' solicitors wrote a handsome letter in reply, saying that they quite saw the difficulty to which the examiners drew their attention, and they did not see any objection to the form of certificate which the examiners proposed. The report was signed by myself and by Mr. Jones, and the case was passed by the three Land Titles Commissioners on the 8th January. After some time—I suppose when the advertisement had run out—I was informed that the parties did not mean to take out a new certificate of title, but intended to have transmission memorials endorsed upon the four grants under a provision in the new Act, and I was requested to draw the form of transmission memorial accordingly. I asked for the form generally used downstairs in simple transmission memorials, and I endeavoured to make this special memorial come as nearly as I could to the common form. Of course it would vary very considerably from the common form, the intention being very different. Mr. Muddle wrote upon my draft memorial a memorandum of his objection thereto, which he did not send to me, but which he sent to the Registrar General. Then the Registrar General made some alterations in my form, but did not send them to me. Then another memorandum was written by Mr. Muddle, referring to the Registrar General's opinion, and re-submitting the case for the consideration of the Board. The case was re-submitted to the Board, and was thereupon deferred for the opinion of Mr. Maddock, who was not in the case at all. Mr. Maddock wrote an opinion upon it, which I took great pains to understand, but which I could not understand. On the 3rd of March he and I both went into Mr. Jones's room to distribute the cases amongst ourselves as usual, and I then called Mr. Maddock's attention to the matter, and Mr. Jones and I talked to him upon the subject, and I pointed out that all the requisites to the execution of a power must be complied with during the life of the donee. Mr. Maddock had advised, in his original opinion, dated, I think, 26th February, as to what notification should be placed upon the certificate of title, but his opinion did not at all clearly express what the effect of the certificate of title itself should be. After the conversation with Mr. Jones and myself, Mr. Maddock wrote a new opinion in substitution for his former one, and I must say that the new opinion seems to me to show that he does not yet know the point of law which I stated to him on the 30th of March, and which I have now stated to yourselves. The Commissioners have reversed their decision of the 8th January last, and have rescinded qualification No. 2, which Mr. Jones and I had both advised, and have directed Mr. Maddock's form, contained in or subjoined to his new opinion, to be adopted. *Question:* You think Mr. Maddock is wrong? *Answer:* I do. The opinion of Mr. Maddock, who never was vested with the case, is taken in preference to the opinions of the other two examiners who were vested with it, and so as to override the consent of the solicitors for the applicant, and also so as to overturn the decision of the Registrar General and the other two Land Titles Commissioners, given on the 8th January," and so on. The story is very long, and goes on to the other page of the evidence —

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1657. *Mr. Terry.*] You have heard what Mr. Burton has said:—will you be kind enough to explain your version of this transmission case? In the first place, Mr. Burton prepared a long notification, which the Commissioners did not approve of. Really the effect of what I did in the matter was simply to shorten the form to what meets the case to all intents and purposes. The notification I prepared is simply short and concise, at the same time embracing everything that was necessary. I remember meeting my colleagues and to tell you the truth I could hardly follow them—they were both speaking at the same time. Of course it was a matter in which I had nothing whatever to do with them. It was simply a matter the Commissioners referred to me and asked me to look into it and prepare what I considered in my opinion a short and concise notification to meet the case —

1658. Then you consider your form in no way dangerous or contrary to law? Not in the slightest.

1659. Be kind enough to explain the difference between the two forms—the form approved by Mr. Burton and Mr. Jones and that approved by yourself? Really and in fact there is no difference; the effect is the same, except that mine is short and concise and contains about a dozen lines and the other contains about half-a-dozen folios.

1660. Have you had no other difference of opinion between yourself and your co-examiners? A great many, which I have always referred to the Commissioners for their consideration.

1661. And whose decision have they generally upheld? Mine in every case. Of course I put my objections or differences very clearly and distinctly before the Commissioners, and they could see—common sense could see at once—that my views were correct.

1662. *Mr. Robertson.*] What Mr. Burton says about Müller's case is that Mrs. Müller inherited under her father's will, with power of appointment, and that she applied for transmission with a minute or endorsement to the effect that she should be at liberty to exercise her power of appointment by means of one of your ordinary transfer forms. Mr. Burton urges that the objection to the use of the form of transfer given by the Real Property Act in a case of a similar kind—in a case of anyone exercising a power of appointment—is, that owing to the 35th section of the Act, before the instrument can take effect under the Act, it has to be registered. Then this might arise: This lady having signed the memorandum of transfer—and of course like most persons having a right of appointment, having a right to change her mind and make a new appointment—might make another appointment in substitution of the memorandum of transfer so signed, which she might neglect to register; and she might die before it was registered. Then Mr. Burton says the instrument not having been registered, the 35th clause of the Real Property Act would prevent it taking effect, the law requiring that all deeds of appointment should take effect during the life of the donee; so that if this lady died before her memorandum of transfer, which is equivalent to a deed of appointment was registered, her intention to appoint would fail. The memo., minute, endorsement, or whatever it was that Messrs. Burton and Jones proposed to put on the certificate, has not been submitted to us; nor has your amended form. Briefly, what Mr. Burton said was this: that your endorsement would necessitate this lady using an instrument which would not take effect unless it was registered during her life-time, and that she might die before it was registered; and, therefore, her intention to appoint might, by her death and the non-registration of this instrument, be defeated. The question is whether your endorsement was open to that objection, and whether theirs was not open to it? I am quite satisfied that my endorsement is not open to that; that in fact what I prepared was substantially what they prepared themselves, but brought into a more concise form.

1663. *Mr. Terry.*] Then you committed no breach of etiquette? Certainly not, in my opinion.

1664. Well they had a perfect right to apply to you? Oh yes.

1665. Do you think that the Crown ought to charge an assurance fee on grants issuing direct from the Crown? I do not think they should.

1666. They do so now? Yes.

1667. *President.*] Will you tell us, if you can, what is the reason of the want of harmony between you and the other examiners? Well, there existed a strong feeling on their part towards me before I came here.

1668. What did you say existed? A strong feeling against me before I came here in consequence of a petition presented to Parliament some 18 months ago, and they believed I was the author of it.

1669. What was that petition? It was a petition complaining more particularly of the examination branch of the Land Titles Department, and also of the great delays that had taken place. That petition resulted in a Select Committee being appointed, and it fell through in consequence of some dispute as to who should take the chair, whether Mr. Greenwood or Mr. Lucas; I think they only examined the Registrar General.

1670. Is there any other reason? None that I know of.

1671. Do not the different modes in which you and they work create jealousy? There is no doubt it does.

1672. Are they not jealous of your getting through more work than they do? It is very likely; I should fancy they were —

1673. And that is evinced by the difficulty in giving you more cases than your fair one-third? Yes, and not only that; the Registrar General has mentioned to me several times recently that cases have come before the Commissioners in which Mr. Jones and Mr. Burton have reported upon between themselves so as no doubt to cut away my work from appearing —

1674. Why cannot they get through their work as quickly as you can? That I cannot understand.

1675. Do you suppose it a matter of temperament? It may be that but I do not think that either Mr. Jones or Mr. Burton is very strong; you cannot call them strongly constituted men. That makes a wonderful difference.

1676. They have not the same capacity as you have? No, I do not think they have.

1677. But does not their way of looking at a case entail more labour on them and make them necessarily slower? Yes.

1678. But they are perfectly honest and conscientious? Yes, I thoroughly believe that.

1679. They do not idle? I cannot say; I do not know what they do in their room.

1680. At all events you do not know that they waste their time? I do not; I know that Mr. Burton is very punctual in his attendance at the office, and is always to be found in his room.

1681. Will you tell us about this case of Dr. Chisholm's, No. 1061 which was left in the office on the 12th of February, 1879? This is the first time I have seen or heard of the case. I did not know there was such an application in the office.

1682. Perhaps by looking at the papers you can tell us why it has not been disposed of up to the present date? It appears that the case came into this office on the 12th February, 1879, and it should have been distributed on the 1st of last month (March).

1683. If you look at the papers you will see how the matter stands? Everything appears to be regular.

1684. But it has not been dealt with? Apparently not.
1685. Can you show any reason why it should not be dealt with before the present time? No, according to the date when it came into the office—the 12th February, 1879—it should have been distributed on the 1st of last month, but why it was not I do not know; it may have been mislaid.
1686. *Mr. Archer.*] In whose hands did you find it? I asked Mr. Lander for it.
1687. *Mr. Terry.*] He has not distributed it now? No.
1688. Then it will not come before the examiners till the 1st of next month? No, it would not in the ordinary course go before them till the 1st of next month, but I will take it now.
1689. *President.*] Has that not been before the Board at all? No.
1690. Is it in a state in which it could go before the Board at once? Yes.
1691. It has simply to go before the Board to pass? I will deal with the case myself at once and forward it on to one of my colleagues for report.
1692. Where did that case come from now? I do not know; Mr. Lander left me to go in to Mr. Jones' and Mr. Burton's rooms to see whether either of these gentlemen had the case; I do not know where he found it.
1693. Well, you got it from Mr. Lander? Mr. Lander first brought it into this room.
1694. *Mr. Archer.*] Should not the Registrar General or the examiners look after Mr. Lander? Yes, of course; the Registrar General is the head of the department; I should say it was his duty to look after him.
1695. *Mr. Terry.*] Is it not a fact that documents are often lost in this office for some considerable time? Yes.
1696. In which branch? Down below, I think, at the counter.
1697. That should not occur, should it, in a well organised establishment? No.
1698. *Mr. Archer.*] Did you find this hostility between the other examiners and yourself at the very onset of your entrance into the department? Well, there was a slight coolness.
1699. And that developed into more decided hostility? Yes, but I might say that this morning I came down in the train with Mr. Burton and we were chatting on the way.
1700. It is not a personal disagreement? No.
1701. But as to the conduct of business? Yes; our business views do not accord.
1702. When you find an instance of delay, such as that brought under notice this morning, do you not, yourself, take steps to try and get the thing facilitated? Well, it is more for the applicant or his solicitor to do so.
1703. What do you advise him to do? If he has any cause of complaint to make it should be brought under the notice of the Registrar-General, who would then make the necessary inquiries on the subject.
1704. Then you think that these delays should have been looked after by the Registrar General? Yes; I take it, if there is any dereliction of duty on the part of the examiners' clerk, it is a matter for the Registrar General to deal with.
1705. In fact you look upon the examiners' clerk as being directly under the Registrar General? Yes.

H. D.
Maddock,
Esq.

3 April, 1879.

Mr. Jonas Lander, Clerk to the Examiners of Titles, examined:—

1706. *President.*] You are clerk to the Examiner of Titles? Yes.
1707. Under whose control do you work? I consider that I work under the immediate control of the examiners. My official designation is Clerk to the Examiners. Mr. J. Lander.
1708. Has the Registrar General no control over you? Certainly; I do not dispute his control. 3 April, 1879.
1709. Then you have got two masters to serve? I have got four—three examiners and the Registrar General.
1710. What are your duties? I suppose I had better commence at the beginning. I receive cases from the counter. Then I prepare them for the examiners. The first step in an ordinary application to be registered is to prepare a search paper. When the search has been completed, I send the case to the draftsman to examine the search and to report. When he has done this he sends them back to me. I then put them into the examiners' room for distribution on the first of the following month. That is the ordinary practice.
1711. From the time the application is lodged at the counter till it goes to the examiners' room, how long a period of time elapses? Until I send the case to him of course he cannot report upon it; but his report generally takes perhaps a fortnight; I do not think he keeps them longer.
1712. How long is it before you send it to the draftsman? That depends on the case itself. I have got so many duties to do that I cannot take up a troublesome case. I look at it, and if it is a difficult one I put it aside and take an easy one.
1713. Then you do not deal with the cases strictly in rotation? Not strictly in rotation.
1714. Can you say as a rule how long it is before the case reaches the draftsman? Sometimes they are two or three months in my hands; I cannot get at them; I am all day long busy; each day brings its own work.
1715. What work have you to do besides what you have told us of? Attending the public constantly. The arrears of cases in the office are so great that I am all day long kept going by solicitors' clerks, and by the solicitors themselves, inquiring how their cases stand.
1716. What is the cause of some of the inquiries? The principal cause is the arrear of work in the office; the number of cases that are pending.
1717. Pending? Pending, in all stages; pending before they pass, and pending after they pass.
1718. Do applicants and their solicitors come to you principally to inquire about their cases? All of them.
1719. If cases were dealt with more quickly and expeditiously you would not be bothered with so many inquiries? Of course I would not.
1720. You have the charge of the wills I understand? Yes.
1721. Does that give you much trouble, and take up much time? Not much.
1722. I suppose the clerk under you attends to them? He does all the running up and down stairs.
1723. Then that does not make much difference with your work? Very little. The principal trouble I have with the wills is keeping the accounts. Every will that is exhibited to the public I mark down, and receive a fee of a shilling. I keep that account myself. And every will that I exhibit to an examiner I put down to his account; and in another column I keep an account of when it is returned.
1724. That does not make much work? No. One day I may produce ten wills; another day none at all.
- 1725.

- Mr. J. Lander. 1725. Do you distribute the cases of applications for certificate or transmission to the examiners? No, I do not distribute them; I put them into the examiners' room to be distributed by them.
- 3 April, 1879. 1726. And you have nothing to do with the distribution? They do the distribution themselves.
1727. You simply deliver them to the examiners and they distribute them themselves? Yes. Recently Mr. Maddock has complained that he has had no work to do.
1728. To you? To me and to Mr. Ward; and I have given him this last month all the transmission cases that have come in according as I received them.
1729. Without giving those cases to the examiners? Without putting them, as I used to do, in the examiners' room for distribution on the 1st of the month, I let him have them directly.
1730. You give those transmission cases to Mr. Maddock without first putting them into Mr. Jones's room? Yes.
1731. Do the other examiners object to that? No, not in the slightest.
1732. There was a case just now of Dr. Chisholm's, No. 1,061, an application for transmission, produced to us. That case was lodged on the 12th February, 1879, and up to the present date it has not been before the examiners. Can you tell us why? I suppose I received it about the date you mention, and I suppose a press of business prevented me from putting it in for that month's distribution, but in the following month (March) I put it in for distribution, and it remained there, and should have been distributed the day before yesterday.
1733. Where did you get it from just now? From a heap of cases in Mr. Jones's room which should have been distributed on the 1st of this month.
1734. Then that case had not been distributed? No. They generally distribute them on the 1st of the month.
1735. Were not the papers in the case mislaid for some time? I do not think so. I think it was only press of business that prevented me from disposing of it in the month of February.
1736. Then up to the present time it has never been before the Board nor dealt with by the examiners? Nor dealt with by the examiners.
1737. Can you tell us why cases are so long before the examiners while they are investigating the titles? I do not know. So far as Mr. Burton is concerned he has such a tremendous arrear of work that if he do justice to everyone it will be, perhaps, three months before a case put before him to-day will come on for its turn for examination.
1738. Can he not keep pace with his work? No.
1739. Then those arrears will go on accumulating? Certainly.
1740. If he takes three months now to deal with a case it will go on until it takes six months? At one time the other examiners relieved him and took a number of cases from him. I do not know how many.
1741. Did they do that more than once? I do not recollect more than once.
1742. Is Mr. Burton expeditious in examining titles, and in his work generally? I do not think he is as expeditious as other examiners—as for instance, Mr. Maddock.
1743. Does he work fairly; does he neglect his work? He is always hard at work—always so intent upon his work that he will not attend to anything else you put before him.
1744. He concentrates his mind on the matter before him? Yes; and if I take anything to him—even an urgent matter—he will not look at it.
1745. Does he take many objections to titles? I do not think any more than Mr. Jones does. I am sure he does not.
1746. Do Mr. Jones and he take more than a fair proportion of objections to titles? I could not say what a fair proportion of objections is; it altogether depends upon the title.
1747. You see the objections taken by them; you copy them do you not? Yes, I send them out in the shape of — they write requisitions and I send them out.
1748. You are a solicitor? I am.
1749. Of how long standing? Since 1842.
1750. Then you understand the value of objections? I think I do.
1751. Then are those objections of Mr. Burton and Mr. Jones, which are sent out, such as ought fairly to be taken? Yes, decidedly.
1752. You do not think they are too minute, too technical? They take objections, they make requisitions, and then if there is any difficulty in satisfying them they waive those minute objections.
1753. But they do take minute objections which they ultimately waive? If there is any difficulty in satisfying them.
1754. Does Mr. Maddock take as precise and technical objections as they do? No.
1755. He is more liberal to applicants? You cannot call it liberality to applicants; perhaps he does not see them.
1756. But in point of fact he does not take such minute and technical objections as the two other examiners do? No.
1757. Does he get through his work? When he examines a title, as the first examiner in the case, and makes his notes and objections, they are generally supplemented by the other examiners, and very often upon material points.
1758. That is according to your judgment? Yes.
1759. Does he get through his work as quickly as Mr. Burton and Mr. Jones do? A great deal quicker.
1760. In what estimation do the public, that is to say, the persons that have come to you and asked about their cases, hold the examiners. Take them in detail, if you like. Take them in the order of their standing, Mr. Burton, Mr. Jones, Mr. Maddock? Well, the public, that is to say the applicants themselves, think that Mr. Burton is too minute, and that he is vexatious, perhaps; that the requisitions he makes are unnecessary; but then those applicants, the public I speak of, are not capable of judging at all.
1761. Take solicitors who are capable of judging? Well, solicitors and their clerks grumble too.
1762. Just as much as the public? Yes; I have no doubt they would rather get the cases through quickly. I have no doubt they would rather a good many of the objections were not taken.
1763. I do not care about unfounded grumbling, but good grounds of complaint? Their clients worry them and fancy they are delaying the case, and then they in turn grumble at the examiners.
1764. Are cases unduly delayed? I think they are for want of sufficient strength in the examining branch.
1765. You think there ought to be more examiners? Certainly.

1766. What do the public say about Mr. Jones—do they speak of him as they do of Mr. Burton? He does not bear so bad a character with the public in general. He does not bear the character for delays.

1767. He is more expeditious in his work? He has not so great an arrear, and therefore he deals with the cases more quickly.

1768. But are not his objections quite as captious and technical as those of Mr. Burton? I think they are, if those terms can be applied to his requisitions.

1769. Then, on the whole, I suppose, the public and solicitors approve of Mr. Maddock as an examiner? The public do, decidedly.

1770. What other complaints are made of the office besides those applied to the examiners? I suppose I do not hear the complaints against myself, but I have been applying for assistance for years past, and cannot get through my work as expeditiously as I could wish.

1771. Why cannot you? I have not got the time. I work till 5 and half-past 5, and have done so constantly for years.

1772. You have stated the nature of your work, and it does not seem to be very difficult? That does not embrace all my work.

1773. Well, if you will tell us what does we shall be able to judge? My room is the centre from which all the work of the examiners' branch of the department radiates. All cases come in to me from the examiners themselves, from the draftsman, from downstairs, and we distribute them again according as they are dealt with. They come in to me for all purposes.

1774. You have a clerk under you? I have a clerk who writes letters from the examiners' drafts. I write numbers of letters myself. When cases come before me that are manifestly wrong I write a preliminary requisition before making the search or sending it on at all.

1775. These preliminary requisitions are mere unimportant matters, such as the non-production of deeds or the want of a plan? Yes; the non-production of deeds or —

1776. Or non-compliance with forms? Yes; and in transmission cases I very often find a wrong applicant.

1777. Is not that a matter for the examiners to deal with? Well, when it comes before me, and I see that it is manifest, it saves time if I send it on myself.

1778. But that involves the perusal of the wills and everything connected with the case? The wills are so important an item in the examination of a title that whenever I have to prepare a search paper I have to examine the will myself, as it very often is as necessary to be read as any other portion of the title, and in a transmission case the wrong applicant may be applying, and then I may send off preliminary requisitions myself, or lay the case before an examiner.

1779. Then do you send those requisitions out without consulting the examiners? Sometimes, to save time, and then the applicants see that there is something being done with their cases, which satisfies them to some extent.

1780. You were in the office in the time of Messrs. Holden and Dick? I was; I have been here from the commencement.

1781. Have there been more complaints since Mr. Burton's appointment than there were before? Yes; I think there have.

1782. Did Mr. Jones's appointment make any difference in the number of complaints? I think it relieved the office, because at the time Mr. Jones was appointed there were three examiners instead of two, and they got through more work. It was a relief.

1783. Then more work was got through after Mr. Jones was appointed? I think so.

1784. Has Mr. Maddock's appointment made any material difference in the amount of work got through? It made a great difference at first, but there were a number of cases that were ready prepared—examined by one examiner, and which required only to be examined by the second examiner, which were examined by him very quickly, and disposed of very quickly indeed.

1785. So that there were many more cases that went before the Board after Mr. Maddock was appointed? For the first two or three months after he was appointed a great many more went before the Board.

1786. Cannot Mr. Maddock continue the same plan of examining the cases already examined by one examiner? He has to wait for them.

1787. Then the cases which he cleared off were accumulations? Yes. I might mention that upon one occasion Mr. Maddock was away upon leave of absence, and when he returned the following morning he disposed of, before 10 o'clock, thirteen cases that had been examined by other examiners previously.

1788. What kind of cases were those—second-class cases? Yes, and transmissions.

1789. And some first-class cases, I suppose? I will not say that, because they are so scarce now, there are very few of them.

1790. Do first-class cases go before two examiners? Yes.

1791. Can you tell if the office generally is in good odour with the public—whether there is any reluctance in persons to bring properties here in order to get certificates of title? Well, I have heard that there is such a reluctance.

1792. Have cases fallen off at all? I think they have. Applicants are not so numerous as they used to be. If the cases were disposed of quicker I am sure they would increase.

1793. And yet there can be no reason for their falling off, on account of the old titles having already been brought in? The fact of there being a great number of former applications in any particular estate you would imagine would facilitate the present or pending application, but it rather tends to delay it.

1794. How is that; does not the former case having been dealt with clear the way a good deal? A good many are large estates, like the Petersham estate, which consists of a great number of grants, and it becomes necessary to hunt up a particular case in the same grant which you are now dealing with.

1795. There is no difficulty in that? Oh, yes there is; we have often to get up, to satisfy the examiner, ten or fifteen cases in the same estate before he can get the right one, and it sometimes happens that the titles themselves will so radiate and branch off in various directions, that although you may be dealing with the same property and part of the same grant, yet to get a precedent case that is passed there is a difficulty. It would be far easier if we never had the title before, and that was one of the facilities enjoyed by the first examiners.

1796. Is it part of your duty to look for those cases? It is, and I have very often, in doing so, messenger's duty to perform. We have applied for a messenger, and cannot get one.

1797. Are you on good terms with the examiners? Yes, on the best of terms with all of them. 1798.

Mr. J. Lander.
3 April, 1879.

Mr. J. Lander. 1798. And with Mr. Ward? I cannot say I am on good terms with Mr. Ward.

1799. How is that? Because he always has seemed to have a down upon me.

3 April, 1879. 1800. Does he say or show why? For example, whenever I have applied for an increase of salary (and I have seen everybody in the office but myself receive an increase—I am the only exception, and many have had three or four increases of salary put down by Mr. Ward—no one else can put it down, for if an increase is not recommended by Mr. Ward, it will not be entertained by the Minister) he has always refused me.

1801. I suppose Mr. Ward thinks you are sufficiently paid for the work you do? Mr. Ward cannot be supposed to comprehend the work I do, for I have a great deal of professional work to do which I should think was not paid for by the mere clerical salary of £300 a-year which I receive.

1802. Does Mr. Ward ever complain of your neglecting your duties? He may do so, but I must put the saddle on the right horse. It is because he does not give me assistance which I have applied for myself personally and through the examiners.

1803. That does not depend on him? No, but it would follow if he recommended it, and he distinctly refuses to recommend it.

1804. Does he, in point of fact, complain that you either neglect your work or are too slow in your work? He may complain of both.

1805. I mean to yourself;—does he make you understand that is a fault which he has to find with you? I do not know to what cause he attributes it, or why he has this down upon me. But whenever there is any promotion he has invariably refused to recommend me for it.

1806. Does he not tell you the fault he has to find with you? He says, "How is this?" I say, "I cannot get through it; I have not the time."

1807. Then he does find fault with you for being too slow? He cannot get the work of two men out of one.

1808. Are you on good terms with all the other officers in the establishment? Yes, with everyone. When I have a junior clerk pretty well trained (for it requires some training to read the examiners' abbreviations, and to understand the routine of the office, and when a case is asked for and he is not able to find it is shorter to go and find it myself than instruct a new hand to do it)—but when I have had a boy well trained, Mr. Ward takes him and puts him into a new branch and sends me another boy whom I have to train again.

1809. Do you know if any officers in the establishment do work for the public—prepare applications, for instance, or declarations, or documents, that are required in connection with their cases? I find a great many applications in the handwriting of the clerks downstairs and law stationers—I know the handwriting; they are generally simple cases, and defectively presented.

1810. Are those applications prepared during office hours? I could not say.

1811. They must be, I fancy? They work after 4 o'clock, and they are paid for it. They sometimes have got extra work to do.

1812. Do you suppose that the persons for whom they prepare these applications pay them? I could not say that they do.

1813. You do not know the fact? I do not know the fact.

1814. Do you know any cases where bribes or *donceurs* or honorariums have been given to anybody in the establishment by persons outside? No, I do not. I have been offered it myself over and over again, but have refused it.

1815. What has it been offered to you for? Only a few days ago it was offered to me for filling up a form of application and a mortgage for a man whom I had known intimately.

1816. To expedite cases? Yes, to expedite cases. But I have told them it was perfectly useless to pay me for doing things that I could not do. The examiners will not take any case from me out of its turn. Mr. Burton and Mr. Jones have refused me over and over again, no matter how urgent I may represent the matter to be; therefore I cannot assist the public in that way.

1817. Have you not heard solicitors or their clerks complain that work is done in the office here which ought to be done by applicants or their solicitors? I have heard that complaints have been made by solicitors that work properly theirs has been done by officers downstairs.

1818. Do you suppose the officers do this work merely for love of the applicant? I cannot say that; they are very willing and obliging, but whether they carry it to that extent or not, I cannot say.

1819. Are these gentlemen as much over-worked as you are? They are paid for their overtime and I am not.

1820. How are they paid—by the hour? They have got a job now; I don't know what it is, but they receive 2s. 6d. an hour for it. Several of them stay in after 4 o'clock and work as many hours as they like.

1821. Can you suggest any mode in which the business of the office could be got through more expeditiously? In the deeds branch they had £300 a year for several years, for overtime, divided amongst the clerks engaged. There has never been any overtime work in the Land Titles Office upstairs in the examiners' branch.

1822. Allowed for you mean—paid for? Yes.

1823. I suppose the people up here are looked upon more in the light of professionals, not as mere clerks? That may be, but I suppose nine-tenths of the search papers that I have done—and that is, perhaps, the most particular part of my duty—have been done at home. I take home two or three cases in my bag every night, or one good stiff one. I have had one case at home for a week every night. It took the whole week to prepare a search paper.

1824. Can you suggest any mode in which the business of the office may be facilitated? I think that in the Examining Branch they require assistance decidedly.

1825. I mean in principle, not in the amount of actual assistance, but in principle. In the conduct of the business as it were? No, I have not thought upon that, whether it could be facilitated by any change of procedure.

1826. Have you not applied several times to be appointed examiner? I have.

1827. Has Mr. Ward ever favoured that application? He did once; but, as I have heard, in a milk and water fashion.

1828. You think you are competent to deal with the examination of titles? I should not have applied for it if I did not think so.

1829. Have you ever practised on your own account? I have; but my experience since I have come to this office has been a great deal more, that is during the last 16 years.

1830.

1829. But you have not examined titles here? It requires a great deal of examination to prepare a search-
paper, to see what the deficiencies in the title are, as it is necessary to do in instructing a search. Mr. J. Lander.
1830. *Mr. Terry.*] I suppose Messrs. Jones and Burton are physically incapable of getting through as much
work as Mr. Maddock does,—their health, I mean, would not permit them to do it? I think their health April, 1879.
is perhaps quite as good, and their mental health certainly as well organized. Although they do not finish
off or put out of hand as many cases as the other, yet I think they do more work than he does.
1831. They do more work than Mr. Maddock? Yes, they exercise their mental powers more than he does.
1832. Notwithstanding that Mr. Maddock has got through very many more cases than they have, and had
a month's leave of absence during the time he has been in the office? Yes; although he has disposed of a
greater number of cases it does not follow that he gives them a greater amount of consideration, and that
is what I am speaking of. An examiner may consider a case carefully or superficially.
1833. Then you consider Mr. Jones and Mr. Burton have more respect for the assurance fund than Mr.
Maddock has? Yes. Although I am sure Mr. Maddock means to protect the fund to the best of his
ability. But I believe that the other two do it more effectually.
1834. May they not do it too effectually? It cannot be done too effectually.
1835. You say the public and the legal profession have confidence in Mr. Maddock? I have never heard
any expression of want of confidence.
1836. Then you have heard of want of confidence in both Mr. Burton and Mr. Jones by the legal profession?
No, still less; they do their business too well perhaps for the public.
1837. But the legal profession object to them? The public do generally, and the legal profession to a
certain extent when their clients get angry.
1838. How do you know that their clients get angry? By the tenor of their letters. The clients put the
blame on the solicitors, and the solicitors then put it on the office.
1839. *Mr. Archer.*] You have too much to do, Mr. Lander? Yes, I have.
1840. That is the reason you assign for delays? For delays that occur with me.
1841. Have you ever had the custom of copying documents for the general public in office hours? Never.
1842. Never on your own account? No.
1843. You have never received any fees for so doing? No; I have a good deal to do in making office
copies of wills, which are done after office hours.
1844. Have you a clerk to assist you? Yes.
1845. Have you known whether this clerk has ever been engaged doing work for the public during office
hours? I am sure he has not; my instructions in regard to copying the wills have been that he should not
do it in office hours.
1846. And you are quite sure he never has? Yes.
1847. Do you exercise supervision over him? Yes.
1848. And you never heard of his doing work of this nature for his own private advantage? No; he is
kept too hard going; he has not the time to do it.
1849. How long have you known him—how long have you worked in close proximity with him—how long
has he been connected with you? Since he came to the office—I think a couple of years.
1850. And if he had done any such work for himself during those two years, you would have known it?
Yes; he has no work but what I give him.
1851. Then if anyone has stated in evidence that he has done this work, and received private remuneration
for it, such information would be erroneous? It was stated a few days ago that he was seen copying a will
during office hours. I recollect the circumstance now. It was a will of about three folios, and I told him
he could do it in his dinner-hour. I do not know whether he exceeded the time or not. It was a quarter
of an hour or twenty minutes' work.
1852. For which he received pay? Yes.
1853. Then there is a case? Yes.
1854. How came you to say just now there was no case, and that he was kept too hard going? That is the
only case.
1855. You said it just now without exception? I recollected then that this charge was made, and that was
the only time I heard of anything of the kind.
1856. To whom was the charge made? Mr. Ward called me up to his room, and afterwards I came down
and questioned the clerk. I told Mr. Ward he had been copying this will, that he said he could do it
during his dinner-hour, and that I had let him do it.
1857. What action did the Registrar General take? He said not to do it again.
1858. Was this condemnation of the Registrar General in writing or was it verbal? Verbal.
1859. Did the Registrar General see the clerk? Either he or somebody else saw him; I do not know
where the information came from.
1860. But the clerk was not brought up before the Registrar General in your presence? No.
1861. *President.*] Are copies of wills always paid for? Yes.
1862. At what rate? We charge the person requiring it 8d. per folio, and we pay into the Supreme
Court one half, and keep the other half.
1863. You have copied many yourself? Yes.
1864. Then you have had 4d. per folio for over-work? Yes.
1865. You now make the clerk do that? Yes.
1866. And these copies are made, with the exception of that you mentioned, after office hours? Yes. It
is the only thing I can give the clerk as a perquisite in return for his assisting me with the wills, and
running up and down stairs.
1867. But you have a right to that assistance? Yes; if it is for the examiners, but not for the public;
it is not part of his duty. He runs up and down for all of them.
1868. You pay the 4d. into Court? Yes; and the search fees. When the wills were in the Court one of
the clerks of that Court had that perquisite.
1869. That is to say, the perquisite of retaining 4d. per folio for copies made? Yes.
1870. *Mr. Dawson.*] Who now actually receives this 4d. to the Supreme Court? It goes to the Government
as fees of office; it is paid in weekly.
1871. *Mr. Archer.*] In whose legal custody are the wills? They are in my custody as custodian of wills.

- Mr. J. Lander. 1872. And not as an officer of the Registrar General, but as an officer of the Supreme Court? Yes.
- 3 April, 1879. 1873. And the Registrar General has no control over you as custodian of wills? No. I got the appointment through an interview between Messrs. Dick and Holden, and the Judges, Chief Justice Stephen, Mr. Hargrave, and Mr. Wise. Mr. Dick, Mr. Holden, and myself, were present in one of the Judge's chambers, and the examiners having experienced a great deal of difficulty in getting the wills from the Supreme Court when they wanted them, it was proposed I should be custodian of wills.
1874. Was the Registrar-General present at that interview? No.
1875. Had you been previously an officer of his? I had. This was done to facilitate the business of the Land Titles Office. It does facilitate it to a considerable extent.
1876. And it was simply for the convenience of the public that these wills were handed over to you as custodian, you being an officer of the Registrar General? It was for the convenience of the examiners of titles, to facilitate their operations; and it was further urged that I was an officer and solicitor of the Supreme Court.
1877. Does the Supreme Court or any officer of it have any control over you? Oh yes.
1878. Who is he? Mr. Slattery, the Prothonotary, and I take over the wills from Mr. Powell, the ecclesiastical clerk.
1879. And do they exercise any practical authority over you? They send the wills in to me when they are ready.
1880. Do you keep indexes? Yes.
1881. Do they ever supervise you to see whether you keep up the work? No, they do not, but I was obliged to apply for assistance a short time ago. A great number of wills were unindexed, and Mr. Ward had complained so about the interviewing, respecting wills and their preventing my doing, what he calls, my proper and legitimate duties as clerk to the examiners, that I neglected the wills for a long time and did not index them. Then I applied to Mr. Slattery for assistance to bring them up, and he has afforded me that assistance and the wills are now indexed up.
1882. Then this assistant clerk is an officer of the Supreme Court too? Yes; he is a supernumerary, and gets 10s. 6d. a day, I think.
1883. *President.*] Are you paid as custodian of wills? I am paid £50 a year in addition to the £300 a year.
1884. *Mr. Terry.*] You consider that, from your long employment in this office, you are entitled to an increase of salary? I consider I have been entitled to it for years past, and Mr. Jaques, years ago (in 1870) put me down for £150 more.
1885. He recommended it when he was Registrar General? Yes; and I got a memorandum of Mr. Holden noted upon an application of mine, in which he fully concurred in the idea that I should be secretary to the examiners. He said that would more properly designate the position I held with regard to the examiners than that of clerk, which implied that my duties were merely clerical.

TUESDAY, 8 APRIL, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P.,	WILLIAM HENRY ARCHER, Esq.,
THOMAS ROBERTSON, Esq.,	JOHN DAWSON, Esq.

Mr. Jonas Lander, Clerk to the Examiners of Titles, further examined:—

- Mr. J. Lander. 1886. *President.*] You wish to be re-called, I think, to supplement your evidence in some respects? Since the day on which I was last under examination, I have counted the number of cases that are now under requisition, waiting for the solicitors and applicants to reply to and take the next step. I find there are 229 ordinary cases under requisition, and 81 which have passed the Board under another series of requisitions which we call qualifications, making a total of 310 that are now awaiting the next step to be taken by the applicants themselves.
1887. And in respect to those cases you do not consider the examiners are in any way in default? No; certainly not. On the 8th of March last year the numbers were 256 unpassed cases, and 82 which had passed, making a total of 338 waiting for the applicants themselves to make the next move.
1888. How far have you gone back to get at this result? I counted the number of cases in the pigeon-holes awaiting replies. They are all alphabetically arranged.
1889. Are some of those cases very old ones? There are some very old ones—years, perhaps.
1890. Can you say how many years? I think there is one case there, No. 177, an exceptional one; that, of course, was taken in the year 1863. The great majority are recent ones. I also wish to correct a statement which I made on the day when I was last examined, in reference to cases in which I doubted the authority of the Registrar General to control me. He directed me on several occasions not to make searches which the examiners had ordered, and said that if I made them he would deduct the cost of them from my salary. I made them, notwithstanding.
1891. And were they deducted? They were not deducted.
1892. What kind of searches were those? They were searches in transmission cases.
1893. Do you mean searches in the Registry Office for dealings with the property? Yes; they were principally cases of free-selection grants. The directions were to search against the free selector, from the time he selected until his application.
1894. Where did you make those searches? In the General Registry Office of Deeds. The old register.
1895. The old register, not under the Real Property Act? No; then under section 7 of the last amending Act, there was a provision made, perhaps to meet these and similar cases, whereby it was enacted that the examiners shall not go behind the grant, or be concerned to see into anything previous to it (*reference here made to the section.*)
1896. Would you like to say anything else? Yes, about the cases, in which I did not doubt the authority of the Registrar General to control me. In the general conduct of the office I have always submitted to his authority

authority. I will give an instance of it: Very recently I asked for the first leave of absence that I ever asked for during 16 years. I asked him for one week upon a particular important private occasion, and he refused it. That was last week.

Mr. J. Lander.

1897. Do you mean to say he had no right to refuse? No, but I think he might have given it to me in common courtesy, seeing it was the first I had ever asked for. His reason was, that Mr. Jones was absent. I submitted that that might have been a reason why he should have granted it, because there was one examiner less, and therefore that it was a favourable opportunity.

8 April, 1878.

1898. Was not Mr. Muddle also absent? Yes, but his absence does not interfere with the work of my room, that is, with the work of the examining branch.

1899. I do not quite see what this has got to do with the matter under inquiry? It is a case, in which I submit to the Registrar General's authority. It is a very strong case, in which his *animus* towards me is exhibited. I do not dispute his authority in any matter relating to official discipline, but only when he interferes with matters strictly professional.

1900. Have you any other evidence? Yes, as to the arrears in my room. On the 31st of December, 1877, I had only ten cases undisposed of, of which I received five on the 29th. On the 1st of February, 1878, I had thirteen cases. On the 8th of March, 1878, I had six ordinary cases and three transmissions—nine in all. On the 15th of March I had none. On the 30th of April I had ten, having been engaged that month in making returns for the Registrar General. When this Commission commenced its labours I had nine ordinary cases and four transmissions. Then, as to another matter, on which I was examined the last day, I wished to show this Commission the necessity of some professional control being exercised in the executive branch. The examiners direct caveats to be entered by the Registrar General in all cases in which administrators, as such, are registered as proprietors. On the 22nd February, 1878, Mr. Muddle told me that his practice was, when dealings subsequently occurred by these administrators, to treat the caveat as a nullity, in fact, to take no notice of it. Again, when two examiners make conflicting reports (as frequently of late has occurred) the Registrar General, as Chairman of the Board of Commissioners, and the Commissioners, constantly decide between those conflicting reports, and when there is no conflict they often ignore examiners' qualifications.

Robert Mead Pearson, Esq., Principal Draftsman, examined:—

1901. *President.*] You are principal draftsman under the Real Property Act, I think? Yes.

1902. What are your duties as such? They are numerous. To begin with, one of the principal of them, the examination of applications, firstly in taking the Crown grants and examining them with the plan to see that they agree in every particular.

R. M. Pearson, Esq.

8 April, 1879.

1903.] Crown grants; you mean title deeds, do you not? I have to commence with the Crown grant or grants; then taking each deed from the grantee downwards to the applicant, following the land applied for all through each deed. I then examine the application itself to ascertain that it includes only the land embraced in the said deeds, then check surveyor's plan, areas, &c.; and finally examine the search paper, ticking off all the deeds produced. If they refer to the land only I put "deposited" in red ink, opposite them; if they include other land, I write "produced." I have then to go through every item in the search paper to see if in any instance they refer to the land applied for, and if they do, to note them.

1904. Your general duty is to compare all descriptions in the deeds produced? Yes, the examination of the application, the grants, then the descriptions through all the accompanying deeds down to the applicant.

1905. And the descriptions of all dealings of land found on search? Yes.

1906. That having been done, you prepare your report? Yes, and make such remarks as may be necessary upon items in search paper, encroachments by applicant, reference to former cases of same title, and any other information that it may be necessary the examiners should have before them before commencing their examination; in fact the application at this stage is put into shape for them by me—they have no anxieties as to the land itself—and with the exception of an occasional query to me confine themselves to the law.

1907. What do you do with that report? It is sent on with the papers to the examiners by me.

1908. How long does this preliminary work occupy? It depends on the length of the case.

1909. From the time it comes to your hand to the time you send in your report to the examiners? A fortnight or three weeks at the outside. It depends on the number Mr. Lander sends in to me. It is never more than three weeks.

1910. Do you take the cases exactly in rotation? Yes, in the order in which they come in to me. As soon as they reach me, I put a memorandum on the corner of the application of the date when I receive it, and another memo. when I return it. I can then tell how long it is with me.

1911. Simple cases do not occupy three weeks? If Mr. Lander sends me in three or four during the day with one big case, they may accumulate; a heavy intricate case with search paper to match will sometimes take me three or four days (several have taken a whole week). Before I can finally report on it, this may throw others back for three weeks. The usual time they are with me is a fortnight.

1912. A fortnight is about the average time that a case is detained in your office? Yes.

1913. Could that time be shortened in any way? No, it is impossible.

1914. How do the applications come into your hands in the first instance? From Mr. Lander.

1915. Does he bring them to you as soon as they have been received in the office? No, they are two or three months before I get them.

1916. Has Mr. Lander any preliminary work to do with them before passing them on to you? Yes, the preparation of the search paper. I would like to state with respect to this that it would wonderfully lessen the time in dealing with cases if the examiners prepared the search papers. Mr. Lander has not time to do them, and as they are very important, and require special knowledge in their preparation, I think they should be drawn by the examiners. If the applications were sent from the counter to the examiners, for them to prepare the search paper, and then sent on to me, it would save at least two months in every application.

1917. That is to say, if they did their work quietly? If they were to prepare these search papers, which they do not seem to care to do. Mr. Dick did so; and when he went to England Mr. Lander commenced them, and has done them ever since.

1918.

- R. M. Pearson, Esq.
8 April, 1879.
1918. Why has he not time to do them? He has so many interruptions. There are so many people constantly in and out his room all day long.
1919. Who are those people? Solicitors and their clerks, people to see wills, and constantly applicants with reference to their applications.
1920. Why should they come to him so much? Knowing that he is in charge of applications under requisition; if applicants were to go to the examiners, they would send them to Mr. Lander.
1921. Then he has a great many more visits than otherwise on account of the time the examiners delay the issue of the titles or the dealing with them? There are so many cases under requisition, and applicants or their solicitors always go to Mr. Lander, who knows where the cases are, and can perhaps give them the information they are seeking.
1922. What I mean is, that if the cases were dealt with by the examiners quickly, and the requisitions were sent out, there would be no inquiries why the cases were not dealt with? Not these special inquiries.
1923. Are there a great many inquiries of that sort? Yes.
1924. Which would be prevented if the examiners dealt more quickly with their work? No doubt.
1925. So the delay in the examiners' office adds greatly to the work of other people? Yes.
1926. Have you ever occasion to consult with the examiners? Constant reference is made to me by them with regard to applications. When I have reported on them finally, they very often come back to me over and over again, from one or both of the two examiners who may deal with the case, with queries of all sorts on points upon which they think I ought to know best. I have a case here showing how often, and at different times they may come back to me. I have no wish to reflect on the examiners, or to imply that the queries are unnecessary, but to show that the old and new work keeps me fully employed. This case I first reported upon on the 30th January, 1877, and I did not see anything of it again till the 12th of July in the same year. Then there were queries on examiners' minutes for me, which necessitated my going through all the papers again. I lost sight of the case again until the month of February in the next year. With fresh queries again all the papers and deeds have to be examined before these can be replied to. I saw nothing of the application again until the 6th of September of that year (1878), and again have to do as before, to answer fresh queries. On the 9th and 10th of that same month it was again referred to me, finally I hope. So that there is a perpetual reference to me from one or other of the examiners upon questions relating to the application.
1927. What is the cause of those numerous references back to you? Questions asked by the examiners in reference to particular deeds—if they include such and such pieces of land, where the land applied for is part of several grants; queries under wills as to special devises, &c., &c.
1928. Is there any occasion for those things to be referred back to you? I suppose there is, or the examiners would not send them.
1929. Do you see many of the applicants or their solicitors? Yes, when they wish to refer to plans or reply to some of my own requisitions.
1930. Do they find fault with your work in any way? I have not heard of any complaints.
1931. Do they complain of the examiners? Daily; of long delays and long requisitions.
1932. Of any examiners in particular? Yes, Mr. Burton has been the scape-goat, I believe.
1933. And Mr. Jones? Not so much. Occasionally I hear a mild growl, but not as a regular thing.
1934. Any complaints of Mr. Maddock? No, I have heard of none.
1935. Do you consider that the office generally is in good odour with the public? Certainly not.
1936. Why not? Through the long delays and the very numerous requisitions of the examiners.
1937. I suppose you are not able to say whether the requisitions are fair ones to make? No, I am not.
1938. Are you on good terms with all the officers of the establishment? Yes.
1939. From Mr. Ward downwards? Yes, with all of them.
1940. Do you know of any instance where work has been done for applicants for titles, or the public, by officers in the institution? I have heard remarks out of doors, but I do not know of any instance. I should not have an opportunity of knowing, being entirely away from the public room.
1941. But you have heard the complaints? Yes, I have heard out of doors that such is done.
1942. What shape do these complaints take? That some of the officers have been in the habit of taking expedition fees, or whatever kind of fee you may term it, but I do not know whether there is any truth in it.
1943. Do you know of any work done in the office by any of the officers for the public or applicants? No.
1944. But those complaints are that some of the clerks have taken expedition fees? Yes, that is what I have heard out of doors.
1945. Can you say which of the clerks the complaints apply to? No.
1946. Have you ever had any money offered to yourself? No.
1947. By anybody? No.
1948. In the way of expedition fees or otherwise? No, none at all.
1949. Nor ever asked for any? No, certainly not. It would be useless for anyone to offer a fee to me to expedite his case, as I have no control over it when once passed by me to the examiners, and they are not to be influenced by anyone in the office without some very strong reason.
1950. Then you say there is no delay in your office? None whatever; there are no complaints that I have heard of.
1951. You could not get through the work quicker, and nobody complains that you occupy a longer time than need be? No, both applicants and their solicitors are well satisfied.
1952. Have you sufficient assistance in your room? Yes, we have six draftsmen and all are well occupied, and work faithfully and honestly.
1953. And are able to get through the work? Yes.
1954. Are you under the control of the Registrar General, not under the control of the examiners? Under the Registrar General. I have no business dealings with the Registrar General; all are with the examiners; but the Registrar General is our nominal head.
1955. Actual head, I suppose? Our interests are not identical; so far as my work is concerned, we have nothing to do, with each other. I would like again to refer to the searching in hopes of getting it shifted from Mr. Lander to the examiners. It would save two months in every application, and the delay in this respect now simply arises from Mr. Lander being utterly unable to cope with the work he has to do.
1956. *Mr. Terry.*] You think he has too much to do? A great deal too much. It is impossible for him to do it, particularly as to the drawing up these search papers, as all solicitors know this work is most important, and

and in a complicated title, of which we have very many, can only be done in a quiet room and without interruption.

R. M.
Pearson, Esq.
8 April, 1879.

1957. *President.*] But the examiners cannot get through the work at present undertaken by them. Would not putting this searching on them delay matters more than they are already delayed? I think not. There are some of them that would not take very long to do; one examiner a couple of mornings a week could manage them all easily, whereas now Mr. Lander simply cannot do them at all. They come in to me in small dribbles, and they all ought to come in to me within a few days of their receipt.

1958. Is Mr. Lander sufficiently active for the position he occupies here? Yes, I think so.

1959. And capable? Quite capable, if he were not so overwhelmed.

1960. *Mr. Archer.*] What are his chief duties? All day long there are solicitors and applicants and solicitors' clerks coming in to him and seeing how their cases stand.

1961. In reference to the office of titles? Yes, the production of deeds, declarations as to dower, declarations of possession, and sundry other matters connected with requisitions.

1962. That is because the office is in a bad condition, perhaps? As far as he is concerned it is in a very bad condition. He is not able to keep pace with the many duties required of him; and he consequently delays everybody else. Sometimes there are thirty or forty applications waiting for two or three months that never move beyond him, without he draws the search papers at home.

1963. *Mr. Terry.*] He never looks at them? He cannot, without taking them home.

1964. *President.*] Does not Mr. Lander delay a great many papers? I have not heard, but I should not be surprised if he does.

1965. Have you any other suggestion to make as to the improvement of the work in the office? That is the only thing I can think of, and I should like to make a very strong point of that, because many of the complaints arise from this cause alone. If you know that every case is delayed two months by that very thing, it shows there is something very wrong there.

1966. *Mr. Archer.*] With regard to these expedition fees, how came you to hear of their being taken? From casual conversation with solicitors in talking over delays in the office, they mentioned it to me.

1967. Did they say that they knew fees were taken, or that they suspected it? Some of them said as much as that they knew, but chiefly that they suspected it.

1968. Did you ever invite them to make a distinct statement? No.

1969. Do you not think, in justice to the office, that they should either make a distinct charge or drop it? They should, I think, have made the charge to the Registrar General.

1970. Did you refer them to the Registrar General? No, they should know without my telling them.

1971. You paid no attention to it? No, I looked upon the statements as rumours, and that if the solicitors knew, as a fact, that these things were happening, they could stop it by going to the Registrar General.

1972. You say you have six draftsmen in your room;—are they fully employed? Yes, all day long. We have an enormous number of certificates prepared in duplicate, and one of the draftsmen is wholly occupied in drawing up draft certificates. They take many forms, thirty or forty different ones, according to the nature of the transfer, all of which have to be done in the most careful manner, or the certificate would be valueless. These have to be referred to me constantly for reference as to what heading they should have. These different forms have been collected by me and kept as precedents as they have arisen during the last fifteen years, in fact since the Act commenced in January, 1863.

1973. Does this business come to you in a continual stream? Yes.

1974. You are never rushed? No, but all day long we are simply as busy as we can be.

1975. And in drawing diagrams you have no need to employ extra help to do it, or to do it by contract work? No, we never have occasion to do that; if any transfer is very urgent, and I am asked to push it on, I have it picked out and prepared at once.

1976. You give the preference to anyone who pushes you? The public or their solicitors are not unreasonable in this respect; if they give me a good reason for their urgency, such as a transferee or nominee going out of the Colony immediately, I have it ready for them in a few hours; but otherwise they take their turn.

1977. Every case comes under your supervision? Every one. There are very many transmission cases also constantly referred to me by the examiners with queries as to devises under wills.

1978. *President.*] I think there is nothing more, unless you have something further to say? This is a memorandum which I have drawn, and hope I may be permitted to hand in to the Commission. "I would respectfully beg to draw the attention of the gentlemen of the Commission to a grievance to which I have been subject for some years past, and one which, as a matter of justice ought, I think, to be removed. Mr. Arthur, my predecessor, received a salary of £600 per annum. When I was promoted from Assistant to Principal Draftsman by Sir Henry Parkes, thirteen years ago, my salary was to be £500 per annum, with the understanding (and it is on record) that it should be increased to the full amount. To this day I have never succeeded in obtaining it, although the work and responsibility have increased twenty-fold. I have drawn your attention to this matter in hope, if you see fit, you may be pleased to make some favourable comment on it in your report which may have the effect of obtaining for me what I consider I am justly entitled to."

1979. *Mr. Robertson.*] Whereabouts is it on record? In Mr. Jaques' letter (the then Registrar General) to the Colonial Secretary.

1980. *President.*] Are you entitled to practise as a surveyor? I have never sought to obtain a license, although I could have had one eighteen years ago when in the Survey Office, but never having any wish to go into the field, I did not apply for one.

1981. But I suppose you could practice on your own behalf if you chose? Yes, I am thoroughly qualified as a surveyor, and have practised on behalf of the office for the last thirteen years in city and suburbs in checking surveyors' work when doubts had arisen as to the accuracy of their work. I had eight years experience in the Survey Office before my appointment to the Land Titles Office.

1982. What income could you make? £1,000 a year without any difficulty.

1983. How do you come to that conclusion? My junior, Mr. Bishop, left the department three or four years ago to practise as a surveyor in Sydney, and I hear is making £1,200 a year.

1984. Where was he your junior? Here in this office, and he left it because he saw no prospect of an increase to his salary of £350 a year.

1985. And can you make as much as Mr. Bishop? I should think so.

1986. *Mr. Terry.*] Are you aware that complaints have been made against Mr. Bishop? I am. 1987.

- R. M. Pearson, Esq. 8 April, 1879. 1987. *Mr. Archer.*] With regard to the Registrar General's Department, is there any branch besides that of Mr. Lander, where they are under-handed? I do not think so. The only other branch is the public room—there they seem to get assistance in the shape of new clerks whenever they want it.
1988. So that the delays are not consequent, as far as you are able to observe, on a deficiency of officers? No, not in the public room.
1989. *Mr. Terry.*] Have you a sufficient number of officers in your department? Yes, but we have to work very hard; no skulking, or the transfers would overwhelm us. I do not want more than there is work for.
1990. *Mr. Archer.*] What are their office hours? From 9 till 4; if the draftsmen happen to have a spare half-hour, there are new plans to be prepared of Riley Estate blocks, Sydney sections, and other estate plans.
1991. *President.*] Do you remember a case, No. 3,169, being an application by S. J. Pearson for a certificate of title, 29 acres 1 rood 28 perches of land at Concord? I remember the case but not the particulars of it; it is an old case.
1992. In which Mr. Thomas Walker opposed the application, so far as a portion of the land was concerned? I know there was considerable correspondence from Mr. Walker respecting it.
1993. Did that case go through your hands? Yes.
1994. Can you tell us whether there was more land in the certificate than the original grant contained? I do not remember now; if I looked through the papers I could tell you.
1995. Next time you can give us the particulars? Yes.

THURSDAY, 10 APRIL, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P.,
THOMAS ROBERTSON, Esq.,

WILLIAM HENRY ARCHER, Esq.,
JOHN DAWSON, Esq.

Septimus Alfred Stephen, Esq., solicitor, examined:—

- S. A. Stephen, Esq. 10 April, 1879. 1997. *President.*] You are a solicitor in large practice? I am a solicitor, having a large amount of practice, principally in conveyancing.
1998. You have business frequently to do under the Real Property Act? Yes, a good deal.
1999. Will you be good enough to give us your opinion of the repute in which the office stands with solicitors and the public? With the public the office does not stand in good repute, and I think the solicitors as a body are dissatisfied with the way in which work is done.
2000. Can you say the nature of the objections made to it? The immense amount of time consumed in getting titles through the office, and in getting simple matters through also.
2001. Can you state of your own experience whether those objections are well-founded? I believe that there is a good deal of unnecessary delay here. When I say delay, I mean that the titles and other matters take a great deal longer in getting through than they ought to.
2002. Do these matters occupy longer time than they do in a solicitor's office? A great deal longer—speaking from my own experience—than in my office and in other offices. As a rule many matters are carried through in a solicitor's office under a month. I do not think that any cases, unless from some exceptional difficulty, take more than two or three. There are always exceptional cases. If we get a case through in the Land Titles Office in anything like that time we consider ourselves excessively lucky. They take considerably longer.
2003. I suppose you never do get a case through in a month? I do not recollect any case getting through in that time. I think they take a great deal longer than they should. Of course, there may be a great deal more to do than in a solicitor's office, but they certainly take a great deal longer time. In the ordinary course of a title coming into an attorney's office, as you are aware, he has to make his requisitions within seven days—I am talking of ordinary cases—and no matter how large his business, his requisitions have to be done in seven days. During that time he has to investigate the title, examine the parcels, to see that the land to be purchased passes under all the deeds, make his searches, write his requisitions, and send them. If the man be in large practice he may have as many or more cases to dispose of than the examiners here have. Here the practice ought to be considerably easier, because the surveyor takes up the matter in the first instance, and examines the parcels in all the deeds. That is what gives one as much trouble as anything else. Then the search is made before it goes to the examiners, and, therefore, when the title comes before the examiners they practically know that the piece of land, the subject matter of the application, passes through those deeds, or does not pass through those deeds, and therefore a great deal of work which takes up the time in our office is done before it comes to the examiners at all.
2004. Then, the business of the examiners being considerably lightened by the processes which you mentioned, they ought to get through their work more expeditiously than it is got through in a solicitor's office? In my opinion, yes.
2005. But they take much longer? As far as my experience goes, much longer.
2006. Can you say whether there is any reluctance on the part of the public, or of solicitors, to bring titles into this office? I have several cases in which, knowing the delay, I have not made the application. I have a case now in my hands, one which I have told my client it is utterly impossible to get through in the necessary time, and I am preparing two deeds rather than delay the matter, simply because I could not get it through in time.
2007. Have you advised clients not to bring titles here, simply because of the expense and the delay? Yes, I have, knowing of the delay; I have advised one client so. Of course, if there are many attendances of an attorney, his time being his money, he cannot make the attendances without charging for them. If my time is taken up in coming here unnecessarily it entails unnecessary expense on my client.
2008. Do you think the objections taken by the examiners of titles are more precise, or technical, or fine drawn than need be? I do. I think that the examiners of titles should not throw any unnecessary difficulty

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difficulty in the way of any title passing where an objection almost itself carries its own answer on the face of it, and where it is of no moment. To instance what I mean, there was one case of mine where a vendor purchased a large quantity of property and did not pay for it. Under the terms of his purchase he was entitled to five years credit. He had drawn, by me, a simple form of contract under which he sold the land. He cut it up into a very large number of parcels, and sold it under a contract for 5 per cent. deposit, the balances to be payable at any time people liked, and he undertook to give a title to the purchaser under the Act on payment of the purchase money. I think he must have sold to upwards of a hundred people. When the time became due for the people to be paying up their balances, he instructed me to put the property under Torrens' Act. I had already put several parts of the same land under the same title under the Act, and I knew what the objections were likely to be. I made my application to put the title under the Act, and I got from every one of these purchasers a letter consenting to the title being put under the Act—the objection taken being that those persons had an interest in it. I pointed out particularly that my contract was that I was to give these men their title under Torrens' Act, and that I was putting it under that Act expressly to give them their title. I think that case hung fire for a number of years, and also that the examiners were taking upon themselves the duty, so to speak, of acting as private solicitor for every one of these people who did not want a solicitor. In other words, the examiners were taking upon themselves to protect these people when they did not want the protection,—they simply wanted the land to be put under the Act, and they wrote and consented to it. The examiners gave so much trouble that three or four times my client said to me, "Take the thing out of the office; I won't have any more of it." It cost him a large sum of money and immense delay.

2009. *Mr. Terry.*] Who were the examiners? Mr. Burton was one. I cannot say who was the other, because Mr. Burton was the gentleman I always saw in the matter.

2010. *President.*] Who were the examiners then in the office? It was there so many years that I am not certain it did not go in before Messrs. Jones and Oliver's appointment; but all the requisitions were Mr. Burton's, and I think finally it was settled by Mr. Burton and Mr. Jones, but I could not say for certain.

2011. I suppose the application in that case disclosed the fact of there being contracts for sale? Of course, because the man had to declare that no one had an interest in the land but himself.

2012. And that disclosure of the contracts enabled the examiners to raise the questions they did? Of course it did. One thing I was met with was that Mr. Burton said we ought to have made a separate application for every one of these purchases. Paling's was the case. Mr. Burton told me he was not at all clear that there ought not to have been a separate application by each one of these purchasers. I must say that I thought the requisitions in that case were fine-drawn to a degree that was quite unnecessary. If the persons themselves consented to the application being granted, why need the examiners, who approved of the applicant's title in other respects, act as if they were the private solicitor to those who had said, "We do not want a solicitor—we are satisfied to leave the matter as it is."

2013. *Mr. Archer.*] They did settle the case at last? At last we got it through; but I am not exaggerating, I think, when I say that that case was over three years, and Mr. Paling must have paid upwards of £100 in that case. I think every solicitor in Sydney knew something about that case.

2014. *President.*] Do you know of any other case of the same character? Well, to be perfectly candid, I have not tried to refresh my memory, to bring up these cases, but I could, if I took the trouble, find other cases in which a lot of unnecessary objections—highly technical objections—have been made.

2015. Then I understand you to say, that on the whole the objections taken by the examiners are too technical and go too far? Yes; I think that many of the objections taken by the examiners are too technical and unnecessary.

2016. That many are taken unnecessarily, and are with reference to matters which the examiners might satisfy themselves upon without taking the objections? I will tell you another instance in which I may state the objections were very unnecessary. A client of mine applied to be registered by transmission. He had sold his property, and I set out that no one was entitled to any interest in this property, except the applicant and the purchaser. The sale was made in Victoria, and I was called upon to produce a copy of the contract. Now, I did produce a copy of the contract, and it showed that the purchaser had paid a third cash, and was to pay the balance in two or three years, and on the payment of the balance of his purchase money he was to get his title, but until then his balance was to be secured by mortgage over the property sold. I went down to Melbourne, and tried to get the contract, but could not get it. I got them, however, to give me a certified copy of it—certified by the auctioneer—and I am not certain that it was not sworn to be a copy, or declared to be a copy. Not having refreshed myself about these matters, I am not certain about that point. Notwithstanding that, the examiners insisted on the production of the original document, and it was with very great difficulty that I obtained it. Here the vendor was doing all he could to get his case through, and could not get it through; and I found it was cheaper to get this original document up from Melbourne that to go and test the matter with the examiners. I also think, I may say, that when deeds are once produced and examined, it is wholly unnecessary to have them called for a second time, unless you want to cancel them. Take the case of a large number of deeds. The property is sold. They take the search up to a certain point, and they find it is sold to twenty people. I may be one of the purchasers, and I apply. They see that the deeds are all produced and examined; the surveyor has traced the land all through, and has got it up to a certain time. If another of those twenty men come in it is not necessary to have all those deeds again produced, having already seen and examined them.

2017. *Mr. Terry.*] Mr. Burton told us he did so only under special circumstances? I have been called upon to produce them in cases when it was certainly unnecessary. In another instance the matter is delayed for the production of deeds in another case; where I have got a certificate of title to other land, exactly the same title, and all the requisitions that can be made in this title have been made and answered, and still I cannot get my case through. It is a case lodged this two years. One certificate has been issued for an adjoining block of land under the same title.

2018. *President.*] Will you be good enough to give us shortly the particulars of the case? Holborrow and Clissold sold an allotment of property out at Enfield; part of it was under the Real Property Act, and part was not. The surveyor so subdivided it that a number of the lots were under both titles, and this necessitated both a transfer and a conveyance of such lots. I therefore advised that it would be desirable to put the property not under the Act under the Act; but the sale coming off soon we knew it would be useless to attempt to carry it through unless we postponed the sale. Since then I have applied for

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for two clients to put their purchases not under the Act under its provisions, and one case has been stuck up for nearly two years, for the production of deeds in another case on the opposite side of the Liverpool Road.

2019. Was it necessary that those deeds should be produced? Not that I know of; I have not seen the requisitions in the other case—I do not know what they have done with it.

2020. But the purchaser of land already under the Act had originally the same title as the land now applied for? Yes; I mean, of course, up to a certain point. There may have been one or two dealings since that, but only a very few.

2021. *Mr. Terry.*] Nothing to speak of? No.

2022. *President.*] But may not these extra deeds contain the very one required by the Land Titles Office? I think not; I think I myself saw these deeds produced.

2023. Then the requisition to produce deeds applied to the same deeds produced on the original application for title? No, one or two extra, but those have been produced, to the best of my belief.

2024. What I mean is, that the delay occasioned was in requiring production of deeds that had already been produced? Yes, that is my idea of it; but I further think—this is only a surmise—that the reason is this: The other title being a large matter has been gone into very closely, and possibly a lot of requisitions made, and the examiners have said, "Let us wait until we get these requisitions satisfied before we bother about this other case at all."

2025. *Mr. Burton* told us that if a small portion of a large estate came in he would examine that title with as much rigidity as the whole, so that he need not in a second case call for the production of a title? I still entertain the opinion I have expressed. The title I refer to is that of Francis Stephen's estate, and it comprised a large quantity of land; and I am certain that there are in my office a great number of parcels of the same title under Torrens' Act. I looked upon the title as good, and I never investigated it beyond a certain point; we know it up to a certain point. The difficulty in that title is now the descriptions, and that work is all saved to the examiners.

2026. Then the investigation of titles is so strict in this office that every practising solicitor thinks he is right in taking that title? We all do; none of us investigate the Riley Estate title or the Petersham Estate title. Lots of these titles we know up to certain points, and never go beyond them.

2027. But what I mean is that we know this office is so strict that we never care to investigate a title beyond what the office has done? Yes; knowing that the title has been passed in this office I am satisfied.

2028. Do you think that the examiners ought to examine titles in the same manner as a solicitor for an unwilling purchaser under an open contract would examine them? No; I think that an examiner should examine all titles as for a willing purchaser under an open contract. But as in all such open contracts the real contest between the attorneys is as to what documents are to be supplied and produced, and abstracts furnished, the office here should not put the parties to the expense of furnishing all those attested copies which they have in the Registrar General's Department, and it would therefore be merely a question of examining a title to see whether it is a good title or such as a man would pass under an open contract to a willing purchaser. I do not think that any risk should be run, because we are often protected by our clients when we point out a risk, and they say they will run that risk; but I think that a lot of highly technical objections, which it is almost impossible will ever arise, should not be taken in this office. The office should not take an objection on perhaps some little difficulty many years old which there is no human probability ever will be raised. There are many titles that come before an attorney which, if the property were not sold under conditions of sale, he would reject, and those titles the examiners ought not to pass until these matters are cleared up. But there are lots of titles which have got some little flaw in them of a technical nature that we pass, knowing that the point is such as will never in any human probability be likely to arise.

2029. Do you think it would be advisable to give the office power to pass doubtful titles on an increased assurance fee? Yes.

2030. Do you not think it would be very unsafe if we had a doubtful man to decide such questions? He may pass a bad title as a first-class one, so that the same risk would arise there. But I think it would be a great deal better for the public if a mistake or two were made in passing the titles, and for the business to be got through, than for the business to be tied up for an immense length of time, often by these titles being refused.

2031. Of course there would be immense risk with a person incapable of judging these matters passing doubtful titles;—do you think that the men we could get for the office are such that it would be safe to give them the power? I consider the salary given to the examiners is not sufficient remuneration for a first-class man, and I often doubt whether they could get a first-class man for the salary paid. I know a great many men who have not the amount of legal knowledge of any one of the examiners are making more money; and as regards Mr. Burton, I do not suppose there is his equal in New South Wales as a conveyancer. I think his knowledge of real property law is superior to that of any man here. I would rather have his opinion on a title than that of any man I know, whether at the Bar or in our profession.

2032. If you could get him to come to an opinion? That is a different thing altogether. Mr. Burton, I consider, would give an opinion as reliable as that of any one, but he would not be as successful a practitioner as inferior men would be.

2033. *Mr. Terry.*] There must be some reason for that? Simply because he is so slow, very slow, in doing what he has to do.

2034. *President.*] Do not all attorneys in large practice employ managing clerks, who take all the conveyancing business? I have two solicitors who manage various departments of my conveyancing business alone, and I have a third, who had been ten years at it, managing a third branch of the conveyancing, under myself.

2035. Do you trust them to any extent? Yes; to a large extent I trust one.

2036. Almost as much as you would trust yourself? Yes; he comes and asks my decision on any point which occurs to him, and I decide what to do.

2037. Then you are satisfied that if he does not come to you it is safe to pass it? I have been, and I have never known of a case passed wrongly.

2038. And the same rule exists in other offices? To a large extent. There are many matters settled between my office and other offices without ever seeing a principal—entirely managed by the managing clerks in the offices.

2039. Have you any objection to tell us the salaries you pay these gentlemen? I pay my head conveying clerk £500 a year.

2040. Do you think he is as competent as the examiners here? Yes, I do; I consider my managing clerk as good a conveyancer as the examiners here, but not as good a lawyer, of course, as Mr. Burton.

2041. But I think you said that Mr. Burton was almost too good? I look upon him as a man I would like to get an opinion from, but one that I would not like to manage my business.

2042. You think he wastes his energies on unimportant points? I think he wastes his energies upon a lot of things which he has no reason whatever to bother himself the slightest about.

2043. You know Mr. Jones? Yes. Mr. Jones was my managing clerk before he was appointed to this office.

2044. Is he as competent as Mr. Burton? In my opinion he is; of course, nothing like as good a lawyer as Mr. Burton, but I consider him a first-class man, though nervous and timid of responsibility.

2045. In point of fact very much the same temperament as Mr. Burton? Yes, inclined to be the same sort of man Mr. Burton is.

2046. But I suppose more active on account of his youth? More active, and having been accustomed to do more business than Mr. Burton. Mr. Burton, as a practitioner, had a small business from which he never turned out a great deal of work. Mr. Jones used to see a great many deeds in my office, pass a great many titles, and do a great deal of business. He was in the same position as my managing clerk; and he must have done in one year in my office as many titles as Mr. Burton would do in three in his own office.

2047. Then you think Mr. Jones is expeditious and industrious? I always found him so.

2048. And Mr. Burton is industrious also? I have always found Mr. Burton show great willingness to do anything I asked him to do; most obliging, and very courteous in his demeanour to me. I would not say a word against him in any way; but he has very often annoyed me—irritated me—by the extreme minuteness with which he would read through a deed or grant, when all he wanted to look at was to see whom the grant was to. As I often said to him, this is a matter which ought entirely to be done by some one before it comes to him. All that he ought to look at is the habendum or any part of the deed out of the common, and Mr. Lander ought to manage the other.

2049. He examines everything then, as it were, with a powerful microscope? I have heard that expression used many years ago by a gentleman now dead as regards Mr. Burton's investigation of titles,—that he examines everything with a powerful lens.

2050. Then from what you have said now you would advocate the appointment of grades of examiners? I think the titles ought to go up to the examiners, passed, as it were, up to certain points, and that the examiners should simply have to investigate the legal points of the title.

2051. Their clerk, for instance, might attend to these other matters? Yes.

2052. You know Mr. Lander, their clerk? I do.

2053. Do you think he is able to do such things? I should think he was.

2054. Do you know much of Mr. Maddock? I do; I have known Mr. Maddock some time. He got his first appointment in the colony through me. I recommended him to Mr. M'Lachlan, in Orange, and during the time he was in that office he used to conduct the correspondence with my firm. I then knew of his leaving there and going to Mr. Want's, and I have known him since. I have seen him hundreds of times on business matters.

2055. Do you think the appointment of him as an examiner was a good one? I do.

2056. Do you think he is in favour with the public and solicitors? I am certain in favour with the public, and I am equally certain that solicitors think the appointment is a good one.

2057. Does he get through his work expeditiously? Very.

2058. And with courtesy? I have never known him otherwise; I have heard one or two people say that he was short in manner, but, as far as I myself am concerned, I have never had any difficulty with him, or any misunderstanding or want of courtesy. Once or twice he used to write what we thought "cheeky" letters, but I do not think it was intended. He is a very hard-working man. He used to be at his office at 8 o'clock every morning. I have frequently seen him go into his office at 8, and I know it was his practice; and he got through a great deal of work. I know that the clients of Messrs. Want and Johnson had very great confidence in him.

2059. You know that when a title is examined here by the examiners, they report to the Board of Commissioners, and that the Board of Commissioners then deal with the case? Yes.

2060. Do you think that there is any advantage in having that Board? I think the Board of Commissioners, as far as I can tell, has been practically useless. I do not know whether that is the opinion of the public, but it has always been my opinion.

2061. Do you think it would be advisable to abolish the Board of Commissioners and establish some single head in their place, that is, a Commissioner, or Master of Titles? I think the Registrar General alone might constitute the passer of all matters where the examiners had agreed—where two examiners had agreed upon them; but that in the event of the two examiners not agreeing on a question of law or title, there should be some referee to decide that matter.

2062. By a Commissioner or Master of Titles, as in the other colonies? By a Commissioner or Master of Titles.

2063. You think that the Registrar General could perform all the duties that the Board now performs? If he has time to attend at the meetings of the Board, I am certain that he could do the same work done at that Board in less time by himself, because it always takes one man less time to do a thing of this sort than it takes a Board to do it; and, presuming that he has time from his other duties to devote to that work, I think he could do it quite as well as any Board.

2064. Do you think that any one of the present examiners would be fit for the office of Master of Titles, having a general control or superintendence of the examiners under him? I think that if such an officer is to decide between two examiners, as to which course is the right or the wrong one, or as to the validity or necessity of any objection to any title, no one could better fill that office than Mr. Burton. I have the highest opinion of his legal attainments, and I believe that the references would be so few as to enable him to keep the work entirely under command.

2065. Do you think he would be active enough, and keep a proper control over the other examiners—active and energetic enough I may say? As I regard the appointment only to be necessary in the case of the examiners differing on a real point, I think that he would be the best man to decide that point. I do

- S. A. do not think that it would be advisable that every little point should be referred to him—only where the
 Stephen, Esq. examiners differed on a principle or point of law.
- 10 April, 1879. 2066. Do you not think a person having such an appointment ought to have some general control of the examiners, and see that things go on regularly and properly—that the examiners do not neglect their duties—that they are not idle? I do not think Mr. Burton would be a good officer to have the control of the other examiners in that way, because I think he is a great deal too averse to finding fault with others to enable him to fill that place with satisfaction, or to be a good controller of other people.
2067. Do you not think there should be some one having control over them? I think so—to see that the examiners really do their work. But, so far as the present examiners are concerned, I do not think that is very necessary. Still, I think there should be some one at the head of the department, and not simply the Master of Titles.
2068. And free from the Registrar General? Yes.
2069. And he ought to be a professional man, able to deal with those points? And he ought to be able to deal with those points.
2070. In case of an appeal to this head by an applicant from the examiners, should he have power to decide as between the applicant and the examiners, supposing both examiners report against the title, and to have power to endorse their decision? No, I take it that it is only for him to decide between the examiners themselves as to what is to be done. That this officer, so far as the titles are concerned, should have nothing whatever to do with the public. If the two examiners agree on a report, we presume they arrive at a proper conclusion. If they do not agree, the report would be either the report of one examiner and the head official, or of the official alone. I would make him a kind of umpire.
2071. *Mr. Terry.*] And if he agreed with one of the examiners, you would have the title passed? Yes.
2072. *President.*] And you consider that if two examiners pass a title it ought to be safe? Quite safe.
2073. *Mr. Archer.*] Even against the Master of Titles? It would never come to him until two examiners could not agree upon the title.
2074. Supposing an objection were made to him? I want him to have nothing to do with the public at all. Let him be, as it were, a standing counsel, advising on all those points in dispute as they arise between the examiners.
2075. You would have no appeal against the two examiners, whether they accept or reject the title? No; if they reject the title they must show their reasons for so doing; and we presume they would show good reasons.
2076. *President.*] You would not do away with an appeal altogether? Certainly not; but supposing the examiners reject the title, and the applicant tests the matter, the examiners would be sure to fortify their opinion by taking the opinion of the Master of Titles, and if he should disagree with them they would, no doubt, reconsider their decision; and if he agreed with them, the chances are that they would be right.
2077. *Mr. Archer.*] Then he would have something to do with it? He would have nothing to do with the public, and I would keep him away from the public altogether.
2078. Unless he wished to see anyone? Of course, unless he wished to see anyone.
2079. *President.*] Do you think we have sufficient examiners to carry on the work of the country? No, I do not. I think that the amount of work entailed in my office lately—I am speaking from my personal experience—in transmission cases, is positively horrible. In regard to those transmissions, I have given a great deal of attention to the matter for some few years, because I have had, I think, more to do with transmissions than many men, and I have found that the way in which transmission cases have been worked has been perfectly ruinous to an attorney's business by giving so much more trouble, and very ruinous to clients. In one case where I had a hundred and odd grants, the grants were issued to five partners. One of those died, and the property was sold. To carry out such sale it was necessary that the partner's interest should be transmitted. I accordingly lodged, or had to lodge, an application for transmissions, we will say of a hundred grants. If the office had kept to their then practice, they would have issued to me 500 certificates of title, being one for each tenant in common. As a matter of fact, where the lands were contiguous or adjacent, and where they could fix the position of one from the other easily, they consolidated those certificates of title as much as they could. But I could not have compelled them to do it if they had not liked, and the effect of it to an attorney is this: Having a mortgage over all these lands, I had them described by certain grants, number and value, but when it comes back to me to deal with the second time, I have either a bundle of 500 deeds to deal with or a number of deeds of different particulars, and I have to go and trace each parcel out, and that necessitates an immense amount of work, all of which could be avoided if they had put on the back of the original grant: "A having died, his interest has been transmitted to So-and-so." Then all I need have done was to have the deeds signed by B, C, and D, and the representatives of A. I had some correspondence with Mr. A. O. on the subject, and I wrote to Mr. Cox on the matter when the Bill was before the House, in order to have this carried out; but before doing so I made my suggestion to Mr. Ward, pointing out that they did this in insolvencies, and that if they did the same in transmissions it would save their office the trouble of making out the new certificates of title. I went into a calculation at the time to point out how long it would take a clerk to make out the new certificates and copies that would have to be kept, and I pointed out how the stamp on the document would prevent all this. I am told that method is now adopted. Some of those transmission cases are a very great difficulty. I must have passed through, I should think, nearly a thousand grants within the last twelve months from my office, either passed through or in the course of passing through, and the necessity of investigating all those cases is very great. Mr. Burton, in my opinion, loses a great deal of time in all those cases, because he examines every single grant that comes up to him in those matters. All that he ought to do, or that any examiner ought to do, is to consider that this is an application to register those lands which belong to the applicant, either by himself or his tenant in common with So-and-so, and all that Mr. Burton would have to do then would be to examine the will or administration, as the case might be, and see what is to be done; but if he takes the trouble to examine all those deeds, he is wasting time, because I think all that the office really has to be satisfied upon is that the applicant has applied for certain deeds to which the dead person or testator is entitled. That work ought to be, and could be, done by Mr. Lander.
2080. *Mr. Terry.*] But Mr. Lander complains of having too much work in the office, and cannot take any more responsibility? Then you want a second man. If Mr. Lander has too much work already, about which I cannot speak, it will be necessary that some man should be appointed to do this work.
2081. *President.*] Can you point out any objection to the existing Acts which might be remedied? I should not like to go into that.

2082. Can you make any suggestion as to the improvement of the system? The way I think the system should be worked is by the titles being first of all examined by some person in the same way as they are now examined by the surveyor, and then coming up to the examiners, so that when they come to the examiner he has only a certain amount of work to do. I do not think that the examiner has anything whatever to do with the parcels which should be the responsibility of the surveyor. Then the person who puts out the paper for search should be responsible, as far as seeing that there is nothing peculiar in any of the deeds. As a matter of fact, nearly all the deeds drawn up in offices of any standing are almost exactly the same, and a man does not really want to read them. If the deeds come from an acknowledged office in Sydney, prepared by a practitioner every one knows, I should never read all the covenants, except for a certain object; but if the deed were prepared in a form which did not seem to be the usual form I should go through the whole of it.

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2083. The suggestion I referred to was as to matters that might be amended by passing a further Act—for instance, objection has been made in cases of transmission that they advertise and go to unnecessary trouble? They do not advertise now. If the Board think fit, they do not advertise at all. I look upon it that such reforms are very great.

2084. Another objection made is that the assurance fee should not be paid on a transmission case? I have always advocated that the charge of the fee on transmissions is most unjust. I pointed this out on one occasion to Mr. Stuart, and I gave him an instance where it cost £50 in fees to put land under the Act, and if the owner died to-morrow, and by will left everything to his wife, and she wished to leave the Colony as soon as she could prove the will, she could sell the property and go, but because the land happened to be under Torrens' Act she would have to transmit, which would necessitate a delay of some time. She could not lodge the application until having proved the will and paid the £50 over again, simply for the examiners of titles reading through the certificate and will of a few lines.

2085. Then you think the assurance fee should not be paid on transmissions? Not in simple cases such as these.

2086. *Mr. Terry.*] What about grants from the Crown? I see no necessity for this charge. Surely there can be no reason for guaranteeing a Crown grant.

2087. *President.*] But does not that fee cover all charges on the future dealings under the Act? Yes, but the Crown charge you a pound for the deed. They get the value of the land, and then they charge you the fee, and on each fresh dealing a fee is payable.

2088. *Mr. Terry.*] And if you get fifty allotments you have to pay £50 for the fee? If a man get the fifty allotments let him pay for the fifty deeds.

2089. *President.*] Do you know of any instances of malpractices by officers in this department? I hardly understand what you mean by malpractices.

2090. Have you ever heard that some of the clerks here prepare documents—applications for certificates, and other documents, which ought to be prepared out of doors? I have often heard that—that parties come here, and that the clerks in the office take cases from them and push them through, while the cases of professional men stand still, and I have been told that the reason that such-and-such a case was got through was that it was done in the office by an officer of the department. I have been told that repeatedly.

2091. Do you think the officers of the department have any control over the examiners in regard to pushing cases forward? No, but they can or may put them on the top of the list, get the searches through, and put them on the top of the bundle. They have the means of smoothing many little difficulties away.

2092. *Mr. Terry.*] Do you not think all cases in this office ought to be put before the examiners within a month after they are lodged? I should think less than a month. I think that the plan of lodging the papers is a very wrong one. I think that the paper, after it goes through the regular routine, should go in to the examiners at once, and not wait for a certain day before it is distributed, and I think also that no clerk ought to be allowed to have anything whatever to do with any application or deed under this Act in the way referred to. I do not say this on the ground of a professional man, but because I consider it is unfair to persons outside.

2093. *President.*] Do you think this is done during office hours? I do not think it could be done otherwise.

2094. Do you think they get any benefit themselves by doing the work? I have been told that they do.

2095. That they are paid for their services? That they are paid for it.

2096. Can you say whether you know of any case where that has happened? Of my own knowledge, no. I have been told by persons that they have paid.

2097. By persons whom you could trust? By persons whom I believe, but I would not bring their names up against any person denying it, and I cannot tell you the name of any person who received the money.

2098. But do you believe there is any foundation for the statement? Yes, I do.

2099. Does this happen frequently? Yes.

2100. Does this system go on now to the best of your belief? Of my own knowledge I cannot speak. To my belief, yes.

2101. Could you give us any instance in which such a thing has happened—could you give us any case? I could mention the names of persons who have told me so, but I decline to do so, with all due respect to the Board.

2102. *Mr. Archer.*] Were they professional people? I have heard from both professional and un-professional.

2103. That they have actually paid? That they have paid.

2104. Expedition fees, or fees for work done by the clerks? Both.

2105. *Mr. Terry.*] Then you think it is wrong for a clerk to do work connected with the office for private people, even out of office hours? I myself offered, on one occasion, a gentleman in this office that if he would get certain work that I wanted pushed through in a great hurry done out of office hours, and have the diagrams put on by some person, I would willingly pay all the fees occasioned by that being done, and I would willingly pay him for his time. The gentleman declined to accept any payment, or to make such an arrangement until he had consulted the Registrar General, and he came back and told me that he could not do it, as it would be opening the office to a very bad practice. On that occasion the offer I made was simply to pay for the engrossing of certain certificates of title, and for putting the diagrams upon them. There was a large number, and I wanted them particularly to be done by the Board day for signature. I think that there is not the slightest harm in any officer working after office hours, with the sanction of the

Registrar

- S. A. Stephen, Esq.
10 April, 1879.
- Registrar General, or with the sanction of the head of the department, in doing work overtime, exactly the same as one pays his own clerks for doing overtime work; but I think the practice of any person taking fees in the office on your lodging matters, or for any clerk in the department to do work connected with the department for private persons in that way is very wrong.
2106. *President.*] The malpractices you alluded to in the first instance are not those you mentioned in your own case? No, the things I have heard of have been of clerks putting applications in, carrying them through, and getting the certificates of title for outside people.
2107. *Mr. Terry.*] How can the clerks get certificates of title? The application is brought up stairs, and the clerk may carry it right through for his friend or acquaintance; and I am told he is paid for that work.
2108. *Mr. Archer.*] He shepherds it? He shepherds it. Another thing that I allude to is, that on cases being lodged the clerk is paid fees by persons outside the office.
2109. *President.*] Cannot you give us some means of getting at evidence on this point? The way in which that evidence could be got at is this: I know that such fees have been paid, and the Commissioners could discover the particulars of those fees by examining the clerks in the various offices, who have charge of lodging such papers.
2110. How could they ascertain it—the fees would not be entered on the papers? But if a man is willing to give his evidence, the information can be obtained.
2111. But there are hundreds of applications, and you cannot go through every one inquiring into each? If you examine your clerk, for instance, you can see if he has ever paid such a fee.
2112. I am quite certain he never has done so? Then ask somebody else's clerk if these fees are paid. Perhaps Mr. Dawson might know something about it.
2113. *Mr. Dawson.*] Nothing of that sort has ever transpired with me, I am quite sure.
2114. *President.*] Perhaps you will tell us if the keeper of your petty cash, or if your accountant, has ever charged you with such fees? I have been charged with such fees, certainly twice.
2115. And possibly more? It might be more without coming under my notice.

WEDNESDAY, 16 APRIL, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P.,
THOMAS ROBERTSON, Esq.,

WILLIAM HENRY ARCHER, Esq.,
JOHN DAWSON, Esq.

John Solomon, Esq., J.P., examined:—

- J. Solomon, Esq., J.P.
16 April, 1879.
2116. *President.*] You have intimated your willingness to be examined by the Commission in respect to the Real Property Office? Yes.
2117. Have you any complaint to lodge against the office or against any officer in it? Well, I certainly have a great many complaints to make with regard to the delays in passing properties. I have had a great deal of experience in this office with the number of properties I have had to pass through it. In fact, I never buy any property unless I have it passed through this office.
2118. Then you think the office is a very good institution if properly worked? No doubt of it; not the slightest doubt of it.
2119. Will you be good enough to state any complaints you have to make against the office? Well, there is one, and Mr. Dawson can vouch for the truth of it: I purchased a property from Mr. Lackey, the present Minister for Works, and I gave £1,660, I think, for it. With that property I had a great deal of trouble, requisition after requisition being made. I satisfied them all as I thought, and then another requisition came to say that one of the heirs or legatees was out of the Colony, and until he could be found and had given his consent, the property could not be transferred. Well, the thing remained, and Messrs. Holdsworth and Brown threatened to commence an action against me in equity to complete the sale. After great delay, and expense of about £30 or £40, I got out of it and withdrew the application. Subsequently the property was sold for £1,900, and it passed through the hands of Mr. Dawson, who considered it a good title and passed it. I lost several hundred pounds by that matter. I cannot get any property through the office without delay. Mr. Dawson has had property for sale by auction. I have told him if he would pass it under the Act I would bid again, and he has said, "It is no use, I could not recommend my clients to do so because it takes so long to pass through the Land Titles Office; we will not consent to it"; and this answer was in consequence of the delay in the office. I have lost thousands of pounds because I will not take property unless it goes through the office. I believe in it. I consider it the greatest boon invented by man for the public good.
2120. Then your complaint is that the examiners rejected a title which a solicitor of standing accepted as a good title? Most decidedly, and Mr. Dawson can vouch for the truth of it.
2121. What we should like to know is whether you have any specific objections against the office, pointing out exactly what they are,—any errors of judgment or other matters which prejudice you or the public? There is one objection, and a very strong one, I have to the conduct or proceedings of the examiners. When you make an application to have land brought under the Act, you are supposed to hand over all papers and documents connected with it. One of the examiners takes your papers, enters them in a book as he does other cases, and this is continued every day, application after application, and your application is not dealt with till all the rest are passed. Thus, instead of examining your papers and sending you a requisition to explain whatever matters they think necessary, they send you perhaps five or six, or a dozen, or twenty, requisitions to answer. After a great deal of trouble, and sometimes of expense, you get statutory declarations and all sorts of things complied with, and think that you are done with them, but not a bit of it; they send you another batch of fresh requisitions upon your answers. It is a very hard case, but I suppose I must do it. I go to work and find out all I can, and return the answers as well as I can. But that is not sufficient. Between the one and the other, the first requisitions that come in are put by among your papers until your turn comes. Then the requisitions are looked into and the examiner makes notes on them, and sends them on to the clerk, and there is another fresh lot of requisitions on your paper, which

which are put by until your turn again comes round. If you send back your answers the day after you receive your requisitions, you have to wait your turn. Perhaps you have to wait a month or two months, until all the applications before yours are gone through.

J. Solomon,
Esq., J.P.

2122. Is it not possible that this second or third batch of requisitions may arise out of your answers to the first? It is not only possible, but it is the case, so that the thing is endless.

16 April, 1879.

2123. Then there is no objection to their sending them? There is; I consider that the examiners should examine into the title, not with the view of finding out flaws to prevent those really entitled from enjoying the land, or from getting a title, but merely to see that no other party had a valid claim to it. I say that they do just the reverse; that their object is to find as many flaws as they possibly can, with a view to prolong the case.

2124. It cannot be with that view, because it is no object of theirs to prolong a case? It appears like it, or why do they not pass the cases instead of sending requisitions after requisitions continually?

2125. Can they not do it because they are very timid? Then lawyers have no right to be timid.

2126. *Mr. Terry.*] Have you had any dealings with Mr. Maddock? No, I have not had the pleasure of having anything to do with him lately. I am full up. I think I shall not buy any more property just now. I will tell you another very curious thing. I purchased some land in York-street. I offered £100 to Messrs. Deane and Deane, solicitors for the vendor, if they would pass it through this office and obtain certificate of title, which they declined to do on account of the delay. The title was perfectly good, but the delay would not suit them. That is the kind of answer I get from every attorney in Sydney. I completed the purchase at an expense to myself of about £35, and made an application to place it under the Act after I got the conveyance. Then I received endless requisitions, the last one being to this effect: "That Mr. Solomon has to prove that Miss Little, who is now dead, was never married."

2127. *President.*] Did you furnish proof? How could I? I kicked up a row, and told them they were fools to send in such a requisition. To both Mr. Burton and Mr. Oliver I said, "I am ashamed of you, you men of ability, to send such a foolish requisition as this for me to answer, when it is an impossibility." Then my requisition stopped for two or three months before it was returned again from them.

2128. *Mr. Archer.*] What was the result? The result was that it was passed at last.

2129. Without the proof? Yes, I could not do it. Of course it was passed.

2130. *President.*] Have you any other complaints in reference to the proceedings of the office? Only general complaints. I have explained to Mr. Burton and Mr. Oliver several times that I thought that when they got into their hands cases about which there was no difficulty, they should class them by themselves, and get through them as soon as possible, and not mix them up with others about which there was a great difficulty, and so take them in their turn. I thought they should make two or three classes, and those of no difficulty be passed at once, and not kept behind until all the rest were passed, as is the general custom.

2131. Can you inform us whether the office is in general good favour with the public? I can scarcely answer that.

2132. I do not mean in reference to the principle,—you said you believed in the principle of the office? The complaints, generally, are of the examiners. I never heard any complaints against the Commissioners.

2133. *Mr. Terry.*] No, because they do not do anything? Oh, yes they do; they pass the case after it passes the examiners, and they can delay it if they choose, but they do not. If it once gets into their hands they soon get rid of it.

2134. *President.*] Have the public confidence in the office, worked as you say it now is? No, certainly not, because there is scarcely an attorney in Sydney, you among the rest, that will allow property to come into this office to be conveyed when it is sold, in consequence of the delay; and I am not sure whether our friend Mr. Robertson has not refused the same thing. I have made the same application there, and generally got the same refusal. They will not bring it under the Act in consequence of the delay—not that they object to the law, but to the constant delay.

2135. Then the office is in great disfavour with the public in consequence of the great delay with the examiners? Exactly, that is the general feeling among the profession and the outside people.

2136. Do these delays cause expense and trouble to applicants? Most decidedly, heavy expense. In the first place the person selling the property cannot get the money unless the land is passed, and consequently he loses the interest on it from the time he sells it until the thing is passed. That is the objection, that they will not wait.

2137. Have you found all the officers courteous and civil? Every one.

2138. From the Registrar General downwards? Yes, too much so.

2139. Have they ever given you any assistance? Yes, every assistance in their power, more particularly Mr. Lander.

2140. Have you had any assistance from other gentlemen besides Mr. Lander? Yes, from Mr. Pearson, from the Registrar General, from the Deputy Registrar General—from everybody. If I come here and ask for anything, they are very obliging, and will do anything for me I ask in reason.

2141. When you bring applications for titles here, with the documents, whom do you see? I fill in the application, give it to the counter-clerk, pay the fees, and away I go. I get a printed form and fill it up.

2142. Does the counter-clerk assist you in any way in passing the titles? Only by taking the papers, and answering any questions.

2143. Has he ever prepared documents for you? No.

2144. Has any one in the office? No, I prepare them myself.

2145. Have you ever paid anything to officers in the institution? Not a shilling, except the proper fees, and I generally get a receipt for them, and will not pay the money without, so that they shall not pocket the money.

2146. Have you heard any statements out of doors that *douceurs*, or expedition fees, are paid to any gentlemen in this office? I have not heard of it.

2147. And you have never paid any yourself? Not a penny. With regard to the delays to persons who sell property, I will tell you a case of mine concerning that property on which is built Alberto-terrace. I purchased that at auction from Richardson and Wrench; it was Stuart Donaldson's property. I wanted Mr. Billyard to bring it through the Land Titles Act. He said, "No, I won't do it." I said, "Why?" He said, "The delay is such that I cannot do it unless I have the money; but I will tell you what I will do with you: If you will pay me the money I will assist you in it." I said, "Will you let me see the

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the papers?" and he said "Yes." I looked over the papers, and from my little experience I thought the title was quite good. I said to him, "Very well, meet me at the City Bank to-morrow morning, and I will give you a cheque for the amount." He did meet me, and I gave him a cheque for something like £4,000 or £5,000, otherwise he would not have allowed the property to be brought through the Act. I should have had to have got a separate conveyance, and then have brought it through if I thought proper to do so. But that is what I did. Now I will tell you another similar case: I purchased a property on the Darlington Road from the present Speaker, who was agent, or, in fact, was trustee, for Mrs. Plummer. I purchased this property at auction, and I went to him and said, "I want this brought through the Land Titles Act." He said, "I will not do it, because I shall not get the money for twelve months; pay me the money and I will pass it through, and charge you just the fees." I said, "Very well," and gave a cheque for the money, without seeing the title or anything else, and it was passed.

2148. How long did it take to pass? I could not tell without looking at the papers in the case, but it takes generally five or six, or seven or eight, or nine months to pass, and then the case has to be advertised for sixty or thirty days. If you serve the notices yourself it is thirty days, and if they serve the notices it is sixty. I do not see why that should make a difference at all. I do not see the sense of it. In fact there is a general objection about the country to bring land through the Act in consequence of the delays.

2149. *Mr. Terry.*] Would you give more money for property if the land were brought under the Act? I would. I have said to Mr. Dawson and to Mr. Norton: "There is the last bid going; if you will promise to give me the property under the Land Titles Act, I will bid again for it." "I cannot do it" has been the answer.

2150. *Mr. Archer.*] That is the natural result? That is the natural result. Property would perhaps fetch hundreds of pounds more.

2151. *Mr. Terry.*] It might bring five and twenty per cent. more? There is no doubt that if the solicitors had consented to bring the property under the Act it would have brought hundreds of pounds more.

Richard Jones, Esq., Commissioner of Titles, examined:—

R. Jones, Esq.
16 April, 1879.

2152. *President.*] You have been one of the Land Titles Commissioners since the Act first came into force? Yes.

2153. And have, I suppose, attended the Board meetings regularly? Yes.

2154. Can you give us any idea of the cause of the disfavour into which the office has fallen with the public? Delay in getting the cases through.

2155. And what is the cause of that delay? I suppose the want of sufficient examining power.

2156. You think there are not sufficient examiners to deal with the cases brought into the office? I should infer that there was not a sufficient number of examiners.

2157. Has there been any difference since the appointment of Mr. Maddock? Oh yes, there has been a considerable increase in the number of cases which came before the Commissioners since Mr. Maddock's appointment.

2158. His appointment has accelerated the business of the office? Yes.

2159. Can you tell us the nature of the objections to titles made by the examiners? The nature of the objections do not come before the Commissioners usually, unless in regard to qualifications, if they were stated. We have no occasion to examine the requisitions which have been sent, except some point arise in the case itself in the nature of qualifications.

2160. Do not applicants for titles sometimes appeal to the Board against the decision of the examiners? Occasionally, but very rarely.

2161. And in those cases I suppose you see the nature of the objections raised by the examiners? Yes.

2162. Are those objections, in your opinion, such as ought fairly to be raised? As a rule, I think they have been fairly raised.

2163. They are not too particular, or too minute? Not as a rule, I should say.

2164. Are they occasionally? Occasionally I think the objections are a little overstrained.

2165. And in case they are overstrained, do the Commissioners in any way deal with them? Occasionally we put aside qualifications that are attached to the reports of the examiners.

2166. And pass the title without going into the qualifications? We pass the title without insisting on some of the qualifications which are stated on the examiners' reports.

2167. Then, in point of fact, the Commissioners have very little to do with the titles? Not much.

2168. What are their duties? To pass the titles as recommended by the examiners.

2169. Anything more? Yes; they advise the Registrar General with regard to provisional certificates, and with regard to dispensing with the production of original documents in cases where they have been lost, and so on; and also, with regard to the correction of clerical errors which have been made in the issue of certificates or grants.

2170. Could not all those duties be very well performed by the Registrar General himself, without the intervention of the Board of Commissioners? I think they might.

2171. Do you think the Board is of any advantage to the public, or to the institution? I would rather not express an opinion on that point, inasmuch as I hold one of the offices myself. A man cannot be a judge in his own case, and I would not care to express an opinion.

2172. *Mr. Archer.*] You do not care about committing official suicide? I do not care so much about that, but I think the value of the Commissioners may be ascertained from the present Registrar General, and from former Registrars General, Mr. Rolleston and Mr. Jaques.

2173. *President.*] Can you suggest anything in the way of improvement of the system? Well, the general routine of the system does not come before the Commissioners, except with regard to the particular part of the business that comes before them.

2174. I mean in regard to objections or difficulties that come before you, raised by applicants or otherwise. Could you not form an opinion as to whether something might not be improved—as to whether some alterations might not be made? No; no alteration suggests itself to me in the provisions of the Act itself. I think it is desirable to have sufficient examining power to get cases through without delay.

2175. Do you think on the whole that the office works satisfactorily to the public? Except in that respect I think it does. I dare say that applicants occasionally think that the examiners are somewhat rigid in their requisitions and requirements.

2176.

2176. But you cannot tell whether they are right or wrong—you do not deal with the questions? We do not deal with the correspondence that passes between the examiners and the applicants or their solicitors. R. Jones, Esq.
 2177. How many titles do you pass in the week, on the average? I should think the average runs somewhere between six and ten, eight or nine would probably be about the average number of titles passed in a week, but the average has been considerably more during the last six months. It was less during the previous six, or nine, or twelve months. 16 April, 1879,
 2178. Was the average before the appointment of Mr. Maddock as great as it was in the time of Messrs. Holden and Dick? I scarcely think it was. We of course are not aware officially of the number of cases in arrear.
 2179. Mr. Archer.] The commissioners do not attempt to wake the office up if it is slumbering? The commissioners, through the Registrar General, express a desire to get as many cases to deal with as they can.
 2180. President.] Because there is a fee attached to each case? To get through the business of the office.
 2181. Mr. Robertson.] Can you show any cause why the Board of Commissioners should not be dispensed with; that is, assuming that we were thinking of recommending that they should be abolished, can you show us any reasons to the contrary? Looking to the position in which I stand I am indisposed to attempt to show any cause, because I am not desirous of preserving the office I hold. Originally I took it very unwillingly, and I have at all times held myself quite ready to give up the office when it was considered that the public interests required that I should do so.

FRIDAY, 18 APRIL, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P.,
 THOMAS ROBERTSON, Esq.,

WILLIAM HENRY ARCHER, Esq.,
 JOHN DAWSON, Esq.

Alexander Oliver, Esq., Barrister and Parliamentary Draftsman, examined:—

2182. President.] You were at one time examiner of titles in the Real Property Office? Yes, for four years,—I think from July, 1874, to about the same month in 1878. A. Oliver, Esq.
 2183. Who were the other examiners with you at the time you were in the office? Mr. Jones was appointed simultaneously with myself, and Mr. Burton, of course, I found here. Mr. Burton and Mr. Jones were my brother examiners. 18 April, 1879.
 2184. Then you were here, in the first instance, with Mr. Burton? Yes.
 2185. And then with Mr. Burton and Mr. Jones? No; Mr. Burton was the surviving examiner, and on Mr. Holden's death two examiners were appointed, Mr. Jones and myself; so that he and I came into the office at the same time. Before that I had been *locum tenens* examiner for about three months, for Mr. Burton, during an illness he had, and this was with Mr. Holden, the then senior examiner.
 2186. Were there any complaints of delays or of malpractices in the office at the time when you joined it first as *locum tenens* of Mr. Burton? No; I do not remember anything that could come under the class of malpractices, and I do not remember any complaints of delay.
 2187. Or arrears? Yes, there were some arrears by reason of Mr. Burton's ill-health. I think there may have been sixty or seventy cases in arrear then which had been examined by one examiner, partly by Mr. Holden and partly by Mr. Burton. There were many of those cases—I am speaking of the arrears—in which Mr. Burton had expressed some decided opinions, and Mr. Holden and myself agreed that I, as *locum tenens*, should not deal with that class of cases, because it would be hardly fair to Mr. Burton to have his opinions reviewed by one who was only temporarily in the department; therefore the cases I took up were those chiefly which Mr. Burton had not been seized of.
 2188. Did the arrears increase while you were in office temporarily, and up to the time of Mr. Burton's return? No.
 2189. What I mean is, did you leave Mr. Burton a legacy of a further arrear when you went out of office on his return? No, I think not.
 2190. You kept your work pretty well down? Yes, I think so, during that period. I was not in the office more than three months. I think—if my memory is good enough to enable me to say—that I dealt with some forty-four or forty-five cases during that period. I cannot say that they all passed into certificates of title, but I dealt with them in some form or other. Then, of course, during that time cases would be coming in, and those new cases (unless they were first-class cases) I had not time to dispose of, because, of course, my appointment was simply a temporary one, in order, I apprehend, to keep Mr. Burton's work down as much as possible during his illness. He had been ill for some time before. Necessarily the cases had got into arrear, as there was only one effective examiner to examine them.
 2191. How long was it after Mr. Burton's return that you were appointed permanently? I think it must have been not less than five years. I think it was between 1869 and 1870 when I was a temporary examiner. I cannot very well charge my memory with the date, but certainly a considerable time elapsed, not less than four or five years.
 2192. In what state did you find the work on your appointment as permanent examiner;—did you find more or less arrears than when you left the office before? That I could not say. I never compared them. Certainly, from my recollection, if there had been a very much larger amount of arrears I think I should have been struck by the fact, but I do not remember being at all surprised by the quantity of cases in arrear.
 2193. Your impression then is that the office had worked pretty satisfactorily during this interval? I think so.
 2194. Do you know the repute in which the office now stands with the public and the profession? Of course only at second-hand.
 2195. From conversations with persons? Yes.
 2196. You know that the Commission has been issued to inquire into the working of the office? Yes. For the last two or three years I have heard that the office has been the subject of a good deal of reproach, both

A. Oliver, Esq. both branches of it, the investigating branch and the executive branch. I have not heard though that the reproach has, or that the complaints have, been increasing. I have understood that there has been a general sub-stratum of outside dissatisfaction for the last three or four years, and with both branches of the office.

18 April, 1879.

2197. Can you tell what form those complaints take? I have heard that the examiners are not expeditious enough in disposing of applications for certificates; I have also heard that they are often too minute in the investigation of titles.

2198. Too captious? Yes; perhaps that word, or words to the same effect, have been used; in fact I have heard a stronger expression than that—that some of the requirements of the examiners are even frivolous.

2199. Can you say whether there is any good foundation for those complaints; I want your candid opinion on the point? To speak candidly, I must say I have never seen an objection taken by anybody in this office deserving of the name of frivolous. What will appear to an applicant or the solicitor in charge of the application as frivolous might appear to the examiner who takes that objection, or to an impartial critic, anything but frivolous.

2200. Of course allowances have to be made on both sides? I know that in some cases we have been said to be too exacting over small matters. I know that in some cases the office has been found fault with for requiring the registration of various deeds and instruments connected with the title—contracts, for example.

2201. Anything else? Yes, sometimes the office has been found fault with for going too far, as it has been thought, into titles which, perhaps, rest on peculiar foundations—for exhausting, so to speak, a pedigree, or all possibilities of such-and-such a person being alive—in requiring proof of his death, and of his having died unmarried or without leaving issue, or if there have been, exhausting every possibility of that issue representing a latent claim against the title. Sometimes the examiners' dealings with this class of cases have been made the subject of considerable complaint.

2202. Has there not been good foundation for that complaint to a certain extent;—have not those objections gone really too far? If the Government meant the examiners to take a fair holding title—a substantial holding title—I think they have perhaps gone too far. But my answer to that question must depend entirely on the nature of the title intended to be accepted here.

2203. Do you think that while you were in office objections were ever taken by the examiners which ought really in fairness not to have been taken—that is to say, such objections as the examiners really did not care whether they were answered or not? Well, often objections (that is, perhaps, the wrong term for me to use)—perhaps I ought to say sometimes—there has been a requisition inserted into one of the usual requisition letters sent out, designed more for the purpose of eliciting information than for taking an objection to the title. I have known one or two cases where a requisition, seemingly without pertinence, has had a beneficial effect on the title. So it is very difficult to say generally, and without connecting the question with a specific application, whether or not any given requisition is frivolous or unnecessary.

2204. Do you consider that the office should accept such titles as a willing purchaser would accept in buying from an ordinary seller? A willing purchaser, with a competent solicitor behind his back—yes. With a competent solicitor, I think the office might very properly take such a title as that. I wish, though, to guard that remark by what I said before, that the answer to this question must mainly depend upon the nature of the title that we ought to accept. This is what we have never known. We have always been in the dark in this department as to what class of titles we should take. It will be observed that our indemnity or assurance fee is only one half-penny in the pound on everything—for Crown grants, as well as complicated applications—and it always appeared to us to represent a permanent indemnity to the registered title, and that for this reason we should exercise the greatest care in the acceptance of titles. Now, in another Colony—Victoria—the Legislature has given the office every justification for the acceptance of good holding titles, and when such titles as you describe as that which a willing purchaser would accept under an open contract come in, the Commissioner there can increase the assurance fee if there is any infirmity in that title; and he has done it, I believe, on various occasions. There, I think, the Legislature showed clearly that that class of titles which you are describing was intended to be accepted; but here you might almost argue that the Legislature took a different view, because there is but the one assurance fee of a halfpenny in the pound, which is so small and so incommensurate with gradations of risk to the guarantors (if you are to accept doubtful titles) as to lead to the conclusion that the only class of titles to be taken were marketable titles.

2205. Then do you think it advisable to give some power to increase the assurance fee, and accept what otherwise would not be accepted? I think so. I do not think that where it has been given it has ever been injudiciously used—I mean in Victoria.

2206. Do you not think it is a very dangerous power to give? Yes, unless accompanied by proper safeguards. I think there are only certain specific cases where it should be exercised, *e.g.*, where there are certain documents asked to be produced, which cannot be produced, or where, in the case I have just now stated, it is impossible to exhaust a pedigree, or perhaps in such cases as Sydney Bank cases, where we know practically that the shareholders would never assume the position, or endeavour to assert their dormant rights of *cestuique* trusts. Still they are not the class of titles we have been in the habit of taking here.

2207. Which class of title? Those cases which have been derived through dealings by Bank Directors and others standing in quasi-fiduciary positions. I do not allude to Bank of Australia lottery cases. Besides these there are of course a great many other cases which might have some slight infirmity—I do not mean a radical infirmity, because that is a class of cases which the office should not touch.

2208. I suppose you allude to cases where there is defective evidence and presumptive good title? Yes, with long possession following it; and the Registrar General or the officer on whom the power is conferred to increase the assurance fee should be confined within prescribed limits in the exercise of such a power. Of course he would always in a matter of that sort act under the advice of his advisers.

2209. Mr. Holden I know was a great advocate for that increased fee? He was; he has often spoken to me on the subject. He also was equally certain that it might be abused unless it was surrounded by great precautions; in other words it should not be general—it should not be competent for any officer, whoever he might be, to commit the Government to any sort of title.

2210. That is what it is in Melbourne I understand? It is so expressed, but in effect it is not so, being
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in the hands of a commissioner, who is a careful man. There is another class of cases that might be dealt with according to that view—I mean by increasing the assurance fee. Sometimes we have cases resting on long possession, but not equivalent to a complete bar, with more or less documentary support. Of course we have accepted titles here with but very slight documentary support. I think the Ryan grant title on the North Shore was in the main represented by Mr. Milson's statutory declaration of possession. That title had been accepted long before I came here, and I only mention it as a case where a very large and valuable property was accepted by this office chiefly, if not wholly, on a statutory declaration of long possession.

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2211. But you knew the grant had been issued? Of course we knew that. There would be but little danger if all possessory titles were as good as that. Then there are many in which the possession is for less than forty years, is perhaps hardly twenty years, but as to which I think the profession outside would not doubt, with a willing purchaser, to recommend that the title be accepted. Of course outside they have bonds and other forms of indemnity, which the office cannot avail itself of, and it is for these which I think Mr. Carter must have substituted in the Victorian Act the principle of the increased assurance fee.

2212. From what you say, I understand you to think the office is in the position of an unwilling purchaser under an open contract, and therefore entitled or bound to take every possible objection? Well, as you state the question now, that is pretty much the view which I am inclined to take.

2213. Do you think it is the duty of the office to accept such a class of titles as I have described, although they might reject them on some technicality? I cannot, perhaps, go so far as that. It depends on what is meant by a "technicality."

2214. You know that the office is established for the purpose of bettering titles and sweeping away long abstracts and chains of deeds? You mean, better them by simplification.

2215. Yes? Yes, for simplifying titles, doing away with abstracts and so forth, and long chains of deeds, and with expense necessarily thereby entailed; in fact, representing on a piece of parchment the concrete title, so to speak, *i.e.*, the combined results of numerous documents and dispensing with abstracts of title on transfers and other dealings. Then, admitting that, we are still left in the dark too much by the statute as to what class of titles we should put on the register. It gives no light on the subject. We, as examiners, have certainly—at least I may speak for myself—thought the only title we could safely take was the marketable title. If there had been any expansiveness in the assurance premium we should have known that the Legislature meant differently, but the $\frac{1}{2}$ d. in the £ looked like a kind of formal indemnity meant to provide against merely clerical errors.

2216. One guage for all titles? Yes, especially as it is levied on the Crown grants, which I think is absurd. There ought to be no indemnity to the Crown against its own grants.

2217. Of course you know Mr. Burton well, and his mode of treating titles? Yes.

2218. Are you not aware that great complaints have been made of his requisitions, and of delay occasioned by him? Yes, I have heard that such complaints have been made.

2219. Is he too minute in requisitions, or in examining titles—does he take too many small unnecessary objections? To answer that, I ought to speak for the period during which I have been working with him as a colleague. During that time I cannot say that I can remember half-a-dozen requisitions which he has insisted upon, and which I could characterize as being unnecessary. I cannot certainly remember half-a-dozen.

2220. And yet you know that great complaints have been made of him? And yet I have heard that such complaints have been made.

2221. Is he quick? Well, I think he is too methodical and too painstaking to be quick. No man, I think, can be methodical and painstaking over his work and quick at the same time. I think they are inconsistent attributes.

2222. While you were here was he sufficiently industrious? I have always found him at his post.

2223. Then any delay occasioned was occasioned by his laborious minuteness? I think if any delay was occasioned that must have been the cause of it. I have known him spend a good deal of time in hunting up the law on a difficult point arising upon the construction of a will. He never takes chances, but works up his points as thoroughly as he can. He is very much in the habit of going to the fountain head, I mean to the decided cases where the law is doubtful; and though perhaps sometimes an applicant may think he has reason to complain of a little delay in a case, there is this countervailing benefit—that the examiner knows the latest law to apply to similar cases, and can therefore deal expeditiously with them. If one applicant suffers a little, subsequent applicants are the gainers.

2224. Then, on the whole, do you consider Mr. Burton a good examiner? I think he is a most valuable examiner to this office.

2225. Looking at both sides of the question? Yes, because I think the probability would be that his colleagues, simply by their knowing the extreme accuracy with which he investigates a title will be likely to reduce the average by being a little less minute. I think it is a very valuable element in an office of this sort to have an examiner so painstaking, with so lawyer-like a mind and so scrupulous as Mr. Burton.

2226. Do you know anything of Mr. Jones or of Mr. Maddock as examiners? I know Mr. Jones very well.

2227. Do you know anything of them as examiners? Yes, I have been associated with Mr. Jones for four years.

2228. Are there the same objections made to Mr. Jones as are made to Mr. Burton? Well, I have heard pretty much the same objections urged against Mr. Jones as against Mr. Burton.

2229. With equal force? Not perhaps with equal force?

2230. With equal foundation? That I have no right to express an opinion upon, because it would amount to saying that I thought one was a more competent man than the other. I have worked with Mr. Jones with very great harmony, and I think that he is a very competent examiner.

2231. Do you think he is as laborious and particular as Mr. Burton, and that he goes into titles with just as great minuteness? Well, in some cases which have come before me, I have known Mr. Jones take objections which I do not think Mr. Burton would have taken, but yet on further consideration we found that those objections were substantial objections. I have two or three cases in my memory in which, at first sight, Mr. Burton was not inclined to agree with Mr. Jones, but he did agree with him afterwards. At all events, he did not insist upon his original views.

2232. Then, as far as objections to titles are concerned, you think that Mr. Burton and Mr. Jones are very good examiners? I do.

- A. Oliver, Esq. 2233. Do you think, as far as the public are concerned, they are not too strict? Well, that of course is a difficult question to answer. It raises the general question again.
- 18 April, 1879. 2234. You are aware that the office is established for the benefit of the people. If the public are debarred from that benefit by too great minuteness, or by anything at all, that must be objectionable? The difficulty is to draw the line between what is commensurate minuteness and what is excessive minuteness; but I can hardly —
2235. I admit the difficulty—it is always a matter of opinion? It is always a matter of opinion. I would even go so far as to say that a requisition is not necessarily an absurd one which should ask for information whether Mr. So-and-so had a pimple on his nose, because that might lead to the identification of a person intimately concerned in the title. Taking the most apparently absurd requisition that you could frame, it is not necessarily an absurd one.
2236. What is your opinion of the Board of Commissioners, of the advantage of the Board of Commissioners in working the Real Property Acts? I do not know that I have ever observed that they have been in any way useful as a protection either to the public or to the revenue. Their main object appears to be, as far as I can gather from the Act, to fix the number of advertisements in the case of applications, and in what newspapers they should appear. They certainly have discretionary powers vested in them: but I apprehend they do not exercise those discretionary powers unless under the advice of their legal advisers.
2237. Do you not think that all the duties they perform could be just as well performed by the Registrar General himself? I should like to answer that with very considerable qualification, because I consider there are a number of duties given by the Act which neither the Registrar General nor the commissioners ought to perform. For example, the Registrar General, with the advice of the commissioners, may correct an error in a certificate of title. That error may raise a most important question of law. For example, it may be alleged as an error that certain persons had been registered as tenants in common instead of as joint tenants. The applicants come to the Registrar General and give certain evidence to show that they take quite a different capacity. Well, that is not an error which a layman ought, in my opinion, to presume to correct. A man must be a grammatical lawyer—a conveyancer—before he should attempt to correct an error of that kind; therefore, I hardly think that some of the functions of the commissioners, which they either perform of their own responsibility or with the assistance of the Registrar General, ought to be conferred on the Registrar General, unless under the direct advice and supervision of the professional officers of the department.
2238. Do you not think that such matters as you have mentioned might be performed by the examiners themselves? Yes.
2239. That the examiners and the Registrar General between them could perform all the duties that the Board now performs? I think that could be done; that is to say, that the Registrar General, if so advised by the examiners, could do these things where they in any way are concerned with legal questions. Of course there are some other matters in which law is not an element, and in which, perhaps, the Registrar General might be allowed to exercise his power on his own motion without consulting anybody. Amongst the powers given by the Act to the Registrar General and the commissioners, there are a large number “sound” in law, and which, in my opinion, ought not to be performed by others than lawyers.
2240. Then, in point of fact, you think the Board might safely be dispensed with? I think so.
2241. Do you not think it would be an advantage to have some head in place of the Board, some professional man of standing. Cases might be dealt with by the examiners, and if they agree, let the cases pass, and if they do not agree, they would go to this master or commissioner of titles, or whatever you may call him? And that gentleman not to be primarily concerned in the investigation of titles, but only as referee?
2242. What I mean is, that the gentleman might be appointed to decide wherever the examiners differed. If two examiners agreed to pass a title, that title would never come before the commissioner or master; but supposing the examiners differed and he agreed with one of them, I think the title might be passed; so that many titles would never come to him at all, and this gentleman might have the supervision or control of the examiners, who seem to be now under no control whatever? I think if that could be carried out, it would be a very valuable improvement. The only thing I see, or seem to think I see, against it, is this possibility, that the examiners, knowing there would be a referee over them, would be more apt to differ. They would say, “Well, we have got the commissioner (or master) of titles over us; it does not matter, we will cast the responsibility upon him.”
2243. That would simply increase his work? Yes; it would by no means follow from his appointment that he would be simply a referee; he would have to act as umpire in many cases which now the examiners in conference find they are unable to agree upon, but they would feel like arbitrators who have an umpire. They would say, “I will state my case and you state yours”; and, not taking the trouble to agree, would send the papers to the commissioner (or master) of titles, and that might cause a great deal of friction in the department.
2244. But if a proper man were appointed, could he not control that a good deal and keep the examiners in their proper position? If more of the Victorian system were introduced into your idea, it would, I think, tend to greater expedition in the conduct of examinations. There would be a large class of cases which the commissioner or master of titles might hand over to one examiner, such as first-class cases (*i.e.*, where the title shows no registered dealing); I never understood why these should require two examiners to hammer at them—similarly in cases of transmissions under an intestacy; it is simply a waste of energy and time to require two examiners to examine and report upon these.
2245. I suppose it is more theoretical than practical, because the second examiner would barely look at them? No, every examination, as far as I know, has been a careful one; each examination has been just as independent as if the case had not gone before any other examiner. I have always thought it a waste of time to refer those cases to two examiners.
2246. Could transmissions be dealt with by one examiner? Transmissions through intestacy; I doubt as to transmissions through a will. The will should still have two men at it; but there are a large number of first-class cases, and a large number of intestacy transmissions, and transmissions of another class not very numerous, *e.g.*, to the Curator of Intestate Estates, under the ordinary order, to collect; and there are transmissions to official assignees, and on marriage of a female proprietor, besides others. I do not think these should ordinarily require two examiners; in other words, the only transmissions which I think ought, as a rule, to require the double examination, are transmissions by will and by settlement.

2247. Do you not think there is a great deal of unnecessary trouble over these transmissions? Which class do you allude to? A. Oliver, Esq.

2248. Ordinary transmissions as a rule; do you think it necessary to advertise as much as they have done? The Commissioners can dispense with advertisements, if so advised, under the last Act. 18 April, 1879.

2249. Do you think it necessary that the applicant should pay the assurance fee again on transmission? No, I do not. It is not a new title; it is hardly even a new "departure." There is the death of the registered proprietor, and before he got on the register, his title is supposed to have been thoroughly examined.

2250. You think that the half-penny paid in the first instance ought to cover all dealings for all time to come? I think so. Of course, it is necessary to remember that in will and settlement cases it might be said by those who hold the converse view, that those ought also to be subjected to the assurance fee, because there is in them a certain risk—an appreciable risk; but in the vast majority of cases I think there ought to be no assurance fee on transmissions.

2251. The few exceptional cases ought not to make a difference in the way of treating them? No; and if there is any discretion given to the commissioner or master of titles in matters of this kind, or relating to original applications, he would be the man to say: "We will in this case charge an assurance fee, because it comes under that class of titles to which the premium principle is applicable."

2252. Do you know whether the other branches of the office work satisfactorily? I have heard objections—indeed very great discontent frequently expressed with regard to them.

2253. In respect to what particular branch? I have heard that the public do not get their transfers—ordinary transfers, and transfers upon sales by mortgagees—as expeditiously as they should—that they often hang fire for an unnecessarily long time in the department.

2254. While you were here, were they done as expeditiously as need be? The examiners do not see these transfers, except in some special instances when some doubt has been raised as to whether they should be registered.

2255. Is not the delay caused in this office by issuing a new certificate and endorsing a new plan? Well, the Act which permitted an endorsement on the certificate ought to have relieved them of a great deal of trouble with regard to new certificates and engrossments, and so forth.

2256. But in every case where you take a certificate of a portion of a prior certificate, necessarily a plan must be endorsed and new certificate issued, and that must occupy time? I do not see how that could be avoided.

2257. That seems to me to be the main cause of delay in issuing certificates? Also in cases when a man applies for a balance certificate.

2258. Can you suggest any improvements that may be made in the Real Property Acts, in order to make them more beneficial to the public? Well, some of the matters that have been discussed would require to be made the subject of new legislation, that is to say, the placing of the investigating branch under some head, to be called the master or commissioner of titles; the relief of the office from unnecessary examination, that is to say, the proper distribution of applications, so as to dispense with a double examination of first-class applications and ordinary transmissions. And there are other matters. There is the question of empowering some officer to charge a higher scale of assurance fee, and too there are a great many minor matters in the present Act which should be altered.

2259. Is the Act well drawn? No; in my opinion it is not well drawn. It is full of mistakes and ambiguities. An extraordinary one, among many others, is, that under the mortgage provisions the Act speaks of a power of distress "hereinafter conferred." There is no such power conferred. There are two directions in which I think legislation is very much needed. One is in the section of the Act which expresses what is popularly called the extent of the indefeasibility of the certificate. I think that is very imperfectly worded. It gives, or purports to give (I think it is the 40th section), to the registered proprietors, certificate of paramount effect over everything that is not noted on the certificate, except in the case of fraud. Well, then, things that can be noted on a certificate are, I think, very defectively mentioned. There are these words, "subject to such encumbrances, liens, estates, or interests, as may be notified." That is not enough, because there are many things that do not come under any of those expressions which ought to be noted. For example, you find, perhaps, in a certain will a clause declaring that if any of the devisees contest the will in any form or shape, that the devise to that devisee shall be void, and his interest shall go over to others. That does not come under any of those expressions. It is not an estate, a lien, an encumbrance, or interest, but it is a matter which, being once on the certificate of title, must stop there.

2260. It is a claim—a possible claim, perhaps? In whom, because it may be the residuary devisees who would get the benefit of it. It may depend on the testator to say who shall get the benefit of such a clause. That is one class, and there are plenty of others. Suppose you have to do with leasehold certificates, and that you get a leasehold title on the Register, there are matters that must be required to be placed on that leasehold certificate which do not come under any of these four words—"encumbrances," "liens," "estates," or "interests," e.g., the right of re-entry on a breach of condition. And this brings me to the matter of leasehold certificates. I may mention that when Mr. Holden and Mr. Dick prepared their amended Bill, they deliberately left out all about leasehold certificates. The South Australian Act has not a word about leaseholds. It deals with nothing less than estates of freehold. It is true that in Victoria they have them, but I have been informed that in Victoria the public have not made much use of the provision. Here we have not probably so many as ten leasehold certificates on the register. I asked the Deputy Registrar General some time ago to hand me as many leasehold certificates as he could, and he could only refer me to five or six. One reason I think why the Act should not permit of the registration of such certificates, is that you cannot simplify a leasehold certificate, and it is very difficult for such a certificate to express more than this:—"You have got a title provided some one else does not deprive you of it." Then there are a good many other matters which I do not think come under those words in the clause referred to. Indeed there is a large number of qualifications upon absolute ownership which, in certain cases, ought to be on a certificate of title, but which cannot be placed on it under the provisions of the 40th section. In that section, which is a most important one, I think there is great room for improvement, because I apprehend that the intention of the Act must have been to enable the certificate to carry as a notification anything, whether a covenant, a condition, or right, which constitutes a charge on the land, or ought to run with it or affect its enjoyment or occupation.

2261. But you would not like to increase the number of notifications on the certificates? Certainly not; and

A. Oliver, Esq. and that is another reason why I should like to see the leasehold certificates got rid of. I do not think the ordinary freehold certificates are likely to require many more notifications than those usually placed upon them. For example, the examiners would never think of granting a leasehold certificate unless they had examined the freehold title, and in many cases that would not be produced. Then there is another little matter which I think requires considerable reconstruction, and that is, the remedy of a person deprived of an estate by reason of the registration of some other person. I do not think the sections in the Act which deal with this subject provide the remedy in a proper manner. It is very difficult for a man to understand whether he has to bring ejectment or to go against the registered proprietor or against the Registrar General as nominal defendant. I think there should be both simplification and enlargement here. If you give the power to the head of the office to increase in one direction the assurance fee, I think the Government, on the other hand, should take a larger degree of responsibility as guarantors of the title.

2262. Do you think it is fair that when applicants for title appeal from the decision of the examiners, and succeed, they should have to pay the costs on both sides? No; it is the case, but I do not think it is fair. 2263. *Mr. Terry.*] The losing party ought to pay? The Government, as guarantors, ought I think to pay in that case. It is not at all uncommon in land compensation Acts to provide that where the compensation awarded is more than has been tendered to the claimant the costs shall follow the result of the action as in ordinary suits. If the amount is less than that, the claimant demands, then he should not get his costs. If the amount is more than that, the costs should be paid by the other side. Under the Real Property Act it does not matter; unless the Judge certifies that there were no "probable" grounds for refusing the application, the applicant has to pay all costs, whatever the result may be. Well, the Judge, I believe, never has so certified.

2264. *President.*] Nor likely to do? Nor, perhaps, likely to certify. I need hardly point out that there is a very necessary amendment in the Act occasioned by the Real Estates Intestacy Act. In the transmission part, we have still got the "heir-at-law" as a possible transmittee. That is nonsense; he is a possible distributee, but having no estate he cannot make an application under the present law.

2265. *Mr. Terry.*] You are aware that dower has been abolished in South Australia and Victoria? I was not aware that it had been absolutely abolished. I cannot say I know the Victorian system under their Dower Act.

2266. They have abolished it absolutely. Do you think it would be advisable to do the same here in cases of land brought under the Act? Well, I think if you abolish dower you ought to abolish curtesy.

2267. Of course? And the number of dowable people is so small that I do not think it represents anything but, so to speak, an illusory cloud on the certificate. Certainly, I have known a few, but only a few cases where the contingent claim to dower might be anything but illusory.

2268. Still you are aware that in this office they require dower to be in each case negatived or noted on the certificate? Yes, because, of course, the law as it stands requires the preservation of dower rights. But in addition to the dower of women married before 1837, we have the dower of those women whose husbands have not disposed of their land in derogation of dower, and have died or may hereafter die intestate as to such land.

2269. *President.*] They are easily dealt with? Yes; I have not heard that dower has been very much objected to, for the reason I have mentioned, viz., that it is nearly always an interest which it would be a loss of money to try and enforce in equity, and is therefore in the majority of cases almost valueless. £5 or £10 would, in most cases, procure a release by the lady; sometimes even less has sufficed to do so. The difficulty is to find that there is no dower, although there may be only one case in a thousand.

2270. While dower exists, an inquiry is necessary in every case? That is quite true.

2271. *Mr. Terry.*] It puts applicants to a great deal of expense? If you proposed to abolish the right to dower on land brought under the Act, I suppose you would have some provision that the dowress, if alive, should have some notice, so that she might enter a caveat in respect of her dower.

2272. But the general notice—the advertisement—would that not be sufficient? I would abolish dower in cases of dealings with land under the Act, but not in the case of land to be brought under it.

2273. I should like your opinion as to the indefeasibility of titles. Mr. Burton has stated that, under certain circumstances, titles issued in this office are defeasible? In the case of a clean title without a notification upon it?

2274. Yes? Say a certificate in which A B is described as registered proprietor of certain land, absolutely and without any notification upon the certificate. Of course fraud, actual or constructive, in the procurement of that title would be ground for its being defeated in equity.

2275. And in no other case? Well, as far as my memory serves me, I think that a clean certificate of title could be defeasible only on the ground of fraud, or of the land being included in a prior certificate.

2276. Then you would not think it advisable to have an appeal to the Supreme Court to defeat any certificate already issued, except in the case of fraud? I do not quite understand.

2277. You would not allow an appeal to the Supreme Court to defeat a certificate of title issued under the Real Property Act—once issued you would allow it to remain? I think if the responsibility of the Government were enlarged with regard to titles by taking away some restrictions under which they are now placed in the procedure part of the Act, such a court of appeal would not be necessary. My own idea is that the Government, perhaps, hardly take upon themselves their full measure of liability as guarantors. I think cases could be easily imagined which are not reached by those provisions, but in which the Government ought, perhaps, to be responsible. A good many of these might be classified as topographical difficulties, where there is overlapping, encroachments, and matters of that sort. As to those encroachments, I think it is expressed in the Act that the title is defeasible. I do not think the certificate covers encroachments (under the 40th section), but I do not think it would be well to have the title indefinitely impeachable. If you enlarge the responsibility of the Government in respect of certificates, nothing in the way of a court of appeal would be needed.

2278. In fact, impeachment of the title, after the certificate has once been issued, would defeat the object of the Real Property Act? Of course the 40th section does not contemplate complete indefeasibility of the title, because at the very commencement, the words express that the certificate is actually subject to fraud. Equitable fraud covers a very large range, and the certificate is declared by the Act to be defeasible in respect of fraud, if it can be proved in the applicant or any person desiring title through the applicant with notice of the fraud. In other words, the certificate is not absolutely indefeasible; it is only *sub modo* indefeasible. And you are taking the case of a clean certificate, which is perhaps not the rule.

2279. Have you not seen very many clean titles in this office? I think not more than fifty per cent. of A. Oliver, Esq. the certificates are "clean."

2280. *President.*] Of course you are aware that in the case of conflicting certificates one of them must be defeasible? Yes; that is so stated in the Act. 18 April, 1879.

2281. *Mr. Terry.*] What I wanted to get at is that there should not be an appeal to the Supreme Court to upset a certificate, unless obtained in this office by fraud? You said that Mr. Burton stated he had doubts about the indefeasibility of the title?

2282. Yes. You would not advise an appeal to the Supreme Court in any case but fraud to defeat a certificate, that certificate having once been issued from this office? In addition to what I have already said on this point, I think the Act should have been framed so as to bind the Crown, and thus to get rid of a variety of difficult questions. We did not originally ask for the ordinary receipts for quit rents because the Act was not supposed to bind the Crown; I do not think the Crown is ever likely to proceed for quit rents against the holders of certificates of title without causing a great deal of disturbance. We know that outside the office receipts for quit rents are common requisitions.

2283. Do you not think it would be beneficial if the examiners could by advertisement deal with and close unnecessary roads, that is, roads left in sub-divisions of estates and then brought under the Act—where there is a willingness that the roads should be closed? If the original plan discloses any proprietary or sub-divisional roads, they remain on the certificate.

2284. They are noted on the certificate? Yes; or at all events indicated on the plan, and that has often prevented a proprietor from subdividing, because the transfer upon sub-division would be rendered in many cases nugatory; roads would be traversing them in every direction. But then again there is this difficulty: You can never tell whether the right to the road has been surrendered, or whether it is an actually existing easement, the extinguishment of which might be an injury to somebody. If you could get the consent of all the parties concerned in the maintenance of the road to its extinguishment, I think no harm would be done, where there has been no user or what amounts to an abandonment of the right of user.

2285. *President.*] But supposing the right of user has been barred by actual occupation for twenty years, then you might deal with them; you have done so in the Riley estate? Yes; that was an instance, no doubt.

2286. *Mr. Terry.*] You have done it in the Petersham estate too? Yes. The point is a very difficult one. I do not think the examiners as such should have the power of obliterating rights-of-way. I think they might advise some other authority, and that there ought to be advertisements just as in closing roads under the Land Act. I think that people ought to be able to come in and make objections.

2287. But in case these roads were advertised, and no one objected within three months, do you not think it would be advisable to clear them off the certificate? Yes, and you would have the justification afforded by the Land Act, because after the lodging of the advertisement, and no objection taken, you can under that Act purchase the site of the road. I do not see why such a system should not be followed in this office with proper safeguards.

2288. *Mr. Dawson.*] Where, apart from fraud, a certificate is issued evidently in error, either in law or in fact, and the Registrar General is called upon to show cause why it should not be cancelled, and he declines, ought not the person so calling upon the Registrar General to have an immediate right to go to the court, and not stand or fall by the views of the commissioner or the Registrar General? We must suppose that in that case the Registrar General would be advised by the examiners. You contemplate a case on the part of the claimant which raises some point not connected with fraud, not connected with any encroachment or overlapping, or the prior issue of some other certificate affecting the same land, but which raises the question of error in the original grant of the certificate.

2289. Either in law or in fact? Well, I presume that a mandamus can issue to the Registrar General of course, if he refuses to correct the error.

2290. If he declined, should there not be the remedy of an appeal to the court? I cannot understand why a matter of the kind should not be remediable by mandamus if it were clearly shown that the certificate was issued in error. That would be capable of being shown to the court.

2291. In a case of the kind to which I refer, the court, by majority, considered they had no power? In simple error, I think that the court would have the power; whether they would exercise it or not is a different matter.

2292. The court held that they had no power to compel the Registrar General to depart from his veto? That, of course, is that the court was of opinion that the Act refused. It was merely discretionary on the part of the Registrar General. I should not have taken the same view of the meaning of "error," at all events for the purpose of granting a mandamus. And as to appeals to the Supreme Court, I should not be inclined to curtail the right of any person who alleges that he has suffered a wrong by the action of the office, to appeal against that action.

2293. *President.*] So long as the certificate remained in the hands of the original grantee? —

2294. *Mr. Robertson.*] A very great deal of trouble is thrown upon applicants by the examiners requiring the production of original deeds, copies of which are on the register. It was stated by Mr. Burton that the object of calling for those original deeds was to ensure, in the first place, that they had been correctly registered, and, in the next place, that they had no pencil or other memoranda on the margin which would awake a suggestion as to a doubt about the title. Well, even supposing that on the production of an original deed, there is a pencil memorandum, why should that be held to affect the title? Nine-tenths of the requisitions that are at present made would be done away with if it were held that the examiners were not to be troubled with any titles that were unregistered. The calling for these original documents, and also requiring equitable mortgages and releases, contracts, and receipts, to be registered, assumes that it is necessary to perfect everything upon the register, and, at the same time, the examiners assume that an unregistered instrument might defeat a title. You see there is an inconsistency in the two courses. What is the object of placing all these things on the register if, when they are there, they are not to override unregistered documents? Do you not think, if it were enacted that after a certificate of title is once issued, it shall not be affected by any unregistered instrument whatever, a great many requisitions might be got rid of? Undoubtedly, I think it would be a very excellent amendment of the Act; but I apprehend that many of these original documents, for the production of which the examiners have been in the habit of calling, are a very great safeguard to the title. Because, it is not an uncommon thing for some of the originals—registered originals—to carry upon them most important endorsements. I have myself seen an original with a transfer upon it which made a clean sweep of the title, so far as that transfer

A. Oliver, Esq. transfer went. Now, if that transfer were itself unregistered, the registration of a subsequent conveyance for value would protect the applicant's title in many cases. I think the practice has grown up, because a great many of the old deeds were registered by memorial. The particulars were then very imperfectly described in the memorials, and you are probably also aware that some of those originals have been endorsed in the way I mentioned.

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2295. I am speaking now of deeds which have been registered *in extenso*. It has often happened to me that my client has been called upon to produce an original deed, which was obviously not under his control, he claiming only a very small portion of the property affected by a marriage settlement; he has been called upon to produce this original deed to prove a negative—that his title was not affected by it. In searching myself, acting for a client, I have to be content if I find nothing on the register which affects the title of the vendor. There are certain deeds which his predecessor may have covenanted to produce that I can call upon him to produce, but others I cannot. So, perforce, I must be content with the registered copy, and if it disclose no flaw or incumbrance, I advise my client to take the title. Then, of course having got his title, my client registers it. This shuts out any of those memoranda of which you speak. So we get back to the point I started from—that the whole of this difficulty may be got rid of by some enactment that these unregistered memos. shall not affect registered titles or certificates? That would certainly get rid of the main reason for asking for their production.

2296. You remember the case *ex parte* Pollard, in which there was a difficulty under a will, and the examiners thought that the construction of the will was adverse to the claimant of the title, but they took another point—that by the will the direction was given to the executrix to pay the debts of the testator, and they called for evidence that those debts had been paid, although there was no evidence of the existence of any debts. There was an appeal to the Supreme Court, and the Court decided that the examiners were wrong in calling for this proof of the payment of debts. You remember the case—are you aware that that decision has had no effect on the examiners—that they are still making the same requisition under similar circumstances? No; I was not aware of that. I was concerned in that case, and I may mention that we were rather surprised at the decision of the Court.

2297. But it was unanimous—Sir James Martin, Mr. Justice Hargrave, and Sir William Manning? Yes. The Court appears to have held that there was no charge of debts, and that if the property got into the hands of third parties the charge of debts, even if there had been one originally, would have been immaterial. The Court, by this judgment, appears to have ignored the cases of *Sabin v. Heepe*, *Wrigley v. Sykes*, and many other cases in equity.

2298. They had a Colonial Act, and under that Act the creditors had a remedy, and could not, after slumbering on their rights for twenty years, come forward and claim the property. They had a remedy, and if they did not take the remedy, they could not claim to have this property kept untransferred to a devisee or those claiming under him, that it might be available to satisfy debts which they might at some future time prove they had against the estate. I think the decision was a very sound one? It is at all events the decision of the Supreme Court.

2299. *Mr. Archer.*] Reverting to appeals to the Supreme Court in relation to the Registrar General's action—am I to understand you to say that you would be inclined to let any and every case of certificate of title be opened up, or would you jealously guard the right of appeal? No; I have no such idea as letting any and every case be opened up. I surely did not express myself in such a way as to admit of such an interpretation to my meaning.

2300. Perhaps not; but I wish to be quite clear, as I thought from the style of question put by Mr. Dawson that he was anxious to go behind the Registrar General's dictum at any time when a question of law or fact was in contest? I think that the law as it stands seems ample. If that question of law or fact can be brought within the term "error"—the express words in the section are "shall be shown to be a certificate granted in error"—if the meaning of "error" here is something distinct from "title," then, in my opinion, the remedy in the Act is sufficient. But I think that when once the title has been examined, the examination in all respects should be final. During the examination and before the issue of the certificate there is plenty of time for anybody to apply to the court, and by the new system introduced by the last Act (not yet, however, taken advantage of) I think there are enough modes of challenging a title before it is placed upon the register. When once placed on the register, I think the word "error" ought to have a very confined meaning; I do not think it ought to be "error" in granting the title. I admit, however, that express error in the description of the land or the name of the party to be registered, or the estate to be granted, may properly be the subject of inquiry by the court, even after the grant of the certificate.

2301. The 126th section provides for error in description? I think the title itself ought not to be impeached after the granting of the certificate unless on the ground of fraud. The question Mr. Dawson put to me stated the error as "error in law or error in fact," but he did not state whether that was an error going to the title itself, or arising somewhere outside the title.

2302. *Mr. Dawson.*] Error possibly in a want of knowledge of law on the part of the examiners? Of course that would, in point of fact, come to the same thing as error in title, because they would be granting a certificate of title, I presume, to some one who was not entitled.

2303. No doubt? Then in the case you mean there must have been a certificate in the possession of one person, and there must have been what you claimed to be a title in another.

2304. Undoubtedly. What I mean, in fact is this—ought any claimant to be compelled to stand or fall by the issue of a certificate by the examiners without having an appeal to the Supreme Court if he is convinced to a dead certainty that the examiners are wrong? Why did not the claimant go on the assurance fund?

2305. Well, he may yet do so, but I may not like to have the cost of it? My apprehension of the fundamental principle of the Act is that the Legislature meant that the certificate of title should be final, but that if a man had a better title, his right should be converted into a claim upon the fund, with the exception of that class of cases where a mortgagee can eject a mortgagor, an encumbrancee an incumbrancer, and so forth.

2306. *Mr. Archer.*] In fact you apprehend that if a question of error could be made the excuse for bringing in an appeal, any or nearly all of the certificates might be, as you say, ripped up? They might be all impeached in some form or other, I suppose.

2307. And it would defeat the object of the Act? If it were the object of the Act to give a finality to the title, and to give any adverse claimant a claim merely on the assurance fund—as I apprehend it was,—I think I stated in the earlier part of my examination that the remedy against the assurance fund, in my opinion, was hardly as largely expressed as it might have been; and I think the matter Mr. Dawson speaks

speaks of could be dealt with satisfactorily if the assurance fund were made more accessible to claimants. This larger liability would, according to my view, be a sort of counterpoise to the increased assurance premiums which I advocate in certain cases.

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2308. *President.*] Do I understand you to say that in no case where a certificate is issued, there should be a right of appeal by any person interested in the land? The object of which would be to get the land?

2309. Yes. Suppose for instance a man owns land and another person, we will say even without fraud, obtains a certificate to it, do you not think that the real owner should have a right to apply to the court to upset the certificate so long as it remains in the hands of the person who has obtained it; I admit that if he transfers it to a stranger, the right ought to cease, but so long as it remains in the hands of the original certificatee there ought to be an appeal to the court by the real owner of the land? Of course the assumption at the root of the existing system is, that the time during which a caveat may be lodged, coupled with the provisions of the Act relating to notice, are a sufficient protection to any person other than the applicant claiming the title. That is the ground upon which the Act has gone.

2310. But supposing the real owner is in a lunatic asylum, or absent from the Colony, and never sees any advertisement, why should he not have the two remedies—first, to come in and oppose the application by caveat, and if that happens to be lost—no matter how—why not have the right to go to the Court? Would you give him the double remedy—to approach the court on caveat, and to impeach the certificate also?

2311. Possibly I should not, but if he showed that he could not avail himself of the caveat remedy, why should he not go to the court to have the certificate cancelled, provided it remained in the hands of the original person to whom it has been issued? It is hard to understand that with competent examiners there would be such a case, unless it should arise out of fraud. I cannot understand the examiners passing a title where the rightful owner is somebody other than the applicant, unless there has been a mass of forgery, or a large tincture of fraud, in the matter, either of which would now render the certificate challengeable.

2312. *Mr. Archer.*] At all events you think the risk so small that the assurance fund might bear it? But a case has been put to me where the man wants the land and not the money.

2313. Of course you are supposing a case where there has been inefficient original investigation of title? —

2314. *President.*] Or bribery of examiners? Then I give the matter up. If the Government do not ensure an effective examination in the first instance, I think there ought to be a right to impugn the certificate of title.

2315. You know you cannot be sure of always having proper officers? —

2316. *Mr. Terry.*] But if you had an efficient head he would soon let the Government know whether the officers were proper or not? We have been singularly lucky in that regard. Neither ourselves nor our predecessors have made any slips of this kind, at least none have come to light.

2317. *President.*] I am only alluding to possibilities? If the Government machinery is not effective machinery, there is no doubt it would be a wrong thing to compel a man rightfully entitled to land to accept a sum of money in lieu of land, but I am, of course always assuming, as it is generally assumed, that when you have a certain object in view, the Government take care to have commensurate machinery to effect that object. If there is any danger or probability of weak or corrupt examination of titles, the sooner the office is abolished, the better.

2318. You are perhaps not aware that there are actual charges against officers of the department now of receiving money to facilitate the passing of titles? That question comes upon me here with something like a shock. I never have heard of any charge of that sort in connection with the examiners.

2319. I do not say it is a charge, but it is a matter of talk outside. It does not apply to the examiners, but go a step further and we may see it applied to the examiners—to future examiners possibly, and in that case the injury might be endless? No doubt it is impossible for us to say now more than that, for some fifteen years we have had an extraordinary freedom from litigation. We do not know what may be latent. There is certainly a great deal in the suggestion—that whilst the certificate of title remains in the hands of the original proprietor of the land—

2320. *President.*] The grantee of the certificate? Whilst it remains in his hand, without equities attaching to it in favour of other persons, the Court, under certain stated circumstances, should possess some measure of control over the certificate, such, for example, as the power to make a vesting order in favour of a person having a better equity.

2321. That would not bind the land but only the person? But the office would have to carry that out; that is specifically provided for in the Victorian Act. I wish to be understood, of course, that these remarks have only been made in the very doubtful contingency of such a thing as infirm administration of the Act ever happening. I mention that because, as a rule, the examiners have not been charged with that particular offence; I mean of “slumming” their work.

2322. *Mr. Terry.*] During the time you have acted as examiner of titles, have you ever come into collision with the Registrar General? I do not know that I have come into “collision” with him.

2323. Has he not made charges against the examiners to the Crown? I believe that he has made such charges to the Colonial Secretary. And I think he has sometimes indulged in minutes which I should not describe as courteous to them. The Registrar General has the reputation of being a zealous officer, and has never been quite content with the pace at which the examiners do their work; and he has often expressed that discontent in his minutes. Sometimes we have asked him for an increase of our clerical staff when we have felt quite unable to cope with the work of the office. We have frequently had to conduct our correspondence, and have on various occasions drawn his attention to the fact, but he has not shown any disposition to help us. And in a good many other respects, perhaps, he has not shown that degree of consideration for the officers connected with the investigating branch which we thought they had a right to expect. Perhaps it was because we have always taken a determined stand in our position as his coadjutors and advisers in working the Act. We have always considered ourselves in the position of standing counsel to the office.

2324. Does he not consider himself as your superior—as your head? I cannot say that he has ever asserted such a relation to the examiners. They would certainly have resented such an assumption.

2325. *Mr. Archer.*] By refusing that clerical aid, did he retard you in your action? We have had various sources of weakness to contend with; the want of effective clerical assistance has been one of the chief drawbacks.

2326. What I mean is, did his refusal to afford you the aid you sought, increase the very slowness he deprecated? I think so, undoubtedly.

2327.

- A. Oliver, Esq. 2327. So that he was, in a measure, the cause of the delay? The fact is we wanted to have an experienced clerk—some one introduced from a solicitor's office—to conduct the correspondence. We have always been obliged to put up with a novice, or be compelled to write our own letters, correct them, and do a quantity of clerical work connected with this branch of the office which we ought to be relieved from by having a competent man to do it. We work with a very much smaller staff—both as to examiners, draftsmen, and other officers—than they do in Victoria.
- 18 April, 1879. 2328. There is very much less work to do? Our results are proportionate.
2329. *Mr. Terry.*] We have more work to do in this Colony? The titles are very different.
2330. Would you recommend an increase of the examining power in this office? Most undoubtedly. I do not hesitate to say that this office will never be in proper working order unless and until we have got something like the staff they have long had in Victoria. We ought to turn out 450 instead of 250 titles a year.
2331. How many examiners would you recommend? I think we want three assistant examiners. I think the present examiners, each associated with an assistant examiner, would be able to do an immense deal of work. First of all, one man cannot direct all the searches and make the preliminary perusal of the deeds for the purpose of drawing the search papers. That now falls on Mr. Lander, and if we have a large increase of business here, it would be impossible for Mr. Lander to keep up with it. I know that he has often been obliged to take deeds home in order to prepare the search papers. The assistant examiners would be the officers to do that. They would, of course, have been trained in a solicitor's office.
2332. *Mr. Archer.*] They would be like a managing clerk? To a certain extent like a conveyancing clerk in the examiners' office, and in course of time they would be educated and qualified to do the work of examiners. There would then be no difficulty in finding an examiner, as there was lately, when that office became vacant, because we should educate our own examiners in the office.
2333. And if they were to run in couples in the examination of titles, do you think the results would be reliable? I do not think they ought always to "run in couples"; there are a large number of applications that can be dealt with on the "one-horse" system.
2334. They do that in Victoria? They do that in Victoria. Then if that were done, a great deal of the work done now in the draftsman's office could be properly verified by the examiners or their assistants. The draftsman, or one of his assistants, now prepares the description that goes in the certificates. I think that the old course ought to be revived. The old system, many years ago, was that the examiners—Mr. Dick and Mr. Holden—prepared the draft certificates of title. It is too important a matter, in my opinion, to leave to the draftsman without the supervision of the examiners, but he has to do it now because the examiners have not the time.
2335. *President.*] But there are no descriptions in certificates, as a rule? The certificate of title requires descriptions very often—*e.g.*, on applications for portions of Crown grants, &c.
2336. As a rule they do not insert descriptions? As a rule they do not if the land can be identified by reference to a plan.
2337. And, surely, the draftsman is the right person to prepare a description when many solicitors' clerks have not an idea on the subject? They have not, and they have often to employ a surveyor in consequence.
2338. And therefore the draftsman is the proper person? But I think one examiner or an assistant examiner should be available for verification.
2339. *Mr. Archer.*] Have you any idea, taking the titles all round, complicated and simple, how many an examiner might be expected to get through in a year, during the 300 working days? It is so difficult to say; I have had one case alone where the title has taken me three months to peruse.
2340. But you would not have them in the average—excluding those singular cases? Taking the average run of cases, I think if an examiner got through the perusal of two sets of deeds—*i.e.*, the deeds connected with two applications—in a day, he would do very well; I mean commencing from the application, going through the deeds and search paper, and then having the registration copies brought up to inspect. I think he will find himself tolerably brain-tired when he has completed the examination of two applications.
2341. That would be 600 a year from each examiner? A great deal of the work, indeed almost all, undergoes a second and independent examination.
2342. Would you say one a day would be a fair thing? If they had a sufficient staff they could turn out of this office 400 a year, if there were that number of applications—I mean the office as a whole.
2343. With how many examiners? With three examiners and three assistants; and with the draftsman's department correspondingly increased, I think the office could turn out 400 a year, if not more.
2344. Are you aware that in the neighbouring Colony the average number turned out by each examiner is from 220 to 230, and that even that is thought slow work? Then that must be multiplied by six, if there are six examiners, which makes 1,200—do they turn out 1,200?
2345. I think last year it was from 1,000 to 1,200? Well, we could never have disposed of that quantity, because there never has been so large a number of applications as 400 in any year which I can remember.
2346. But *pro rata*, if you had these examiners they would do the same—600 or 700 a year? I think we could not do that in this Colony. Most of our titles—seventy per cent. of them—are embedded in wills (sometimes in two or three wills), and often entangled by settlements and assignments for benefit of creditors. You have not got in Victoria, I apprehend, such entanglement of titles as we have, because, of course, that is a much younger colony.
2347. And you think that the old cases are so numerous and complicated that no fair comparison can be made between Victoria and New South Wales? I think not. The old work in Victoria has been done much better than it was done here, and we have got infirmities in titles from that reason. I have been told that in Victoria the applications are lodged in a better and more complete way, and that the titles presented do not contain so many pitfalls as here.
2348. There are difficult cases that require the greatest acumen and judgment, but it is probable that the number has not been so great as with you.
2349. *Mr. Terry.*] You know Mr. Lander? Yes.
2350. Is he an efficient officer? I may certainly say yes. He is a little slow, perhaps, but he is very trustworthy.
2351. *Mr. Archer.*] But he is an officer of the Supreme Court, and has to work at wills? Yes; and it is very important to the examiners that he should work at wills, and that they should be as accessible as they are now. If we had to send a requisition to the Custodian of Wills in the Supreme Court before

we could get ecclesiastical papers there would be another element of friction in the office.

2352. But if he is doing that work, he is not doing your work? That would be part of his work as clerk to the examiners, if we wanted a will or administration papers.

2353. But is it not said that he has too much to do in relation to wills? That may well be, in relation to the public. People are constantly coming into his office, and wanting to examine wills.

2354. He is not wholly your officer? No, he is an officer of the Supreme Court.

2355. And ought not that to be changed? I think the wills should remain as they are, but that Mr. Lander ought to be relieved of any duties, except those connected with the Land Titles Office.

2356. *Mr. Terry.*] You are aware that he complains that he cannot get through the duties of his office in consequence of the immense amount of work thrown upon him? Yes; I know, as a matter of fact, that he takes work home occasionally—that he often has in his office five or six solicitor's clerks and others, who are enquiring about certificates, requisitions, and often about wills. Of course a man cannot peruse title deeds so as to frame a search paper, with a dozen people about him.

2357. Then cases remain with him for months before the examiners see the application? If so, I suppose the reason is as I have mentioned.

2358. *Mr. Archer.*] Do you mean that he takes title deeds and wills, and other documents, to his private house? I do not think he would take wills, but I suppose he would do, as I have done—take the lodged title deeds. I have done so frequently. I know the risk, but I accepted that risk. Solicitors do the same. Of course if you lock up the deeds in this office, and say they should not go away, it might be a precaution against possible loss, but it would certainly be also a source of delay.

2359. But should an officer in his position take them away from the office? He is a solicitor, and knows the risk.

2360. He is not recognized as a solicitor by the Government? He is a solicitor of the Supreme Court, and I think he is very trustworthy and careful. I do not think he has ever lost anything.

A. Oliver, Esq.

18 April, 1879.

TUESDAY, 22 APRIL, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P.,
THOMAS ROBERTSON, Esq.,

WILLIAM HENRY ARCHER, Esq.,
JOHN DAWSON, Esq.

Mr. John Nobbs examined:—

2361. *President.*] I understand, Mr. Nobbs, that you are conveyancing clerk in the office of Messrs. Mr. J. Nobbs, M'Carthy, Robertson, and Fisher? Yes.

2362. In your capacity as such clerk, have you had much to do with the Land Titles Office? Yes, ever since the commencement. 22 April, 1879.

2363. Do you lodge applications for certificates of title? Yes.

2364. And for transmissions? And for transmissions.

2365. Have you been in the habit of paying the fees on those applications? Yes.

2366. And you know what the legal fees are? Yes.

2367. Have you ever, in any instance, paid anyone in the office more than the fees actually legally demandable? Well, accidentally. They have called my attention once or twice, or reminded me that I have paid too much.

2368. I do not mean such payments as that; I mean payments to clerks for facilitating the passing of work through the office? On one occasion we were instructed by a Melbourne firm in a matter in which a sum of £50,000 was locked up. It was a very large matter. There was a mortgage in it, in which the consideration was £50,000. The money was placed by the mortgagee in the bank, and at that time the mortgagor had to pay the interest from the date of paying it into the bank. He was not to receive the benefit of it until we reported the matter registered. As each day would cause the mortgagor the loss of a large amount of interest, he requested us to see if we could manage to get the thing pushed through as smartly as possible. I explained this at the counter to one of the clerks, and he told me that it could not be done, that it would have to take its natural course, and that if smaller matters came forward they would have to cause our matter to stand over.

2369. This, I understand, was a case where the land was already under the Act? Yes. Well, after seeing Mr. W. Muddle, the clerk, several times, he told me that it might be done by the juniors if they stopped late, and I told him that we were willing to pay them something for their trouble in staying overtime. They did do so, and I paid them. I asked Mr. William Muddle—I gave him the cheque, and asked him to distribute it as ratable as possible amongst his juniors.

2370. How much was the amount of that cheque? Five guineas.

2371. And was the case then put through? Yes, it went through more smartly. I was there one or two evenings with them when they were going through, examining. I stopped after 4 o'clock.

2372. Then this was a payment to clerks for work done in the office? Yes, overtime. It was at the suggestion of our Melbourne principals that we did so.

2373. Was the case then pushed forward out of its regular turn? I cannot say that it was so pushed forward.

2374. How soon did you get it completed? I suppose in about a week or so; it was a very large case—hundreds of grants and receipts—and caused a great deal of bother.

2375. Have you ever, on any other occasion, paid to the clerks fees not authorized in the office? I think in another case I paid a small fee for something the same. I think that was a Melbourne matter too. I think the amount was a couple of guineas. Those are the only sums I remember paying.

2376. Have you never paid fees of this kind except on those occasions? Not that I can remember.

2377. Have the counter-clerks ever suggested that fees should be paid to them? Never; not on any occasion.

2378. Except on those that you name? They never suggested it at all. I suggested it—that the work could be done by overtime, and that we were willing to pay for their overtime.

2379. Do you know that it is reported out of doors that such fees are constantly paid in the office? No; I do not know that.

- Mr. J. Nobbs. 2380. You have never heard such a report? Not that they are constantly paid.
2381. Have you heard reports that other people have paid fees of the same character? I have heard of one report, and that was in reference to Messrs. Stephen and Stephen's clerk. He had a very large matter to be dealt with, and I suggested to him, as it was a very large matter, that I remembered on one occasion paying for such as overtime, and that perhaps they would do it for him in the same way. He told me afterwards he had paid in that way. That is the only case I remember.
2382. Do you find the clerks at the counter always civil and obliging? Yes, but I find there is not sufficient assistance there. I think they ought to have another clerk. There is a great deal of time wasted by solicitors and clerks waiting there for their turn to come on.
2383. You think there ought to be another clerk? I think they are over-worked, and that they should attend to the counter solely. I believe that their work inside the office takes up a great deal of their time.
2384. *Mr Archer.*] There was one phrase you used—that those were the only two cases that you remember? Yes.
2385. Is it possible that you could have ever paid in any instance and not remember? No, it is not possible.
2386. And you are quite certain that you never paid anything to anyone as an expedition fee, but simply for clerical overtime? For overtime, that is all.
2387. Did you ask the sanction of the Registrar General for the use of his officers? No, not that I remember.
2388. Well, if you had done so, you would have remembered it? Yes, I asked Muddle, who was the chief counter-clerk, to see about it and divide it amongst the juniors.
2389. How long do you suppose they were engaged in working overtime? About a week.
2390. How many of them? I really could not say.
2391. One—two—three? Only one; I remember going there with one of them.
2392. You think that he would have the whole brunt of it? No, he would not; the work was divided somehow in the back office; it goes through one person's hands and another person's hands.
2393. Then you handed it to Muddle to distribute? Yes. The matter had been in the office some time before I thought about it, and they told me that it was a very large matter, and that if they dealt with it in the office before smaller matters, people would complain that their cases were not dealt with before this large one, and at the suggestion of the Melbourne firm I made the offer I did.
2394. And you paid the five guineas to Muddle, but do not know how or to whom it was distributed? No. I remember asking one of them afterwards whether he got a share of this money, and he said yes.
2395. *President.*] The gentleman you allude to as the one to whom the cheque was given is Mr. William Muddle, the counter-clerk? Yes.
2396. *Mr Archer.*] In both those instances you acted for Melbourne principals? Yes.
2397. Have you never found the Sydney firms anxious to push their business with equal earnestness? They all try to do it.
2398. But not in that fashion? Not in that fashion.
2399. You are not aware of any Sydney solicitor but Mr. Stephen having acted so? No; no instance but that came under my notice, and that only recently. I took it for granted that they did act in large matters like that.
2400. Then the whole of your experience is confined to three cases, two of your own and one of Mr. Stephen's? That is all.
2401. I trust you see the importance of the question, and how necessary it is that this matter should be probed to the bottom? Yes.
2402. And how incumbent it is upon any one who really knows of anything wrong in the office to take this opportunity of exposing it? Certainly, I quite understand.
2403. And you are not in any shape or way keeping back anything in your own knowledge, or of what you have heard, that would in any way inculpate the department? No.

Thomas Salter, Esq., solicitor, examined:—

- T. Salter, Esq. 2404. *President.*] You are a solicitor in large practice in Sydney? I am a solicitor in practice in Sydney.
2405. Have you had much experience in connection with the working of the Real Property Acts? Yes.
2406. Do you know of any difficulties in connection with them that have influenced the bringing in of business to the office, or the withdrawing of business from the office? Yes, I know there has always been a difficulty in bringing property under the Act, except in the most ordinary cases.
2407. You mean that persons have refrained from bringing cases in in consequence of the working of the Act? I am aware that they have, in consequence of the difficulties in connection with the working of the office.
2408. What form do those difficulties take? The form of objections which are considered unnecessarily taken by examiners to titles.
2409. Do the examiners take more objections to titles than they need fairly take? In many cases, in my opinion, they do.
2410. They are too particular? I do not know that they are too particular, but they take objections—technical objections—which a solicitor acting for a purchaser in an ordinary purchase, if taken, would immediately waive. They would be taken as a matter of form.
2411. And the examiners take such objections and do not waive them? Frequently.
2412. Then the difficulty of passing titles here is greatly increased by the particularity of the examiners in examining titles? To a great extent by the technicality of the examiners.
2413. And they examine them more severely than practising solicitors? Well, they take more technical objections than practising solicitors would take. I do not think that they examine them more severely, but they take objections that are more purely technical than would be taken by the solicitor of a purchaser in an ordinary case.
2414. And objections that you do not consider necessary in judging whether the title may be safely accepted? Objections that I certainly should waive in acting for a purchaser, investigating the title in the ordinary way.
2415. And you think that the Government would be quite safe if such objections were abandoned—that the assurance fund would not suffer? I do—that it would not be likely to suffer.

2416. To which of the examiners do the difficulties which arise apply? That I cannot say.

2417. You speak of them as a body? As a body, and I may say—I think I ought in fairness to say—that, in my own experience, the objections have not been taken in the same way recently—within the last few months—as heretofore. During the last few months, I myself passed several applications under the Act that I had refrained from bringing in some time previously.

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2418. Then there has been within the last few months a marked improvement in the investigation of titles? That is my experience.

2419. Have there been, as far as you are aware, any unnecessary delays in the office? Yes; I consider that the delays have been most unnecessary—that there have been extraordinary delays in the office.

2420. Not sufficiently accounted for by the neglect of solicitors in attending to the requisitions that the office has made? In a great many cases not accounted for in that way. I have had cases in which the delay has arisen on my own part, and I do not blame the office for delay in such cases.

2421. Has it been your practice to recommend clients to place their properties under the Act? Not of late years.

2422. Do you not think it is an advantage to them to have the properties under the Act? Yes, if the property is got under in a reasonable time.

2423. Then why have you refrained from advising them to place the properties under the Act? Because of the difficulties—the unnecessary difficulties in the way of bringing the property under the Act.

2424. Do those difficulties involve delay and expense? They do involve very great delay and very considerable expense.

2425. Have you heard of any cases where expedition fees, or *douceurs*, or bribes have been paid to any gentleman in the office? No, not to my knowledge.

2426. You do not know of any? I do not know of any such case.

2427. You have heard rumours of such things? I have heard rumours of such things in many cases.

2428. But you do not know whether those rumours are well-founded? I have no means of judging.

2429. Have you ever paid clerks expedition fees? No.

2430. Or for working over time? No.

2431. Can you suggest anything in the system which is capable of improvement—main points merely? The Act is very imperfect, and there are many things capable of improvement, and requiring revising altogether.

2432. Do you think any improvement can be made in cases of transmission? Yes; the present mode of transmission is an expensive and complicated one.

2433. You are aware that the assurance fee is paid on transmissions the same as on an original application? I was not aware—at least I had forgotten it was so.

2434. Do you think it ought to be paid? No, I do not think so; I do not see why the assurance fee should be paid on transmissions.

2435. What questions have given you the most trouble in dealing with titles applied to be placed under the Act? I do not quite understand.

2436. The production of deeds, dower, or any other thing? The production of deeds is always a troublesome question where the deeds are not easily procurable—where they are not in the applicant's possession nor procurable by him. I have several applications myself, waiting at the present time, and cannot get on with them because there are old deeds which are not procurable. We cannot find out where they are.

2437. Do you think the examiners have been too particular in requiring production of those deeds not in the applicant's possession? Well, I have known cases in which I considered they were too particular, that is, in which there was evidence which I should have deemed satisfactory—not direct evidence of the loss of the deeds, but evidence that the deeds could not be procured and which I considered satisfactory, inasmuch as the search register did not disclose anything affecting the title.

2438. Do you think they ought to be more particular than solicitors—bearing in mind that the solicitors have to consider that their work has to be examined afterwards by some other solicitor; the work of the examiners is done forthwith and there is no further examination;—do you think they could dispense with some of their strictness in the production of deeds? I do not think the examiners can be too particular in investigating titles; at the same time I consider that if I were an examiner of titles I should look upon myself very much in the light of a solicitor acting for a willing purchaser, not bound by any conditions,—that is, not bound by any auctioneer's contract,—but under what we call an open contract of sale, unfettered by conditions as to title.

2439. Do the examiners then take up the position of acting for an unwilling purchaser? It has frequently seemed so to me. I am now speaking of what occurred some time ago rather than latterly.

2440. Do they give people the idea that they wish to reject the titles rather than pass them? People apparently have that idea.

2441. That is non-professional people? Yes. I daresay I have given people that idea myself, because in some cases it has appeared to me that the examiners considered it their duty to take what objections could be taken to a title and to abide by the objections.

2442. Mr. Archer.] Do you think that dower should be abolished? Not yet—not abolished altogether; it is becoming a very important question.

2443. As a matter of practice in the department, have you found the question of dower a troublesome one to you? I have not, because, as a rule, in ordinary cases, the ordinary evidence has satisfied the examiners of titles as far as any question of dower in which I have been interested is concerned.

2444. You have not seen any strong necessity for an amendment in the law in regard to dower in any way? It has not occurred to me so. There is an Act here which reduces the question of dower on unimproved properties to a minimum.

2445. President.] But you know the fact that the existence of a few dower cases of women married before 1837, makes the examiners inquire for dower in every case of persons dealing with property, whether married before 1837 or not? Yes.

2446. Does that not give a great deal of trouble? I dare say it does, but it is a matter easily satisfied, and it has not occurred to me as a matter in which much trouble has arisen actually; because, at the worst, the dower is marked as an encumbrance on the certificate of title—although this is objectionable, no doubt, if it can be avoided.

2447. But it is marked in such a way that no one can tell the value of it? Yes; no one can tell the value of it, and you have to satisfy a purchaser from the holder of the certificate of title that no dower is actually attaching.

2448.

T. Salter, Esq. 2448. And you know purchasers have a great horror of dower. What I mean is, that purchasers place undue value on dower, and refrain from buying property where it attaches? They do attach an undue importance to it in many cases.

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2449. And there are so few cases of dower which are worth anything, that it seems hardly worth while to make those inquiries now in every case? It does seem so. Of course, in general practice, there are many cases in dealing with unimproved land in which it does not seem worth while to make inquiry as to dower.

2450. Of course you are aware that most practising solicitors can name nearly all the cases of dower of any importance before 1837? Yes, perhaps so, inasmuch as there have been dealings with most properties since 1837; but still there are cases in which dower is still an important question.

2451. *Mr. Dawson.*] I think I understood you to say that at one time you advised clients who wished to bring their titles under this Act, not to do so, owing to the delays? Yes, if waiting for a time made no difference to them. We were always living in hopes that those delays would be done away with, and that it would become an easier matter to get a property passed under the Act.

2452. You say that within the last few months greater facilities have been given? At the time the last examiner was appointed I brought in several applications that had been in my hands for some little time previously, and which I had not been disposed to bring in before, in the hope that there would be some improvement in the mode of investigating titles that would enable the business to be done more satisfactorily and with greater expedition.

2453. *President.*] And what was the result of those applications? I can remember that I brought in at that time five or six. I remember five distinctly; three of those have been passed.

2454. *Mr. Dawson.*] Do you now hesitate to advise clients to bring land under the Act? No; I do not think that I should hesitate where a client is wishful to bring property under the Act. Of course I have scarcely had time to see whether there is any marked improvement in the working of the office.

2455. You believe there are not the like difficulties now in passing a title? I found in these applications that they were passed with greater alacrity than had been the case for some time previously. I know that two of those applications are waiting for some evidence that I have to furnish.

2456. Do you know from your personal experience if there is a want of what is called counter accommodation? From what I hear in my own office, I think there is, decidedly.

2457. That they want additional assistance? I do not know what assistance they have in the office, as I am not acquainted with the details of the office; but they want additional assistance, either in numbers or ability, which I cannot say.

2458. Complaints are made by your clerks of the delays? Not so much latterly, but a few months back and for a long time previous to that, very serious complaints were made, and I have had occasion to complain myself to the office about the delays. Probably the rumours respecting the Commission to inquire into the working of the office had something to do with the increased activity in the work.

2459. *Mr. Terry.*] Do you think it would be advisable to abolish the Board of Commissioners appointed under the Act? I have always thought so. So long as there are competent examiners. I have never seen any great utility of the commissioners myself.

2460. *President.*] But I suppose you admit that there ought to be someone to look after and control the examiners—a professional man? Well, I think there ought to be a senior examiner who has had a much larger experience than the examiners of titles at the present time. That is my own impression. Someone in the position of a senior examiner, to whom every point of difficulty should be referred—a sort of arbitrator.

2461. *Mr. Archer.*] A man of larger experience than exists among the present examiners? Yes; of larger practical experience.

2462. Do you think it possible to obtain an examiner of larger experience and sounder law than Mr. Burton? It is scarcely fair to put the question in respect to Mr. Burton.

2463. Do I understand you to say, sweepingly, it would be well to have an examiner of larger experience than any existing examiner? Of larger practical experience, because I believe Mr. Burton has a more than ordinarily good knowledge of law theoretically, but what has been well termed his objective faculty has always stood in the way of bringing this knowledge to a practical bearing.

2464. Then you mean to say he does not measure difficulties, but puts simple difficulties and large difficulties in the same category? The opinion I should form of Mr. Burton is, that he is a man of technical mind, and scarcely able to get over the technical difficulties he himself raises. That, I understand, has always been the difficulty with Mr. Burton.

2465. *Mr. Terry.*] In consequence of those difficulties you allude to, Mr. Burton is not a man who would succeed in private practice? I think it likely he would not.

2466. *Mr. Archer.*] You think if there were an examiner appointed of this practical skill and experience of which you speak, that the business would be got through with much greater facility and with equal safety, so far as the assurance fund is concerned? Yes, I do; we have had some experience of that. At the time when the Act first came into operation, and when Mr. Dick and Mr. Holden were examiners of titles, business was done with very much more expedition and with a great deal less trouble than it has been done ever since that time; and, so far as I know, there has never been any case in which the compensation fund has been called upon. Mr. Dick was a very practical man, and Mr. Holden was, as far as my knowledge of him goes, a practical man also, and a very safe and very careful man.

FRIDAY, 25 APRIL, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

WILLIAM HENRY ARCHER, Esq.,

THOMAS ROBERTSON, Esq.,

JOHN DAWSON, Esq.

George Pile, Esq., examined:—

G. Pile, Esq. 2467. *President.*] You have had a great deal to do with the Real Property Office, in bringing property under the Act, and in dealings? I have.

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2468. Have you found the office to work satisfactorily? No. I wish to give evidence principally of the actual monetary losses which have to be suffered through the inconveniences and unsatisfactory working of the office.

2469.

2469. We shall be glad to have your evidence in respect to the working of the system; will you be good enough to inform us of the causes of complaint you have against the office? The delays in commencing to investigate, and in proceeding with the investigation of titles; and I consider the complaints of these delays as very strong against the office, because the Government, by establishing this department, have entered into the business of conveyancing in such a manner as to give them a monopoly, which of course gives the public stronger claims for its satisfactory working. G. Pile, Esq.
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2470. Do you consider there is unnecessary delay in the office? Most assuredly.

2471. What does that delay arise from? Not from the law itself, but the inefficient administration of the law and the bad organization of the department.

2472. Can you point out any particular branch to which those objections apply? They apply to the whole, even to the want of a sufficient number of attendants at the counter, which keeps people—professional gentlemen and others—waiting sometimes an hour or an hour and a half before they can be attended to. The objections apply also to the time before an application is transmitted to Mr. Lander's department; to the very great delay before it reaches Mr. Pearson—a delay sometimes extending, to my own knowledge, over two months from the time it is received in the office; and I suppose to the insufficient number or insufficient working capacity of those gentlemen appointed to assist the Registrar General—I mean the examiners.

2473. You have often received objections raised by the examiners to titles that are attempted to be placed under the Act? Sometimes very absurd objections, even in a simple first-class application, and if you will permit me, I will give you an instance.

2474. Yes? I purchased from a person named James Yates, the grantee, a piece of land at St. Leonards, and he applied, at my request, to place it under the Act. I received a requisition stating that a certain James Yates had a judgment against him in the District Court, and I was asked to prove that it was not the James Yates. I did so. I then received another requisition stating that a certain James Yates had a judgment and execution taken out against him, and I was requested to prove that he was not the same man. I did so in the ordinary way, by declaration. I was then in the receipt of a third requisition stating that a Supreme Court judgment was registered against James Yates, and I was again asked to prove that he was not the person. All those could have come to me in one requisition.

2475. But you received them at three different times? Yes; after negating the first. I received the second, and after negating the second, I received the third.

2476. Did it cause you much trouble and expense to cure those difficulties? It did, certainly; the expense would be £3 or £4, and a delay of possibly a month was caused in the receipt of the title.

2477. But you ultimately obtained the certificate? Oh, yes.

2478. Can you give us other instances of the same character? I am prepared to give the instance of a case—of an application—which is now under investigation, and which I should like to send for, with your permission. Its number is 4,410, and it is an application by F. A. A. Wilson of land at Botany.

2479. A first-class title? No. I wish to produce this case as an instance of what I think is a very absurd requisition. I wish also to give in the form of evidence that in making applications we pay an assurance fee. The essence of the assurance is that it is to cover a risk, but the requisitions that we receive and have to prove when bringing properties under the Act, quite ignore the fact that there is a risk supposed to be run by the office, and a payment in the form of assurance charged.

2480. What you mean is that if the office receives a fee for assurance it ought to take some risk? Of course an assurance fee pre-supposes risk.

2481. And you think the objections so minute that there can be no possible risk? Exactly; and there has not been the slightest claim on the assurance fund from the commencement. I wish also to call your attention to the spirit in which this Act was introduced, and in which it was understood by the public. It was understood to be more for simplifying the titles. In the evidence taken before a committee of the Legislature, and given by Mr. Torrens, the spirit in which applications were to be received, was described as one in which all mere legal technicalities were to be put on one side—legal technicalities which a solicitor acting for a purchasing client would be supposed to take into consideration. But in the administration of this office, technical points, which no solicitor in common practice would ever think of taking notice of, are brought prominently forward, and the production of deeds forty, or fifty, or sixty years old required, necessitating the production of original deeds, notwithstanding the provisions of our Registration Act, which makes any registered deed take priority over all unregistered instruments.

2482. Then you consider the objections taken by the examiners are such as practising solicitors would not take for purchasers? Certainly.

2483. You consider the examiners too strict? I think that they make, not in the sense of strictness but unwarrantable and vexatious requisitions, which in no way tend to clear up the case. They ask for deeds, the production of which, in point of fact, will not assist them in their investigations. (*Case, number 4,410, produced.*)

2484. What do you refer to in the case number 4,410? This application is in the name of F. A. A. Wilson, number 4,410; it was a case for personal service, and was dated the 21st March, 1877.

2485. What do you mean by a case for personal service? Special notices. This case, after being a fair average time—I think not more than three or four months—was passed by Mr. Jones. There was a requisition for certain documents, which were lodged by Messrs. Allen, Bowden, and Allen; the application applies to a large portion of Phelp's grant at Botany, and after the case was investigated by Mr. Jones, I believe it was transmitted to Mr. Burton, who to my personal knowledge kept it in his safe, without having looked at it, for a period of from six to nine months. Then, after a great deal of bother, I got a requisition to produce the deeds taken away by Allen, Bowden, and Allen. I produced these deeds, and the Rev. Stanley Mitchell, the proprietor, going to England, applied for the deeds, which were never looked at. He took the deeds away, and I got another requisition to produce those deeds a third time. I wrote to the office about it, and informed them that they must accept or reject the title on the evidence they had got, and that I would throw upon them the onus of rejecting the title. Mr. Burton has fallen in with my views, and dispensed with the production of the originals the third time.

2486. You consider that the Deputy Registrar General's requisition (*produced*) No. 3, requiring you to show the Rev. Stanley Mitchell's title to the sums of £4,000 and £10,000 should never have been made? Certainly not, and that no solicitor's office in Sydney would ever have made such a requisition.

2487. You consider that the Deputy Registrar General has no right to inquire whether the money belonged to the Rev. Stanley Mitchell or anybody else? No; he has no right to go behind the deeds lodged in the case. 2488.

- G. File, Esq. 2488. Has the applicant sustained any loss by the delay which has taken place in the case you have mentioned? As Mr. Wilson informed me a couple of days ago, the loss in interest alone is about £150, or over. The application is dated 21st March, 1877, and was lodged on the same day.
- 25 April, 1879. 2489. Did you lodge it? Yes.
2490. Is the reference to you there? No, there is no reference at all; they know my handwriting.
2491. *Mr. Dawson.*] Is there no memorandum on the other side? "Received 21/3/77," and although the application was lodged on the 21st March, 1877, a question as to the title of certain mortgage moneys in the Rev. Stanley Mitchell, who sold to the applicant, was only intimated to applicant on the 22nd February, 1879, and the delay that has already occurred has caused a loss in interest alone of over £150. Then I think I ought to say in evidence that before the death of Mr. Holden we used to get cases through with very fair speed; and my opinion is that Mr. Holden had authority or standing and considerable weight with Mr. Burton. There was very little trouble then, and we used to get through large complicated cases with no objections; things went very fairly then. But since that time, until the appointment of Mr. Maddock, when you got an application lodged you never knew when it might be dealt with by even one examiner. Now, since Mr. Maddock has been appointed, we can feel certain that if a case has the good fortune to go before him early, it will be investigated by one of the examiners within a month or five weeks after being received in the office. Two different cases of my own—property I am interested in—have been to my knowledge investigated by him, requisitions received, satisfied, and passed on by him to another examiner within a month after the application has been received. Two, I know of, where requisitions have been satisfied and passed on a month after.
2492. *President.*] Then Mr. Maddock is in your opinion much more expeditious than either of the other examiners? Certainly.
2493. Is there any reason why those other examiners should not be as expeditious as Mr. Maddock? I do not think either of them has the working power, the capacity for work, in them. Of course I cannot give evidence as to legal qualification. Mr. Jones, to my knowledge, seems very industrious, and though more technical now than ever he has been, yet formerly I used to get the work done by him to some extent fairly. Though I have found Mr. Burton very obliging and gentlemanly in his manners, yet it is a common thing for cases to be twelve months with him before they are looked at.
2494. In what repute do these examiners stand generally with the public? As I have stated. The general opinion of the public is, that if the Government could find a suitable opportunity for promoting Mr. Burton, and appointing in his place a man of good sound capacity and standing, force of character and so on, Mr. Jones would be able to work very well, and give very good satisfaction.
2495. Then I think I understand you to mean that Mr. Burton's position in this office creates a great deal of delay that might be avoided if other examiners were appointed? Yes.
2496. Do you know of any cases in which people have refrained from applying for titles on account of the way in which the office has worked? I have known numbers of instances. With regard to myself, until the appointment of Mr. Maddock, for two years nearly I never brought a case in which I could avoid.
2497. You think people imagine it is of no use to bring titles in? Yes. But I would like to say also that the effect with the outside public of the Government establishing the Real Property Office has been to establish a test office. If any person says a single word against a title, you cannot say it has been investigated by so-and-so, the question is, "Can you give me a title under Torrens' Act?" and you are obliged, if you wish to do business, to say, "We will apply at your expense," or "We will put it under the Act for you."
2498. Do you think the system is a popular one with the public? Undoubtedly.
2499. Do you think it has advantages? Unquestionably, if it is properly conducted. As it is now it is a serious loss.
2500. Do you know of many cases of applications for certificates withdrawn on account of difficulties unnecessarily made in the office? No, I cannot say I have. I have known a large number of people who, on account of the difficulties, would not apply. I have myself persuaded numbers from applying to place their properties under the Act.
2501. On what grounds? Mainly on one ground—that it is impossible to know when you will get a title, or what expense you will be put to; and consequently in regard to people any way elderly, the delay in transmissions in case of decease is very serious.
2502. Do you think unnecessary difficulties are made in transmission cases? I think the whole principle is wrong in transmission cases. If property is not under the Act, and the person takes the property by will or by letters of administration, there is no delay at all—it is done in twenty-four hours. Here, in one case I had two wills—two different transmission applications—the will of Mr. Fisher, and the will of my father, and they were somewhere about three months before they came into this office and the case was dealt with.
2503. You mean before they came from the counter to the examiners? No; before the will of Mr. Fisher and the will of my father were accessible to the office—to this department—having been kept in the Supreme Court.
2504. Then that was not the fault of this office? No; but as it is a portion of the system of transmissions, it is a cause of a portion of the delay. Whereas, if property is not under the Act, that delay does not occur.
2505. Why should that delay occur in those cases? I was told at that time those delays were common; whether it is now or not, I do not know.
2506. As soon as the will is proved, it is accessible, I suppose, to the office here? It was not then. The information I got from Mr. Lander then was that these wills were kept a long time in the Supreme Court. Since the appointment of Mr. Slattery it may be different.
2507. Do you know whether any of the officers in the establishment ever prepared documents for the public? I have never known an instance.
2508. Have you ever paid any douceurs or fees for expedition or otherwise to any of them? No, never. I heard some years ago the term "expedition fees" mentioned, and I immediately informed the Deputy Registrar General that I had heard the expression used, and that if ever I came to know it I would report it. I only heard the expression used.
2509. Then you consider it objectionable that the clerks should be allowed to receive expedition fees? It would be destructive of all discipline to allow it.
2510. *Mr. Archer.*] How did you hear of it? From a solicitor's clerk, in speaking of the cost of bringing a property under the Act—a property that was going through his office; he said there would be an expedition fee—that was all.

2511. He did not say to whom he would have to give it? No. I heard the expression used, and I mentioned it to Mr. Muddle, the Deputy Registrar General, immediately.
2512. *President.*] Are there any salient points in the system which you could point out as requiring amendment? Certainly, the one I have just mentioned, in regard to transmission applications—I cannot see the necessity for anything being required beyond the probate of will, or the letters of administration granted by the Supreme Court.
2513. Some alteration has been made under that head lately by Act of Parliament? Yes.
2514. Does not that cure all the difficulties? I think not; I do not see why those transmissions should go before the examiners at all.
2515. Do you think an assurance fee is properly payable on transmissions? Well, I am inclined to think that there is always a certain amount of risk in wills; I am not sufficient lawyer to know whether there is any risk in letters of administration.
2516. But wills often occur in titles when they are first brought under the Act, and there is no extra assurance fee on such applications? No; I would not object to the assurance fee if the thing could be put through without the advertising, and without going before the examiners.
2517. In a case I lately brought in, I paid, for transmissions, £62—do you think that is a fair charge on applicants? No; it seems very unfair—I grant that it is enormous.
2518. My case was very a simple one too? (Of course I am answering the question in regard to assurance fees on transmissions on the assumption that there is a risk. If there is no risk, of course no insurance fees should be charged; the assurance pre-supposes a risk.)
2519. You are not aware that they have abolished it in other colonies? No; I am not aware. I should like to give evidence upon the subject of dower. I think that the time has now arrived at which dower might be completely dispensed with, and the office take the risk. The plan which I thought would be a good one is that in the event of the applicant not being able to negative any particular dower—that is, produce evidence that the dower did not exist—it should be competent for the office to charge a small additional fee on consideration thereof, and to issue none but clean certificates.
2520. What fee would you fix? It should be something nominal.
2521. A percentage? Something in the £—a farthing in the £—or something so small as would cover the risk, according to the knowledge that the office would have of the probabilities of dower.
2522. There are certain cases in which you know that dower exists, as for instance in Mrs. Hosking's case, mentioned in the papers we had just now—how would you dispose of those cases? There are half-a-dozen persons—perhaps a dozen—in the Colony, who we know are entitled to dower; but the value of the property is stated in the application, and the value of the dower there could be calculated and the risk charged for in proportion to the known value.
2523. Well, the system you would propose is that some small extra fee should be paid in all cases where dower could not be negated? Where the commissioners saw reason to believe that the dower would possibly or probably be claimed, then they might charge a small fee, but not at the counter.
2524. You would leave the question in the hands of the commissioners? Yes, within proper limits; and even then only for a limited time. There should be a time stated by any new Act, when all claims to dower, that is, all charges for dower by the office, would cease.
2525. Well, I suppose at the end of this century? I think at the end of 1889.
2526. Is there any other point on which you wish to give evidence? I would wish to state that I have lost—directly and indirectly—through delays in this office—
2527. Unnecessary delays? Unnecessary delays. Several hundred pounds, which includes, of course, the loss and injury I sustained by being kept out of moneys which I could not obtain until properties had passed the Act. I have known instances of people in a small way of business—people of small means—suffer proportionately greater loss than myself, and I have heard of a case where a person waiting for a title on a transmission application has had to borrow money at sixty per cent. or something like it. The delays in transmission applications press with very great severity on numbers of poor people who may be waiting, after the death of their husbands, to realize their properties, which they cannot do on account of the delays in their title being transmitted. For that reason I have told people that Torrens' title is a curse.
2528. Do you think further examiners are necessary? No; I think that even with the present work, with two good hard-working men, the whole of the work could be done; but the Government cannot expect to get first-class men for the salaries they offer.
2529. Have you anything further to say about the matter? I do not think I have, though I wish to press upon you what I first stated, that the Government have gone into business as conveyancers—that they have a monopoly of the particular branch which you may say they have undertaken. All properties under the Act are compelled to come to them, and by establishing the Land Titles Office they have established a test title, and if a person is unwilling to offer to place a property under Torrens' Act, it depreciates the reputation of his title immediately; consequently, people are often forced against their will—as I was in Wilson's application—to come to this department. Through the bad management of the department, the want of a sufficient and efficient staff, in many instances the delays which I have mentioned frequently take place, and the losses through those delays in all cases are very great; and, as I have said before, in transmission applications, to widows inheriting small properties it is sometimes almost ruinous.
2530. Do you think the Registrar General has the interests of the institution at heart? Unquestionably.
2531. And you think he is a very good man in his place? Well, yes; but it is open to consideration whether the office has not now attained such large dimensions that it would be advisable for it to be separated altogether from the other duties which he has to perform.
2532. You mean to have an executive head—a head of the examining department as it were? Well, no. I meant to have a master of titles, who would have sufficient standing to prevent the examiners from forming themselves as they do now, to a great extent, into a kind of a court in passing the titles. The Act states that examiners shall be appointed to assist and advise the Registrar General. Instead of that, the examiners take upon themselves the position of passing the titles and ignoring the authority of their chief, because they are professional men and he is not. I think also it is open to consideration whether it would not be advisable, seeing how large an institution this is becoming, to have a separate head for it unconnected altogether with the other departments under the Registrar General, and with sufficient standing to be completely the head and master of the office.
2533. You are aware that the examiners claim to be entirely exempt from interference by the Registrar General? Certainly, that is what I am alluding to.

G. Pile, Esq.
25 April, 1879.

G. Pile, Esq. 2534. *Mr. Dawson.*] Do you think that any benefit accrues to the public from having the Board of Commissioners? No, not now, or very little now that the examiners constitute themselves a court. As the examiners have ignored the authority of the Registrar General, and have been allowed to constitute themselves into a court, I do not think the Board of Commissioners are of much value, seeing that they do not assert proper authority.

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2535. *President.*] But I think you said you would substitute a master of titles in place of this Board? I think that is open to consideration. I did not say I would do so. It is a matter that should be considered, and one for your Commission to make any recommendation upon. I only say that it should be carefully and fully considered.

2536. *Mr. Dawson.*] Would you have a Board of Commissioners as well as this master of titles? If you had a master of titles, an equity barrister, who would be the master of the office, I think you would have no need for the lay Board; but to have one who would give thorough satisfaction, it would be necessary for him to be an equity barrister, or conveyancing barrister rather—one of higher professional standing than the examiners.

Andrew Hardie M'Culloch, junior, Esq., M.P., examined:—

A. M'Culloch,
Esq., M.P.

25 April, 1879.

2537. *President.*] You are a solicitor in practice? I am a solicitor in practice.

2538. Have you had much experience in connection with the Real Property Office? I have had a good deal latterly—for the last few years

2539. Do you think it works satisfactorily in every respect? Certainly not.

2540. What objections do you find to it? Well, I find it is a difficult matter to get any title through, and if there is any difficulty which one might expect to get rid of by bringing a title under the Real Property Act, it is almost an impossibility to get it done at all, and certainly not for a very long time.

2541. To what do you attribute the delay that takes place in passing titles? I should attribute it to the intense technicality of some of the examiners, and to the fact that the Board of Commissioners simply exercises no control over the titles at all. They seem to be guided entirely by the examiners.

2542. They are non-professional men, and I suppose do not feel themselves entitled to question the opinions of legal gentlemen? No; they do not even exercise as much discretion as a client would in dealing with an objection a solicitor might raise.

2543. Do you think there is any advantage in retaining the Board of Commissioners? Under the present system I do not see that they are of any use whatever.

2544. To which of the examiners do your objections particularly apply? More particularly to Mr. Burton, but I think that Mr. Jones is quite as technical. The only difference is that he may be a little bit quicker in his dealing with matters. I can name some instances that have lately occurred in my own practice, where the Eveleigh House property was brought under the Act, after, I think, two years of hard work. I subsequently tried to bring one or two properties in the same title under the Act. Those which came before Mr. Jones and Mr. Maddock I have got titles for; some happened to be in the hands of Mr. Burton three months before the others were through, and I have not even got them advertised, and cannot get any information as to the position they are in, although there is not the slightest difficulty in the title whatever.

2545. Was there not a difficulty about the title at one time? Yes.

2546. And has it been removed? Yes, and the title was passed in the Eveleigh House property before making an application with the others.

2547. Then, notwithstanding that the title was passed in that case, there are still delays in passing land also affected by the same title? Yes, of smaller value and under exactly the same title. I can only remember one at the present moment in Mr. Burton's hands—that is Mr. O'Connell's case, of land in Abercrombie-street. I have had occasion to write about it recently. That application was lodged three months before some of the other applications in which we got a certificate.

2548. What is the nature of the objections the examiners take; do they take such objections as solicitors for purchasers take in examining titles? I think they take many objections that solicitors acting for willing purchasers at all events would waive.

2549. That is to say, such technical objections as would not affect the risk —? That would have no effect on the right to the possession of the property whatever.

2550. And their objections are too minute, you think, and too technical? I think they are—very much so.

2551. Can you say in what repute the office stands with the public and solicitors? With the public I think it is in very bad repute, because in any attempt to bring property under the Act, it takes a very long time, and is very costly, and with solicitors, I suppose, it is almost held—I was going to say in contempt—but that is rather too strong. Certainly there is no respect for it.

2552. Do you think people refrain from bringing titles in here on account of the present state of the management? I should think so. I know it is the case that, where properties are mortgaged, mortgagees frequently refuse to allow the title to be brought through the Land Titles Office because of the great difficulty there is in passing a title, and they are afraid of frivolous objections being taken which would have the effect of depreciating the value.

2553. Have you yourself ever advised that titles should not be brought under the Act on account of the difficulties raised here? No; in any case where I have had difficulty I have advised them to bring the property under the Act, and I have pushed them through.

2554. Do you think there are sufficient examiners? I should think so, if they were prompt in dealing with the matters—dealing with them in the way in which practising solicitors do in titles that come under their notice. Three examiners ought to get through a great number of titles. I believe a great deal of difficulty arises under the transmission titles. That I have not had much experience in, and do not know what amount of time is taken up by the examiners in that work.

2555. Have you ever heard anything of malpractices by gentlemen employed in the office, such as receiving money for expedition fees, or anything of that character? No.

2556. You have never paid such fees yourself? I have never paid any such fees.

2557. Can you give us any evidence in any other respect as to the working of the office? I think I can call your attention to one case, which, in my opinion, shows the wrong way in which one of the examiners, at all events, seems to regard his duties. I had a title to bring under the Act; it had been originally in the

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the hands of Messrs. Stephen and Stephen; it was a Balmain title—Mr. Paling's case,—and Messrs. Stephen and Stephen had been, I think, some two or three years trying to bring it under the Act, but a lot of technicalities were thrown in the way on account of the purchase being obtained on credit. In the first instance no conveyance had been executed, and it was brought under the Act under the contract, and owing to the long time it took to bring it under the Act, it was cut up and a number of allotments were sold. Eventually, I believe, there were something like 100 or 120 allotments sold. Well, after a great deal of difficulty, we got a requisition from the examiners, and obtained the consent of all these parties to the property being brought under the Real Property Act. But Mr. Burton in a memorandum he wrote on the case said—I do not remember the exact words, but the effect of the memorandum was this: That he thought the proper course for the Commissioners to take was to reject the title and insist upon separate applications being brought in by each purchaser; and he went on to remark that this would be very remunerative to the office. It seems to me that is not the object of the office, and that he takes a wrong view of the case.

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2558. Was the original application made before the sales? I think so; but at all events before a very large number of the sales. There could have been only a few sales made at the time of the original application.

2559. And what was the result of that case? I got it through at last, with the exception of a few of the allotments which I had to omit as I could not get the consent.

2560. And certificate issued in favour of the purchasers? And certificate issued in favour of Mr. Paling.
2161. Who then gave them titles afterwards? Yes. There is another case in which a great deal of difficulty was thrown in the way, but I think I got them to waive the difficulty, and perhaps it ought not now to be mentioned. It was a case in which property at St. Mary's had been brought under the Real Property Act, and this property originally belonged to Sir Maurice O'Connell, who had sold 40 acres of it in small allotments. It was a grant of 1,000 acres. The conveyance of Sir Maurice O'Connell to my father was of all the land not sold, and now that an application is made to bring a part under the Act, they require the surveyor's certificate that none of those numerous conveyances affect the piece of land now sought to be brought under the Act. In a matter like that, it seems to me that the draftsmen of the office should certify. To get a surveyor's certificate for each allotment would be a great deal more than the value of any of the other pieces of land on the estate as it is cut up now.

2562. Do you know of any other case of objectionable practices or requisitions or unnecessary difficulties? Of unnecessary delay. There were a number of cases I wanted to mention, but being a little bit late, I have come away from my office without them. I have written, during the last few days, I think, seven or eight letters in different cases complaining of unnecessary delay.

2563. *Mr. Archer.*] Do you get replies to those letters? I get them in due course. The last letters I wrote were to the Registrar General. If a letter has to be considered by the examiners, it is put in its turn, and you may not get an answer for three months.

TUESDAY, 29 APRIL, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P.,
THOMAS ROBERTSON, Esq.,

WILLIAM HENRY ARCHER, Esq.,
JOHN DAWSON, Esq.

Mr. George Charles Selwyn Smith examined:—

2564. *President.*] What is your position in the office of Messrs. Stephen and Stephen? I am an articled clerk there. I attend to the agency business a good deal, the Land Titles Office business, ecclesiastical, and the conveyancing generally.

Mr. G. Smith.
29 April, 1879.

2565. And you are brought a good deal into contact with the Real Property Office? Yes, with the Land Titles Office.

2566. Do you lodge applications for titles and transmissions? Yes.

2567. And pay the fees? Yes.

2568. Have you ever paid more than the regular fees authorized by the Real Property Act? Yes, I have.

2569. For what purpose—on what account? I understood that the clerks downstairs used to stay behind their time to do extra work at night, and in consideration of their doing that, in order to get through some deeds, I gave them an extra gratuity.

2770. Then those payments you have made are for overtime work by the clerks in the office? Yes.

2571. Not for work done during office hours? No, certainly not.

2572. Have you ever paid gratuities for other than work done by overtime? Well, I have only on two occasions paid gratuities at all, and on both of those occasions it was in consequence of the clerks staying behind time to work.

2573. Were those important cases? Well, yes, they were. They were sent up from Melbourne, and they were required to be got through as quickly as possible.

2574. Did they involve much work? Well, in one matter there were 281 endorsements, and in another 541 endorsements.

2575. Endorsements on grants? Endorsements on grants.

2576. And do you think that work could not have been done by the officers of this department during business hours without great loss of time? I do not think it could. We should have had to wait a good deal longer than we did if it had been done in the ordinary course. We got it done in three weeks, and we might have had to wait two months, I daresay, before we could have got it by the ordinary course.

2577. Are there sufficient clerks at the counter? I do not think so.

2578. You are a good deal here, and see, I suppose, the business that goes on? Yes.

2579. *Mr. Archer.*] How much did you pay in gratuities on both those occasions? I paid two guineas on each occasion.

2580. Four guineas in all? Yes.

2581. Did you obtain the consent of the Registrar General to employ those clerks? No, I did not.

2582. To whom did you speak? Well, I spoke to a clerk in the office of another firm of solicitors, and asked

- Mr. G. Smith. asked him if it was usual to do this. I had heard that he did it, and I asked him. He told me that he did it, and that he did so because they, the Land Titles clerks, stayed to do work overtime.
- 29 April, 1879. 2583. And was the clerk to whom you gave the gratuity the only one who stayed? I do not know how many stayed. It was only one I gave the money to.
2584. Who was he? Mr. William Muddle.
2585. At the counter? At the counter.

Henry Massey Makinson, Esq., solicitor, examined:—

- H. Makinson, Esq. 2586. *President.*] You are a solicitor in practice? Yes.
- 29 April, 1879. 2587. And, I suppose, have considerable dealings with the Real Property Office? Yes, but not much personally.
2588. But your office has dealings here? Yes, the office has.
2589. I suppose your clerks lodge applications for titles and transmissions? Yes, they take all the papers in, and transact all the ordinary business.
2590. And pay the fees? Yes.
2591. Have you ever paid more than the legal fees for work done in this office? I never have for work on our own account. I remember once paying a fee, which I believe is what was called an expedition fee, in an agency matter.
2592. What was that fee paid for? I had better state the exact circumstances. My clerk brought a letter from a country solicitor, for whom we were agents, directing us to pay the sum of two guineas to Mr. Muddle.
2593. Mr. William Muddle? I have ascertained since, that it was Mr. William Muddle. I gave the clerk a cheque for two guineas accordingly, and I presume he paid it over according to instructions.
2594. And do you know what it was paid for? The clerk told me it was in connection with an application of Croaker, and I have not much doubt it was an expedition fee. That is what he told me. He showed me that a letter had been received to pay Mr. Muddle two guineas, and I gathered from the facts told me at the time, that it was in reference to this application of Croaker, because that was down in the butt of the cheque, and I have no doubt it was an expedition fee.
2595. Was there much work in that case? I know there was a large bundle of deeds. I never went through them myself.
2596. More than ordinary work in it? Yes, there would be more trouble to go through the deeds and see that the application was in proper order.
2597. Do you suppose that this fee was paid to Mr. Muddle for working overtime? I never saw Mr. Muddle about it. I am telling you what my clerk told me. That was all that took place at the time; but I have inquired since, and have been told by the clerk that Mr. Muddle suggested that it was a proper case in which to give an expedition fee. I have been told that within the last few weeks when I inquired about the matter again.
2598. That was the form in which it was put to you? The clerk told me this lately. I inquired about it, and said, "I suppose it was to push this matter on?" And he said, "Yes."
2599. What has become of this clerk? The clerk was Mr. O'Connor, who passed the other day, and has left the office; but I believe he is in town. I saw him the other day. I heard from him and another clerk who was present at the time—James Harkess—about the matter.
2600. Do you know of any other instance in which such payments have been made? Only by hearsay.
2601. But you have heard of such cases? I have heard it often said that such payments were made, but I have not heard of any particular case that I could name now—at least I do not remember any. Our clerks sometimes told me that they had been told that things would go more smoothly if such a fee were paid, but I have always directed them not to pay such fees in our business.
2602. Will you inform us whether the office has worked satisfactorily in the opinion of the public and solicitors? No, I think it has not.
2603. What are the grounds of complaint? Delay is the principal complaint.
2604. In which branch? In the clerical branch, I think,—I mean in the branch downstairs which deals directly with the outside public and the profession. There are three or four different things which strike me as probable causes of delay in the office.
2605. What are they? The first is that when titles are brought in they are handed to Mr. Lander to make a search against the title, and it is within my knowledge that he is so overwhelmed with such work that the searches get into arrear, and sometimes cases are delayed two or three months before searches are made against them.
2606. Do you think he has more than he can possibly do? Yes, I do.
2607. Can you tell us any other cause of dissatisfaction? Well, it is only when he has made the searches that the case is passed on to the draftsman to ascertain if the descriptions are correct, and, as far as I know, I do not think the applications are delayed very long with the draftsman. Then the matter goes to one of the examiners, and he peruses the title. Well, I think that involves a treble perusal of the title, first by Mr. Lander, and secondly by two examiners, one after the other. I think the title ought to be sent in the first instance to be examined as in ordinary practice, and let the examiner read the abstract himself first, and make out his own search paper.
2608. What you mean is that the present practice involves perusal of title by three different officers? Yes, by three, one of whom is not supposed to examine it; but he cannot make out a good search paper without examining the title. Mr. Lander has to do that—peruse the title.
2609. But he need not peruse it to look out for flaws and faults in it? He has to be pretty careful, and it takes him a long time to get through a long search paper, and it involves a certain amount of discretion as to what he should search against.
2610. After that is done the case goes into the hands of the examiners? Yes.
2611. Is there any unnecessary delay there? They have a habit of sending out what they call preliminary requisitions, and afterwards the main requisitions in the case go out. I think the examiner who goes through the title should go through it once for all, and send out all the requisitions that appear on the deeds and abstracts then before him.

2612. Just the same as in a solicitor's office? Yes. I have found in my own practice, that after satisfying preliminary requisitions in producing deeds, getting certificates and proof of different facts, I have been met with an objection which I could not meet, and which has forced me to withdraw the application altogether.

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2613. Do you not suppose titles are brought into this office in a much worse condition than into a solicitor's office? Yes, I think that titles are sometimes brought in without the person bringing them in properly examining them, or seeing, in fact, whether he had a title to be brought under the Act or not.

2614. You have seen the requisitions or objections taken by the examiners of titles, I suppose? A great many. There is another thing about the preliminary part of the work to which I wish to refer, that is the advertisements; after the searches have been made and the deeds have been examined by the chief draftsman, and after the examiners have perused the title and sent out their requisitions, and all requisitions are satisfied—then and not till then, are advertisements inserted. I have had a case nearly two years before they got so far as to insert the advertisements, and then there is a delay of I think seventy days in connection with the advertisements. I think the parties ought to be allowed, if they choose to take the risk, to have their advertisements inserted when the application is lodged. Of course if the title is refused afterwards, their money is lost, and public attention is called to a blot on the title. But I think that risk might be left to the applicants and their solicitors.

2615. Do you consider the objections and requisitions of the examiners more minute and technical than need be? I think that there are often requisitions sent from the office that would not be put by any ordinary solicitor in practice.

2616. Very often what? I think requisitions are sent from the office which a solicitor in ordinary practice would not think it necessary to send.

2617. The examiners then, you think, are more particular than practising solicitors? A great deal more so.

2618. Have you withdrawn any titles from the office after making application for certificates? Yes, two or three times I have done it because I could not afford to delay people wanting to deal with their properties.

2619. That delay arises principally from what? In a great measure from the length of time before the examiners deal with the titles at all.

2620. Do you think that is the main cause of the delay? I think it is that and the character of the objections which are sometimes taken.

2621. Do you advise clients against making applications for certificates of title on account of the present state of the office? I have told them that if they wanted a certificate of title within a reasonable time, it would be a great chance if they got it. I got a certificate the other day in a case which had been, I think, two years in the office, and yet all the earlier part of the same title had passed the office before. I made an application previously, and withdrew it because the person wanted to deal with the property, and afterwards, he having more time to put it in again, it took two years to do it.

2622. Although the title had been passed before? Yes, up to a recent period.

2623. *Mr. Terry.*] Do you see any necessity for the production of the original papers—of the original deeds—when they are registered down below? I think they should be given up if in existence—that is where parties have them. I think it is a common requisition in the office, where there is a well-known title and a great number of old deeds; but I think that where the deeds have been produced in former cases, and the examiners, like everybody else, know the title, they should not ask for the originals again as they do.

2624. I mean deeds not in the applicant's possession? Of course that is a matter of discretion; but in the case of well-known titles, where the examiners cannot possibly doubt there are such deeds, and that those deeds are faithfully represented by the registered copies, they should not put parties to the expense of getting them produced.

2625. *President.*] Can you offer any suggestion to make the Act more effective in its working? It is easier to point out the defects than to suggest any remedies. I have already mentioned one or two particulars in which I think the practice might be amended.

2626. For instance, as a solicitor, do you think the office of commissioners ought to be abolished? The only use I believe the commissioners are is this: That an examiner of titles, seeing that there is some objection to a title which, perhaps, he thinks is not very serious, but which he does not take the responsibility of passing over, refers the objection to the commissioners, who take the responsibility off his shoulders.

2627. Do they, in any instance, disagree with the examiners? I do not know. I never heard of a case. As they are gentlemen not capable of forming a judgment on points of law, I do not suppose they would.

2628. *Mr. Archer.*] Would you be able to find Mr. Harkess, as well as Mr. O'Connor? Yes; Mr. Harkess is a clerk in our office now.

2629. *Mr. Dawson.*] Do you think that the abolition of dower altogether would be fraught with much evil? No.

2630. Will you state what your views are on that subject—whether you think some remedy ought to be provided, because of the many vexatious questions often put by the examiners? Every day one finds on a title a possible claim to dower arising out of a marriage say fifty years ago, and the solicitor, on the other side, cannot say whether the woman is alive or not. In the great majority of instances, as you know, the value of the claim is small, as the dower has to be calculated on the unimproved value, and as the woman can get it only by expensive proceedings in equity. You make up your minds to chance it. I think in cases of that kind the examiners may consider that, as there is an enormous assurance fund not touched, they might chance it, as a practising solicitor does. I think that the existence of the assurance fund untouched for so many years is a proof that the examiners are too strict. I do not suppose all the dowers in the Colony now, of women married before 1837, are worth much.

2631. *Mr. Terry.*] Do you think there is any necessity for charging an additional assurance fee on a transmission case, by death or will? An additional fee?

2632. They charge one on bringing it under the Act, and another on issuing a fresh certificate obtained by a person under a will? There is, of course, a chance of something wrong in the will.

2633. *Mr. Dawson.*] But would there be any reason for charging the second fee on a transmission where it is derived from an intestate estate? There would still be a chance of the letters of administration being improvidently

H. Makinson, Esq. 29 April, 1879. improvidently granted. I remember a case where the letters of administration were granted, and I refused the title, thinking that there was not sufficient proof that the man was dead. The man turned up afterwards, and of course the letters of administration were worth nothing. There is a chance of something of that sort.

2634. But that chance is very remote? Of course in the great majority of cases you have absolute proof of death. I think that the procedure about transmissions is needlessly cumbrous. You have to go through all the forms almost of an original application; to advertise, for instance.

2635. *Mr. Terry.*] They can dispense with that now? Yes, they can; but I do not see why fees should be paid for a fresh certificate on each transmission. They might note the transmission on the certificate as they note an ordinary transfer.

2636. *President.*] That ought to be quite sufficient? Yes. I think the practice is to require a new certificate to be taken out. I remember a case where there had been three or four devolutions of property by will since the last certificate. Say A dies and leaves the property to B, and B leaves it to C. A new certificate was issued in each case, in order to secure the fees to the office, and immediately cancelled.

2637. You are aware that the assurance fee on transmissions is abolished in other colonies? I was not aware of it. I think the risk is so small that the fee on transmissions ought to be much less than the original assurance fee, and that would make it so small that practically it would not be worth while to retain it.

Mr. James Harkess examined:—

Mr. J. Harkess. 29 April, 1879.

2638. *President.*] You are clerk to Messrs. Ellis and Makinson? Yes.

2639. And in your capacity of clerk you have frequent dealings with the Land Titles Office? Yes.

2640. Do you lodge applications for certificates and for transfers, and pay the fees? Yes.

2641. Have you ever paid more than the legal fees? Myself?

2642. Yes, yourself? No.

2643. Have any unauthorised fees been paid from Ellis and Makinson's office for Ellis and Makinson? It was paid from the office, but not for them.

2644. It was paid by them for work done in this office? Yes.

2645. In what case? In the case of the application of Croaker, for the Shiraz title.

2646. What fee was paid in that case, unauthorized by the Act? Two guineas.

2647. On what grounds was that paid? Mr. O'Connor and myself were downstairs with the papers about the matter—I believe the title was a jumbled one—and in speaking to the clerk he mentioned that it was a complicated thing to look at, and about being busy, but that he would try and expedite it a little.

2648. Who was that clerk? Mr. William Muddle.

2649. Were there many deeds in that title? No, there were not many, but there were some deeds that required to be produced and were not there. I do not myself know much of the title.

2650. Was the fee actually paid? I did not see it paid, but I believe it was paid.

2651. How much was it? Two guineas.

2652. Was it paid for work done after office hours? Oh, I could not say; I do not know.

2653. What did you say was the remark of the clerk who asked for the fee? Mr. O'Connor, whilst we were standing there, asked him to look through the papers as soon as possible, as it was wanted to be done, and he said it was a troublesome matter, and he was very busy—that he would look through it; but hinted that a fee might expedite it a little, and that he would push it on.

2654. *Mr. Terry.*] Give it precedence, I suppose, before other titles? That is what we understood—that the matter would be looked to at once.

2655. *President.*] Do you know of any other cases where such fees have been paid? No, I could not say that I know of any.

2656. Do you know of any cases where clerks have asked for expedition or other fees beyond what are legally demandable? No, I do not.

2657. Was this case dealt with and certificate issued? No, it was not. I do not think the certificate was issued. I think there were some deeds that Mr. Heydon could not produce, and he not getting them we returned the papers to him, and I think he has now lodged them in an application to bring the land under the Act. It was some other application at the time the fee was paid.

2658. When did this matter that you have alluded to take place? Five or six months ago.

2659. And notwithstanding the payment of the expedition fee, no certificate was ever obtained? No; we did not have sufficient papers to complete the title.

2660. *Mr. Dawson.*] You say that no direct application for fees has ever been made to you other than that you named, but in your experience have there been any suggestions made, without expressly asking for fees, such, for instance, as that if they were forthcoming the business would progress more rapidly? No.

2661. No suggestion at all? No.

2662. *Mr. Archer.*] In this one case of Mr. Croaker, there was a distinct suggestion? Yes, it was given in a way that the fee would be acceptable.

2663. And was the amount named by the clerk? I do not think so; I cannot remember whether the amount was ever mentioned.

FRIDAY, 2 MAY, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P.
THOMAS ROBERTSON, Esq.,

WILLIAM HENRY ARCHER, Esq.,
JOHN DAWSON, Esq.

Algernon Sydney Gilder, Esq., solicitor, examined:—

A. Gilder, Esq. 2 May, 1879. 2664. *President.*] I think you are a solicitor of the Supreme Court? Yes.

2665. Have you had much experience in connection with the working of the Real Property Acts? Well, I have had some since I have been in Sydney; since, I think, about six or seven years ago.

2666.

2666. And during that time you have practised your profession in connection with the Real Property Office? Yes; I have had a number of applications to bring land under the Act. A. Gilder, Esq.

2667. Do you know in what repute the office stands with the profession, or with the public? Well, I am inclined to think, with regard to the profession, that they consider things might be done more expeditiously than they are done, and I should think the public were under the same impression. 2 May, 1879.

2668. You think they blame the office for slowness? Yes; I have constantly heard people complain of the slowness with which business is got through. I know a good many solicitors whose names I could mention, who have expressed the opinion that things in the office might be done more expeditiously than occasionally they are done.

2669. Do you think there is any good foundation for those complaints? Well, it is rather a difficult question to answer, but I know in some cases where I have applied to have land brought under the Act, objections have been taken which were not frivolous exactly, but such as I think might have been waived in a great many instances, as not affecting the title. At least the title was good enough to have been allowed to pass; but the delay in many instances is caused by the way in which the requisitions on titles are sent in. To give a case in illustration,—Messrs. Russell and Murray's application 4,331, which is still not wholly completed, although it has been in the office for nearly three years, every objection to the case might, in my opinion, have been taken in the first instance. Instead of that, preliminary requisitions are sent in—they are complied with; another set of requisitions is then sent in—they are complied with; and within the last few weeks, further requisitions were sent in with regard to the proof of a will. Those might have been made in the first instance, and the delay, and a great deal of expense, might have been saved. If Mr. Russell had known in the first instance what the expense of the application would have been, it is most probable he would have withdrawn the application. I should suppose it must have cost the applicants from £200 to £250 at the very least. The last requisition was in reference to the proof of a will, yet the will was before the examiners when the application went in. The title had been before Mr. Gordon, who had given his opinion that it was perfectly good, even in the absence of the will; and the case submitted to him, and his opinion, with all the papers, were laid before the examiners, but the case has not been passed as yet.

2670. Then you think all those requisitions could have been taken in one batch, in the first instance? I think so. Possibly on search some encumbrance might have turned up, but most, if not all, the requisitions could have been taken in the first instance.

2671. But you know the practice here is to make the search before sending requisitions at all? Then I think they could have all been taken in the first instance.

2672. *Mr. Robertson.*] Was the will proved? It was not proved. It had been lodged in the Wills Office. Proof was required that it was the last will.

2673. I mean had probate been granted? No, there was no personalty, only real estate; there was no necessity for proving it.

2674. *President.*] Were all the requisitions answered as speedily as might be by the applicants or their solicitors? I think so. Some of the requisitions were of a nature that it was impossible to answer speedily—such, for instance, which necessitated a discovery of the whereabouts of the attesting witnesses to a will twenty-six years old.

2675. Was not part of the delay you complain of caused by the difficulty in answering requisitions, not by the fault of the office here? It was, but if all the requisitions had been sent in in the first instance, a great deal of the delay might have been avoided.

2676. Then you consider, after making all due allowance for the time necessarily consumed in furnishing replies to the requisitions, that the office still has been guilty of delay? I think the practice of sending in one requisition to-day and another to-morrow is a bad one.

2677. Yes, that there is no doubt of. Do you think the examiners make delay in replying to answers to requisitions? No; I do not think much delay arises in this way. If they received a letter from me to-day I think they would answer it with as little delay as possible. Sometimes three or four weeks may elapse before they answer a letter; but that may be unavoidable.

2678. *Mr. Archer.*] But they answer it by asking another question? That is very frequently the case. In some cases the answer is deemed insufficient, and further evidence or proof is required.

2679. *President.*] When solicitors act for a purchaser, do they not send in the requisitions at once? Generally speaking, under ordinary conditions of sale they are bound to; but if there were no conditions of sale, I think most solicitors would do so.

2680. And you see no reason why the examiners should not do the same thing? I do not think they should be bound, as if they were acting for a purchaser under ordinary conditions of sale; but I certainly think they ought to do so as far as they possibly can.

2681. You do not think the examiners waste any time in examining titles too critically and too minutely? Well, of course it depends upon a man's calibre as to whether he wastes his time or not. I do not think a person can examine a title too critically or too minutely; but one man will do that in half-an-hour which it will take another man an hour or an hour and a half to do.

2682. Do you think they magnify unimportant points, and take requisitions where no requisition need be taken? Yes, I do think so—very often; especially where questions of dower arise, and where the claim could not be more than £2 or £3. And to give an instance in the case of a will: A man makes a will and it is properly witnessed: I get one of the witnesses to write a letter to the effect that he witnessed the will, that the testator was in his (the witness's) house when he made it, that he was bed-ridden, that he never was out of his bed after he made the will until he died, and that he could not have made another will because witness was his nurse during the whole period of his illness and until his death. I ask whether that, if sworn to, will be sufficient to prove that it is the last will of the testator, and get no satisfactory answer, but am told to put it in and it would be considered, and at the same time that the affidavit of the devisee under the will would be the best evidence of its being the last will of the testator—although the devisee was in a different part of the country when the testator died. I then asked to be allowed to refer to the will and to the affidavit of the attesting witness already lodged, so as to avoid the necessity of sending the will about the country; but one of the examiners said, "No, you must attach the will to the affidavit as an exhibit." I went to Mr. Lander afterwards, and said to him, "Surely, it is not necessary for me to send the will about the country in this way," and he said no, it was not. So I simply referred to it as suggested by him; I have sent this declaration in, but as yet I do not know what the result will be.

- A. Gilder,
Esq.
2 May, 1879.
2683. Who were the examiners who dealt with the case? Mr. Jones and Mr. Burton, I think.
2684. Did you not see both of them? I saw Mr. Jones.
2685. You know the nature of the requisitions taken by examiners here—the kind of requisitions they take? Well, sometimes they take very refined requisitions. Requisitions about dower are often unnecessary. Titles which have passed through the best offices in Sydney—such as Mr. Norton's, Mr. Barker's, Mr. Slade's, Messrs. M'Carthy, Robertson, and Fisher's, and Messrs. Daintrey and Chapman's offices—when they come here are often made the subject of numerous requisitions, but generally pass in the end, after a lot of expense has been gone to.
2686. Do you think the examiners then make such requisitions as would not be made by a solicitor for a purchaser? For a willing purchaser, I do, certainly.
2687. For an unwilling purchaser? An unwilling purchaser, I conceive, would take every objection he could.
2688. Say a purchaser under an open contract? I think, in the case of a person who did not want to cry off, that the examiners take objections which a solicitor would not—objections the most fastidious conveyancer would think unnecessary for the protection of his client.
2689. To which of the examiners do your objections principally apply? Well, I should be very sorry to say anything against any of the examiners. When I have had occasion to see Mr. Burton, he has always been very courteous and obliging; but if I go to a man and ask a question, to which he can say "yes" or "no" I like him to say it.
2690. But Mr. Burton is thoroughly honest and conscientious? I have no reason for believing otherwise. I think, with reference to Mr. Jones, that all I could say would be, that if I were placed in a similar position, and a person came and asked me a question such as, "I bring this letter to you; if it is embodied in a declaration, will it satisfy you, and if it won't, tell me what will, so that I may get it?" I should give him a satisfactory answer at once; but Mr. Jones's answers are often decidedly unsatisfactory, when there is no occasion, and when a simple answer to a simple question would, in my opinion, expedite the business of the office.
2691. Do the examiners do what they can to facilitate the passing of titles and to expedite the work? Of course every man has his own opinion upon that point. I cannot say that I think they do. I will except Mr. Maddock, so far as I have known him; but I cannot conscientiously say that I think the other examiners do.
2692. *Mr. Terry.*] You except Mr. Maddock from that? Yes; he has only been in the office a short time, but I have every reason to believe that he does not allow the grass to grow under his feet. Of course a good deal of delay is caused in having the titles sent about from one person to another. They make a sort of cycle, and it is hard to say when they come back again to the starting point.
2693. *President.*] Do you know of any other difficulties applying to any other branch of the office—any unnecessary delay, or any other difficulty at all? I have sometimes been downstairs two or three hours waiting to have a matter attended to, but whether that has been caused by an insufficient number of hands or not I do not know. I should fancy from what I have seen that an extra counter hand ought to be there.
2694. Are the counter hands anxious to please people, and to get through their work? I have not the slightest complaint to make against any of them.
2695. Do you know of any instances in which any of them have received payment for work, in the shape of expedition fees or otherwise, beyond what they are entitled to ask under the Act? No, not any.
2696. Have you heard such things stated? No, never. There are certain persons, whose names I do not think it is necessary to mention, who fancy—whether it is fancy or not I do not know—they can get things through the office more expeditiously than others. I do not know whether that is a matter of fees; I think if it is true at all that it is a matter of personal friendship.
2697. Do you mean solicitors? No, some of the public.
2698. Do you not think that the pertinacity of those people has something to do with the matter? I think it might have; it always has its effect.
2699. *Mr. Terry.*] Do you think it a desirable practice to pass titles subject to qualifications? No, I do not, by any means. I have known a title stuck up for weeks after being passed, simply because it is passed subject to some qualification, such as the production of an original deed. Frequently the qualifications are more difficult to comply with than the requisitions.
2700. Do you not think it advisable in an office like this that dower should be abolished altogether? I do. There can be few women now alive who would be entitled, and it is often extremely difficult to procure evidence on the question.
2701. Have you known cases in your experience where persons could not possibly be entitled to dower, and yet it has been noted on the certificate of title? Yes, I have. I believe there have been cases where the examiners must have been alive to the fact that it was almost impossible, or at any rate highly improbable, that any right of dower existed.
2702. They required proof? Yes.
2703. Which in some instances it is impossible to get? Impossible. I had to allow it to be noted on a certificate some time back, being unable to procure any evidence on the point, although quite satisfied that no claim for it would ever be made.
2704. Would it not be an advantage to abolish the assurance fee on transmission cases? I think it is an extortion—a positive extortion. Hundreds of cases might be given to illustrate the unfairness of the fee. The last I had to do with was the case of Mr. Thomas Skinner, who died a few weeks ago. There could not be a doubt as to who was entitled to be registered as proprietor by transmission—it was only necessary to look at the will; and why should there be a £20 assurance fee in a case like that? In Russell and Murray's application the assurance fee alone was £62 10s.
2705. Do you think an assurance fee should be charged on grants from the Crown? No; nor do I think commissioners' fees should be charged.
2706. Would it not be a desirable thing if the commissioners were swept away altogether? Unquestionably; I cannot see any use for them. If there was one commissioner, and he an experienced conveyancing barrister or solicitor, it might be desirable to have him to appeal to. To have three commissioners, to act only as the examiners direct, seems to me something worse than useless.
2707. Do you think it is necessary in every case to call for the production of original deeds? I think that when deeds are registered it is very hard indeed upon the applicant to compel him to produce the originals. I had in one instance to pay ten guineas for the production of original deeds which were all registered.

registered. In another case, a deed of assignment for the benefit of creditors was required. I forget how many people I went to to find out where the deed was. It was registered, and its production, in my opinion, was quite unnecessary.

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2708. Have you known cases in your practice where they have called for the deeds after they have been produced once? Yes, and occasionally I have had the same requisition twice over. Sometimes I have been asked to furnish proof of a negative kind—as for instance: that no person had acquired title by a twenty years' possession where the subject of the application was a block of unoccupied land in the country—and that since the passing of the amending Act.

2709. Does not Mr. Burton think it possible that sometimes original deeds may bear endorsements which have not been registered, and is not this his reason for always calling for their production? I think it is very likely that he does. I think a good deal of unnecessary work is cast on the office with regard to leases for short terms.

2710. Then you do not consider it right that a ninety-nine years lease should be registered in this office? Yes, I do. What I think is that the words "three years" in the 49th section of the Act should be altered to "twenty years." In my opinion it is very inconvenient and expensive to compel notification of a term for less than twenty-one years, as it is to render the use of the forms given in the Act necessary.

2711. Is not the production of the original certificate required before the lease can be registered? Yes, and when the parties are resident in the country where the land is situated, to forward the certificate or grant to Sydney to have a five years' lease noted; that is attended with expense, and there is also the risk of its going astray, and nothing that I see is gained by it.

2712. *President.*] Are there any other points upon which you can give us any evidence? I think great expense might be spared applicants if certified copies of partially cancelled deeds were in all cases dispensed with. There is also a matter with reference to searching the registers which might be altered with advantage. Parties should either be permitted to search for themselves, or, when the search is made by the officers in the department, some guarantee should be given that no incumbrance exists. At present the registers are virtually "un-get-at-able" by the public.

2713. *Mr. Terry.*] Not on payment of half-a-crown? The Act allows inspection of the registers by the public on payment of that fee; but searches are generally made by the officers in the department, and, with the present arrangements, if people were allowed to go behind the counter for this purpose, it would greatly interfere with the conduct of the business, and create confusion. This being so, I think some guarantee should at least be given that the search is a correct one when it is made by the officers of the department. Then there is the time wasted in advertising transmission applications. In the case of Mr. Skinner, before referred to, thirty-six days were wasted in advertising. Why the case was advertised it would be hard to say; and so with the large majority of cases.

2714. *President.*] Is that since the last Act? Yes. The Act gives power to dispense with advertising if the Commissioners think fit, and on the recommendation of the examiners; but in the case I mention, it was not dispensed with, and seldom is.

2715. Is there anything else? In transmission applications, where there are three or four persons appointed executors and trustees, with power to sell, I think the proving executors should be allowed to have a certificate granted to them. Cases occur where one of the executors and trustees being out of the Colony, it is very inconvenient and expensive, and occasionally very difficult to get at him in order to get him to execute a disclaimer. I may also observe that the practice which the examiners have of distributing cases once a month is bad and causes considerable delay; and I have heard this opinion expressed by one of the examiners. I think when cases come in they should, if possible, be dealt with at once; there ought not to be a specified time for distributing them. I think also that the acceptance of transfers, mortgages, &c., by the transferees, &c., might with advantage be dispensed with. It is often very inconvenient to obtain; it is a useless form, and only entails additional expense.

2716. Is there anything else? It appears to me that the Act should imply covenants for title in transfers. In the case of mortgages and leases, covenants are implied, not so in transfers. So if anything goes wrong, you simply have the assurance fund to go back upon.

2717. That results from the system; it is a registration of title, not of deeds, and nothing can go wrong if a person gets his certificate? Suppose he is ousted by a free-selector.

2718. The scope of the Act is that he will not be ousted, that the title is complete and indefeasible? There is another matter I wish to refer to: With regard to certificates of title, I think that boundaries should be set out as in the original grants, instead of a simple reference being made to the grant.

2719. I think you can get that done by application to the office. They do not do it as a rule, in order to save the work it entails? I also think that the time and the manner of advertising in the 16th section ought to be at the discretion of the commissioners.

2720. The time for what—for advertising? Yes; the Act specifies three classes of titles. Where applicant is original grantee, and no transaction registered, the certificate may issue at once. In the second class, where he is not the original grantee, the application has to be advertised for so many days, if there happens to be only one simple conveyance direct from the grantee to the purchaser. That seems a great absurdity. I think the commissioners should have a discretion given to them, as to whether advertising was necessary or not in every case.

2721. The difficulty is to draw a distinction between cases? —

2722. *Mr. Archer.*] Any arbitrary line brings a hardship? Of course if it were in the discretion of the examiners they could say: "It is a simple matter," and could pass it at once. If there were many transactions to consider, they could use their discretion.

2723. *President.*] Then you would give them a discretion in fixing the time according to the nature of the case itself? I think so. I may further state that according to the Act, a transfer, when it is lodged is to take priority according to the time when it is lodged; but parties lodging transfers have no guarantee as they have under the old system of the exact time when they are lodged. You hand in the transfer, and pay the fees, and get a receipt, but you have no guarantee that the transfer is registered in the order of time in which it is produced. I think it abundantly clear that some satisfactory evidence of the time when a transfer is lodged should be given.

2724. *Mr. Archer.*] Do they not give you a receipt for the transfer fee? Yes.

2725. Could they not put the hour when it is paid? Yes; but this would be hardly satisfactory. What I think the best way would be to have a book specially for the purpose, so that when a person took his transfer in he could see it entered—the time, and the nature of the instrument, and a number could be given it. That, of course would be satisfactory.

2726.

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2726. May there not be something in that way and you never have seen it? There may be—I believe there is ; but the entry is never made in your presence, which I think ought to be the case for the satisfaction of all parties. I might also suggest that plans and descriptions by surveyors, whether licensed or unlicensed under the Act, should be equally good. There are occasions when you cannot obtain the services of a licensed surveyor under the Act.

2727. *President.*] You mean surveyors licensed by the Government? Yes.

2728. Are they not entitled to a certificate if they apply for it, as a matter of course? I do not know whether it is as a matter of course or not.

2729. You see the duties of a surveyor licensed under the Act are different from the duties of a Government licensed surveyor? The duties of the surveyor licensed under the Act are to cut up and subdivide properties, which is often a very delicate operation. The surveyors licensed by the Government deal with new land, where there is very seldom a conflict. Of course, if the arrangement is that they have only to ask for a certificate, it is not necessary to say anything about it ; but I imagine that there must be a fee attached to it, or something of that sort.

2730. I do not know sufficiently well to say, but I think that if they are licensed by the Government they have only to make application and they get the appointment. Have you anything further to say? I do not know that I have anything more to say.

Henry Burton Bradley, Esq., solicitor, examined :—

H. Bradley, Esq.
2 May, 1879.

2731. *President.*] You are a solicitor of the Supreme Court, of long standing? I am ; of something over thirty-seven years' practice.

2732. And have had a good deal of experience in conveyancing? I have had my share.

2733. And since the commencement of the Real Property system you have practised in connection with the Real Property Office? I have done so.

2734. We should be glad if you could give us any evidence in respect of the working of the system? I will give you first my own general view of the whole subject, and you will be kind enough to put to me such questions as may occur to you. It has appeared to me that the arrangements, rather than the system, are defective. I allude to the placing of gentlemen of large legal knowledge and experience in a quasi-subordinate position to a head of the department, who is not himself legally educated ; and my own wish would be to see that a referee of matters in which the primary examiners of titles should disagree, should be appointed—a man of large legal experience in real property matters ; that the examination of the title by one examiner should be considered sufficient instead of requiring two to join in report ; that the system of requisition by the examiners in respect of objections to titles being vicious in its principle and inconvenient in its practice, I would desire to see it, at any rate, largely altered.

2735. Do you not think that system is for the benefit of the applicant? I think it is for the benefit of the applicant, but I think it is not for the benefit of truth. I think truth is what is intended to be arrived at, but I think the mode in which these requisitions are calculated to apply themselves to many minds—I do not mean to say to all (of course some are superior to any temptation of the kind)—is to the making of evidence where evidence is wanted, rather than to the production of evidence where evidence exists. I have always objected to that. For many years, as you will naturally suppose, I have conferred from time to time, more or less frequently, with my cousin, Mr. Burton, who is one of the examiners, upon legal points—not of course with the names of cases—legal points which have occurred to his mind and which have been difficult to determine ; and from a very early stage, certainly before the death of the late Mr. Holden, I felt it was to be regretted that that plan had been adopted.

2736. The present plan of sending requisitions? The illustration which I would offer is a very familiar one. We remember hearing of the Irish solicitor who told his client that he would have to prove certain things, whereupon the client went out and obtained in evidence what was intended to be proved very readily, but the evidence he got was not the evidence of truth, which is, unfortunately, the latter part of the story which I have introduced. I have felt that under the present system, or rather under the arrangements consequent on the present system, applicants have every inducement to bring very imperfect titles into the office, and then they make use of the brains of the Government officers to patch their titles for them with all such things as may be necessary to enable the examiners to pass them ; instead of bringing in their titles in the first instance in such a condition as that in which they would put their title before an ordinary purchaser's solicitor, who was not bound to swallow auction conditions, and that, by that means, a duty which ought to fall upon the applicant himself is made to fall upon the office ; that the office is thereby called upon to discharge a great deal more work—valuable work—work of a costly kind, than it ought to be called upon to discharge.

2737. Then you would have the examiners reject the title without giving the applicant the opportunity of correcting anything irregular or defective? I see the difficulty, and have not thought the matter out so as to propose exactly the remedy. I give you just these ideas of mine ; I have not prepared any statement of them ; I have not had time to do so, and perhaps it would not be convenient that I should offer my evidence in such a way. I state these things as objections that appear to me, and no doubt the commissioners will take them into consideration, and deal with them as they may think fit. It has appeared to me in practice to produce this sort of thing : A man goes to his solicitor, or to the counter below, with a bundle of deeds and a form to fill up an application to make a title for him. I do not think that is fair. He goes to a solicitor, and he says, " I want you to bring my property under Torrens' Act, and what will you charge me for doing it?" A great many solicitors will agree with their client for a certain sum to make the application for him ; they give themselves the least possible trouble, put the deeds into the schedule at the end of the application, and the title is sent in with all its infirmities about it for the office to put it to rights. I think if that system is to be continued, and the business of the country is to be done with reasonable celerity, that the Government, undertaking to do the conveyancing of the country, must provide a sufficient staff of conveyancers to get through it. Of course my objection is double in its application. The one is as to the morality of the matter, but that I must be content perhaps to dismiss here ; the other is as to the possibility of such a staff as there is now dealing with cases that are brought before them in the manner in which they are now commonly laid before them. The remedy appears to me to be very largely in this : The appointment, as I began by saying, of a skilled head, to whom the examiners in case of doubt might refer, and whose decisions might be final in reference to any point ; the
increase

increase of the number of examiners, and the ceasing to require more than one examiner to go over the same ground. I have observed that the mechanical staff of the office is under-manned, if I may call it so by reference to a vessel; that they have not men enough there to get through the ordinary work of the counter; that frequently such trifling matters as the registration of a mortgage of property under the Act, which, under the old law would be effected in five minutes, will take weeks before you get the papers back. I may mention a case which occurred to me, and in which my firm acted as agents for a house in Victoria. A gentleman who had occasion to borrow upon the security of land in this Colony near the border of Victoria, a large sum of money from one of their financial institutions, had to encumber fifty-six parcels of land. The grants from the Crown (they were all purchased from the Crown) of those fifty-six parcels of land had to be sent by post to Sydney and returned in the same way, involving a good deal of risk. Upon those fifty-six grants, and upon fifty-six folio of the register book, had to be made a memorandum in addition to the memorandum made on the mortgage. By this means there were 112 chances of error super-induced, for as you multiply the operation you multiply the risk of error. It took six weeks to register my mortgage, and I paid £6 for the registration. The reflection in my mind upon that matter was that I had not much to be thankful for. No doubt, a case involving many parcels of land must, under the present system, involve considerable delay, where every memorandum has to be stamped on every folium of the register and upon every grant involved in the title; but that it should take six weeks I do not think necessary if the staff were sufficient to perform the work. Here I might say that I believe that, in both departments, legal and mechanical, of the office, every officer is zealous and industrious, and works to the very utmost of his ability, and therefore I make no complaint when I say that in nearly every case I have had to wait from six weeks to three months to get a paper back registered relating to land which was already brought under the Act. I do not allude to cases of transmission of any sort, but to a plain ordinary case—ordinary transfer of a piece of land from me to Mr. Terry, or from Mr. Terry to me of a parcel of land under the Act—I have had such things as that in the office from six weeks to three months where there was only one piece of land concerned, and where there could be no necessity for the delay, unless the office were over-worked or under-manned.

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2738. You are aware that part of the delay is caused by the system being one of registration of title, not of simple registration of instruments? No doubt that is the great distinction between the two systems.

2739. That necessarily creates some delay? Yes, necessarily. I have, or my office has had, occasion to make complaints of delays in reference to the manner in which the work has been done, and particularly we have had occasion to regret that the staff charged with the duty of making searches is also charged with other duties, and that it is impossible for a man charged with a weighty search to preserve, I would say, a continuity of thought in reference to it, by reason of his being perpetually distracted with other things. I allude to the condition of poor Mr. Lander, whom I sincerely pity. I would not occupy his position for anything that could be paid. I believe that the searches in one case—a case which I wish to adduce shortly—a case of Mr. Dibbs—I believe the searches in that case were five months in making.

2740. Mr. Lander does not make those searches? I do not know who makes them, but I fancy Mr. Lander performs a good deal of the work.

2741. He prepares the search paper; the searches are principally made by Mr. Kenyon? I think that perhaps with advantage a division of the work might be made between different examiners; that certain classes of titles might be disposed of by one gentleman or two, and certain other classes of cases by other examiners.

2742. Do you mean that you would have grades of examiners? I do not mean grades of examiners; I think that every gentleman who is appointed an examiner should be a well-skilled real-property lawyer, and I should not suggest the making of grades further than the grade which would naturally arise from my first recommendation that there should be a head—a legal man of undoubted superior capacity and knowledge—to whom the other examiners should be content to defer, and who should be the referee upon any point upon which they might feel doubt or hesitation. But what I mean is that such cases as those I allude to, cases of transmissions under wills—the difficulty of expounding which all legal men who are present will find no hesitation in admitting—that those transmission cases might very well be left to one person, who should always deal with transmission cases. Well, those transmission cases would by that means—the subjects being familiar in the mind of the gentleman to whom they should be committed—probably be disposed of with more expedition than they would be if distributed among a number of persons whose attention is not always given to cases of that class;—that another of the examiners might advise the office with reference to such questions as frequently arise, and which the mechanical part of the office is in the habit of disposing of, unless a case of difficulty present itself to the mind of the mechanical staff of the office, in which case they ask the opinion of the examiner. I think that division would be a good one to make.

2743. Would you make this division permanent? I have not determined that. It might be well that there should be an exchange of duties occasionally, but I think the work might be well got through by such a division among themselves as we make in our own offices with reference to the disposal of business of different branches, such as conveyancing and common law and equity, and other branches.

2744. Then you would leave it to the examiners themselves to make this division? That I have not determined, but I think that a division of the labour would perhaps tend to the work being done with greater celerity; and, of course, so much more celerity would be so much more to the satisfaction of the public.

2745. You would have something like the old system of making pins, I suppose, where one man spends his whole life pointing pins, and so is always engaged in that particular operation? Well, I think I have been pointing pins the greater part of my life, for I have seen little more than conveyancing during that time.

2746. I think your suggestion is a very good one? I think it is well worth consideration, or I would not trouble the Commission with it. We all know that whilst there is a disposition to fuse the branches of our profession, the Bar and the solicitors, solicitors themselves, in point of practice, divide their own branch as much as possible; and I think that as the work is so much better done in that way, it would be so much better done here, in this establishment.

2747. Division of labour always leads to perfection? We have had occasion, in reference to the matter of delay, to write several letters to the department, copies of which I have had taken from our books. I will not trouble the Commission with reading them now, but if you think fit I will lend them to you.

H. B. Bradley, Esq., 2748. We shall be very glad to have them? The dates are—11th March, 1878; 13th March, 1878; 1st March, 1879; and 8th April, 1879, in reference to Mr. Dibbs' case. I think that there appears on the face of those letters sufficient, without even what I said before, to indicate that we do not attach any blame to anybody whatever, but that our blame is attachable to the want of power in the office to get through the work. [*Letters handed to President.*]

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2749. I understand you to say that you consider Mr. Lander is over-worked? I do.

2750. Is he a man capable of performing the duties he has to perform? I should think so. As far as my observation extends I should say so.

2751. And any shortcomings on his part simply arise from his being over-worked? If there be a shortcoming on his part, it arises from over-work. He has worked in cases of our own, I know, over-hours, or at his own house; worked both very cheerfully and without asking for or receiving, or being offered, any fee or remuneration whatever. I gather from this that he is a valuable officer.

2752. Would you trust him to examine titles? I would not. My acquaintance with him does not justify me in doing so. He may be competent. I do not say he is not; but I would not trust him. I would say, perhaps, in justice to him, that I am aware he is a solicitor, and that there are many other solicitors in practice in Sydney whom I would not trust to examine a title for me. Perhaps it is because I am an old man, and attach too much importance to experience; but I have no reason to say that Mr. Lander is not equally fit with myself to examine a title, only that I would not place him in the position of doing so, because I have not the knowledge that would justify me in offering an opinion to that effect.

2753. Do you consider that the report of one of the examiners in favour of a title ought to be sufficient to enable the office to pass it? I think so.

2754. Even without the head that you are talking of? Even without the head that I suggested.

2755. Examiners, of course, may be incompetent? We ought not to have incompetent examiners appointed.

2756. Then do you not think it would be a risk to run to pass titles on the recommendation of one examiner only, considering that we may possibly have incompetent examiners? It would be a risk which every gentleman in this community accepts every day of his life, when he consults myself, or Mr. Dawson, or yourself, with reference to a title to a property which he is about to give £10,000 or £20,000 for.

2757. Yes, but he chooses his own solicitor—you are not entitled to choose your own examiner? The Government choose their own solicitor for examiner.

2758. It is not the Government, but applicants for titles, who apply for benefit under the Act. Any person may consult you or me, and will not do so unless they trust you or me, but when coming under the Real Property Act, they must trust the examiners appointed, not by themselves, but by the Government? With regard to that view, I would say that the applicant is never damaged by having the application rejected by the one examiner, for, in that case, he is entitled to get the opinion of the court if he likes to do so, or the opinion of the senior—the head of the legal staff of the establishment; or, if his application is accepted, he gets his certificate of title, and has no grounds for complaint. The Government may complain, the assurance fund may be damaged by reason of the ignorance, incompetence, or carelessness of the examiner. In the case we are supposing, the applicant himself cannot be damaged. The applicant still retains the same title he had before, whatever it was, and if it is ultimately rejected he is not damaged, though he does not get the benefit of the new Act, to which the examiner thinks he is not entitled. The applicant does not go to the court to set the examiner right, but submits to the decision. It does not seem to me that the applicant has a right to complain, but that the assurance fund would suffer if the examiner erred the other way.

2759. But it seems to me that he would be greatly damaged if his title is rejected? —

2760. *Mr. Terry.*] But you would give the applicant a right of appeal to the superior head of the establishment? Certainly.

2761. And if he passes the title the certificate will issue? Yes, so that you would get, wherever there was occasion for invoking it, the opinion of the superior intelligence—the superior learning; and for all ordinary cases the one examiner would pass the title. I would say that remuneration is not always a test of ability; that I do not think the office of examiner is sufficiently well paid; that a very much larger salary must be given to the person who is made the referee than is given to the gentlemen who now hold this office; and that, in order to the effectual working of the system, a much larger expenditure must be looked forward to than that which has hitherto obtained. With reference to that it will be of course also manifest that the work is continually expanding; that, as deaths occur, cases of transmission by will will continually be increasing in number. As property is subdivided again, a large increase of work will ensue, and that anything like the staff that was sufficient for the work at the time the first Act was passed must not be expected to contend with it now, even if no arrears existed, handed down from the old time—arrears which have always been the subject of observation, and often of complaint.

2762. *President.*] What do you consider as sufficient pay for an examiner of titles—I mean sufficient to enable the Government to procure proper men? I do not consider that that question can be answered by itself. It involves several considerations. No doubt in the case of any man, unless a very needy man—I can speak most confidently for myself, supposing that I were inclined to leave my private practice and accept office as an examiner of titles—there is no salary in reason that could be offered to me that would compensate me for being regarded as an officer in a department presided over by a layman.

2763. But suppose that difficulty were to be got rid of? Then I think that you might reasonably expect to command and retain the services of competent men for a salary of something like £1,200 a year.

2764. That is the salary at which Mr. Holden accepted office? That is the salary at which Mr. Holden accepted office, much to my surprise. I myself know from Mr. Holden that one of his great reasons for accepting office was his earnest, kindly desire to set this system forward under the most favourable circumstances, that he believed it would be a great public good, and that he sacrificed his own pecuniary interests very largely in accepting office under it.

2765. *Mr. Terry.*] What is the salary paid by the legal profession to their head clerks? I have no knowledge. I have always done my own business by myself, my son, and my partner. I have not indulged in the luxury of managing clerks. I was about to say, that some of those who have no doubt had to consider their responsibilities as a part of the payment, and that most of them have supervised their managing clerks. They have not allowed their managing clerks absolutely to deal with cases, but only to go through a sort of preliminary inquiry, comparison search, and consideration of matters, and that the principals have themselves eventually determined questions which the examiners would have to determine originally from their own stores of learning and information.

2766. *President.*] What pay do you consider would be sufficient for this head—the legal skilled head of the department you have mentioned? I would not offer him less than the present salary of the Judges. H. B. Bradley, Esq.

2767. The Puisne Judges? The Puisne Judges—£2,000 a year.

2768. He would in fact be very much in the position of a Judge? The duties of the examiner are very largely of a judicial character. Every one of us knows that in the expounding of wills, the most difficult duties which devolve upon us, a very high order of judicial intelligence is required; that a vast amount of time must necessarily be expended by the examiners in looking into outside cases, and that the great advantage of having a man well-skilled and experienced at the head of the department to whom the examiners could all alike refer when they pleased, and to whom a disappointed applicant might also refer, would be found, I have no doubt at all.

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2769. Would you have any more liberality in the examination of titles than now exists in this office? I do not know that I would. In examining a title it is almost impossible to say what objection will really turn out to be the important question. It is evident that there is a stitch dropped of some kind, but what that dropped stitch may lead you to you may not know. I have heard as a matter of history—I am not going to quote names—that a slip was made in the office very many years ago, in the days of two as good men as we have now—the days of Mr. Holden and Mr. Dick. Under a will partially read it would appear that certain persons took estates in tail. I have not seen the will myself, but I have heard the matter mentioned in the profession, and it is well-known. Upon reading the whole of the will, those estates tail were cut down to life estates. I believe that such purchases have been carefully made since, as have pretty well saved any ultimate loss or damage in consequence of the view which the examiners took in dealing with the estates devised as being estates tail instead of being estates for life; but of the particulars of those subsequent proceedings I have no information.

2770. You mean that these purchases have been made by the owners of the property who bought in outstanding interests? By the owners of the property. They bought up outstanding interests; they bought in, in fact, the reversions. I believe that the disregarding of what are called small points is liable to lead the department, as it would lead an individual, into a cursory system of examination; and whilst such a cursory system of examination may be sufficient in running over a large number of cases to justify a commercial institution in adopting such a plan, I do not think it is sufficient to recommend such a plan to an office which must deal with things upon some sort of strict legal principle. I will illustrate what I intend to convey by the case of the Bank of New South Wales: The Bank of New South Wales, many years ago, employed a gentleman who had conducted the conveyancing branch of a legal office of a good deal of experience in Sydney. They employed this gentleman as their conveyancer; they gave him a little room, and used to bring him in a bundle of deeds, as he has told me, some inches thick. In the morning, between 10 and 11 o'clock, he would be addressed, "Will you be good enough to look into this title; Mr. So-and-so, to whom the deeds belong, will return between 2 and 3 for the bank's answer—whether we will advance him a certain sum of money?" and this gentleman was expected to read through the deeds, make the necessary searches, and report upon the title. Of course no conveyancing counsel would offer to do the work in the same time; no careful solicitor would do it, and yet the bank was satisfied with the examiner almost without untying the tape, seeing from Smith to Jones, and from Jones to Robinson, and so on, and arriving at the conclusion that the last-named gentleman at the end of the bundle was the person entitled to the property. That sort of inspection, or a little more than that, could be all that that gentleman could afford to the title upon which he was required to give an answer in a day. I never heard that the bank lost any money by this careless cursory examination; but, notwithstanding that, it is not a course I could recommend, and therefore I think there is no proper mode of examining a title except a complete and perfect one. Whether after that complete and perfect examination shall have been attained every objection that appears upon the title to an absolute perfection should be sustained is quite another matter; and it is particularly with regard to such points as those that the advantage would ensue, I think, to the system, to the public, and to the office, by having the opinion of some thoroughly trained, skilled, experienced head. We are all of us familiar with the way in which such things are done. I remember perfectly well how the late Mr. Carr, a good conveyancer and man of experience, used to do his work. Thirty years ago, when Mr. Burton was his conveyancing clerk, he would get Mr. Burton to examine a title for him, and he was perfectly satisfied with Mr. Burton's examination. Mr. Burton would hand up to his master or employer certain points for Mr. Carr to determine, and he would say "Never mind this," would sustain another or more, and would deal with the matter precisely in the way in which I would propose the referee of the examiners might deal with doubtful points now.

2771. *Mr. Archer.*] Would you have that head look at every case in that fashion? Certainly not, unless required. I do not think it necessary. I would be content with one examiner's examination; and let the examiner himself, if he felt any doubt or difficulty, have the right to go to the referee to obtain his assistance. That, I feel, would be a very great advantage, and would result in this: that all simple matters would be very quickly disposed of, and the difficult matters would be disposed of with the advantage of another clear mind, which would not be encumbered by a great deal of the rubbish, so to speak, of the title, and which would be applied at once to particular points. The only objection is the expense.

2772. Expense of what? Expense of having a highly-paid officer. I think that whilst many of the fees are very large—at any rate sufficiently large for the work performed—such as the registration of an ordinary mortgage, and things of that kind, that the fees which are paid upon the bringing very difficult titles under the Act are very insufficient indeed, and that from the loose manner in which titles are brought in, and the immense amount of trouble given to examiners by titles going backwards and forwards through their hands several times, the public are mulcted to the extent by which the department is compelled to do what the applicant himself ought to have done beforehand; and although to a certain extent—I do not know to what extent—the expense of the department may be paid by the fees that come in, I do not think it at all fair that people whose titles or transactions are exceedingly simple, should be made to pay the expense which would, perhaps, be very cheaply paid for at £100 for many days' employment of skilled intelligence in examining titles. I am not prepared with a remedy for that condition of things other than the remedy which I suggested at the outset of my examination, by saying that I thought titles should be brought in in a more perfect form than in a great many cases they are now. I believe that to be not the fault of the solicitors, but the fault of the proprietors themselves, who, seeing that there are examiners appointed and paid by the public for performing a certain work, very naturally and parsimoniously think that the public might just as well bear the expense attaching to their title as that they should pay their own solicitors for doing it.

2773.

H. B. Bradley, Esq., 2773. *President.*] Could not the difficulty of patching up titles be somewhat remedied by charging extra fees for completing the title afterwards? There is no doubt that that plan would be a very good one, but I do not see how to apply it. We know that, in a case of difficulty which we send to counsel, counsel will mark his fee five or twenty guineas, according to the trouble he takes to look into the case, but he does that arbitrarily and after experience had of the work which has been done; but how shall any Legislature or department, beforehand, say in what manner an extra fee would be applied to all cases? There is a difficulty in that.

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2774. I mean if a case is patched up, after it comes in originally, extra fees might be paid for the privilege of making it correct? No doubt they should be; but I do not know how to apportion them.

2775. So much for every instrument lodged. I do not exactly see how it is to be done—but a possible scheme might be devised? I quite approve of the principle; it is what I aim at, if it could only be done.

2776. *Mr. Terry.*] Do you not think it would be an advantage to the Government if they got the whole of the titles of the Colony under the one system? I should be very sorry to see it; I merely express an individual opinion, but I would not hold land under the Act myself.

2777. *President.*] Not with amendments? Not with amendments. I do not like to see the Government charged with too much. I want to be as little governed as possible while I live. I do not admire the system of centralization.

2778. *Mr. Terry.*] I simply ask that question because of your saying you would charge additional fees; why should an applicant pay more for one title than another. He pays now according to the value of his title? I think he should pay the workman the value of his hire. I forget what the fees are now, but whatever a man pays on his application to bring land under the Act, though it may be a sufficient remuneration to the Government for doing the duty of inspecting a simple case, I think it is not sufficient to pay the Government for investigating a complicated case. I think if you employ one or two gentlemen whose services may be considered worth three or four or five guineas a day, and if you occupy the time of two of those for a fortnight for what will not pay the salary of one of them for a day, the public are defrauded, or applicants whose applications are simple pay more than they ought for the discharge of a simple duty.

2779. *President.*] That is unavoidable. In fixing the fees you must strike some general average? No doubt. By applying additional fees in the manner the President suggested, you would meet the case; but whether entirely or not you would have to determine.

TUESDAY, 6 MAY, 1879.

Present:—

JAMES NORTON ESQ., PRESIDENT.

SAMUEL HENRY, TERRY, Esq., M.P.,
THOMAS ROBERTSON, Esq.,

WILLIAM HENRY ARCHER, Esq.,
JOHN DAWSON, Esq.

Henry Burton Bradley, Esq., solicitor, further examined:—

H. B. Bradley, Esq.,

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2780. *Mr. Terry.*] Have you had any difficulty in this office in finding deeds after they have been once lodged? Great difficulty occasionally.

2781. And for that reason you object to lodge original documents? I can scarcely say that I object to lodge them, but I would much rather not, because it gives infinite trouble to get them back. I should qualify that by saying it has done so in one or two cases. I should be sorry to convey the impression that it is general.

2782. For how long have you had documents lost in this office? For two years, I remember on one occasion—the original power of attorney of the Australian Trust Company.

2783. *President.*] Who do you suppose are answerable for the loss of those documents? I cannot say. I know who found them.

2784. Who was that? Mr. Muddle found them in the drawer of his own desk.

2785. The Deputy? The Deputy.

2786. And to whom did you deliver them? I cannot at all say. They were carried into the office in the ordinary way by one of the clerks, and we sought many times for them, and many times it was denied that they were in the office. But Mr. Muddle found them for me in his desk, where they had no more business to be than in anybody's private residence.

2787. *Mr. Terry.*] Are you favourable to assimilating the law in this Colony, in reference to dower, to the law as it is in South Australia? I am not acquainted with the law of South Australia in reference to dower.

2788. They simply abolish dower? I should certainly be opposed to that. I think that women are not sufficiently protected and provided for. I should be sorry to withdraw any advantage which they enjoy.

2789. Then you would not recommend any means whatever for the abolition of it? Certainly none.

2790. Are you favourable to abolishing the assurance fee now charged on transmission cases? I would not abolish any assurance fund, or any portion of it.

2791. I do not mean the original assurance fee on the application or lodging of titles under the law, but a second charge, under will, for instance? Certainly not; I look upon it that a large amount of the risk which the office, or the fund rather, would be called upon to sustain in future time, would be found to arise under transmission cases. When I speak of transmission cases I allude, not to transmissions under insolvencies, but to transmissions by reason of death.

2792. *President.*] The assurance fee on transmissions has been abolished in other places? I am not aware of it. I answer with reference to the general principle.

2793. *Mr. Terry.*] Do you think there is any necessity for the production of original deeds in every case brought under this law where the deeds are registered below? I think it very desirable that the best evidence should always be obtained in reference to every matter, and that we should not resort to secondary evidence until the best primary evidence has been sought for and not found.

2794. Do you think an assurance fee should be charged on a purchase of land—a grant direct from the Crown to the applicant? I have never considered that question. Grants from the Crown are now liable to be defeated, not only by such means as they have always been liable to be defeated by, but also by means of free selection, and therefore a grant from the Crown made since the passing of Torrens' Act has

has ceased to be in my judgment the best title a man can hold his land by. When a certificate is obtained under this Act, an indefeasible title is obtained. A grant from the Crown to the applicant does not convey an indefeasible title. We have always supposed, until recent decisions under the Crown Lands Alienation Act, that a grant from the Crown imparted an indefeasible title. It is clear that it does not now; you have to go a little further.

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2795. *President.*] Do you not think that those grants ought to be made as perfect as an indefeasible title? I do; I think it is absurd to allow a grant to be interfered with by the operation of free selectors.

2796. *Mr. Archer.*] You stated that you had experienced considerable delay at times in regard to transfers? Yes.

2797. Have you had similar experience in regard to applications to bring land under the Act? Oh, yes.

2798. What has been the nature of the delay in cases of such applications, and its extent? I do not know how exactly to answer that question. The delays have been various; the nature of them has been various also. Sometimes the nature of the delay has been that a large amount of time has been expended as I referred to in my evidence on a former occasion, in the preparation of search papers and the perfecting of search papers, the effecting of searches before the cases have gone to the examiners, strictly so called. Since I was here last week, I have referred to a letter which we received from the Registrar General, and which was alluded to in the correspondence I laid before the Commission—in which exception is taken to a statement of ours that a case, lodged in July I think, was not brought before the examiners until the following January, and in which letter of the Registrar General he refers us to a clause in the Act by which he is required, upon applications being lodged, immediately to refer them to the examiners, and stating that he had done so on that occasion. To save casuistry I would say it is evident there that the Registrar General refers to one class of examiners when we were referring to another class of examiners. We called his attention to the fact, and stated that the examiners to whom we alluded were not Mr. Lander, who prepared the search papers and conducted or directed the searches, and Mr. Pearson, the draftsman who looked after the parcels, overlapping boundaries and such things, but the legal examiners. No doubt a case may be said to be referred to the examiners when it is placed in the branch of examination; but when I or any other member of the profession, or any member of the public, complains that there has been a long delay, and the Registrar General reports that the case has been before the examiners since July, when, in point of fact, it never came to the hands of the legal examiners until the January following, a misconception is at once the result, and a complaint would seem to be thrown by our letter upon gentlemen who had not an opportunity of addressing themselves to the task at all, inasmuch as the case was never before them, although it was before branches of their legal division of the office preliminary to its coming into their own hands. I think that is the only way in which I can answer the question. I believe we must have had cases in the office for two years.

2799. How many years have you had experience of the office, personally? Ever since it was established.

2800. Have you had many cases put through? I daresay not so many as many others who have had much less business than myself.

2801. Have you had a dozen in the year? I could not tell the number.

2802. My object is to ascertain whether, on the whole, you have been satisfied with the dispatch in the conduct of business, or whether you and your clients have been much annoyed and put to trouble and expense in consequence of delays? We have been annoyed, and our clients have been annoyed, by the length of time which has elapsed between applications and certificates; but I cannot say that we have been put to unnecessary trouble, and our clients to expense, by reason of the lapse of time.

2803. You have never had what you considered unnecessary requisitions? I cannot say that we have.

2804. They have been judicious, and what you yourself would have made in your own practice? They have been cautious, and perhaps have surpassed what I should have made in my own practice; and there I must explain before I am asked another question. In my own practice, I have commonly found that auctioneers' conditions have tied my hands with regard to requisitions; that considerations of expedition, of expediency—a love on the part of clients of jumping things and taking risks themselves rather than being what they euphoniously term bothered by lawyers—in many cases they deliver me from necessities, in which I should otherwise have found myself placed in dealing with matters of title or strict evidence of title. Many people are content if they see a tolerably good holding title, and, knowing these facts, I should not be so scrupulous with regard to titles, or evidence of title under such circumstances, in practice, as I should be if an examiner of titles. An examiner of titles is a person, I take it, in the position of a surveyor of a ship for underwriters, who is bound to use every possible caution, not only for the purpose of protecting, as the illustration suggests, the assurance fund, but also for the purpose of protecting outside parties who are not before the examiners in any way—people who may not find much delectation in the perusal of the Government Gazette and who may not know of applications being carried through and legally advertised. That all those considerations would weigh with me, if I were an examiner of titles—which heaven forbid!—I have no doubt at all; and, therefore, with that explanation, I say that the requisitions of the examiners have sometimes surpassed what I should myself have made in the same cases in private practice.

2805. But from your practical experience in regard to titles, when you have received those requisitions have you ever looked upon them as in any way frivolous, vexatious, or too technical? Not at all.

2806. Then you do not share with your brethren of the profession in their complaints to us that such are their characteristics? I do not share with any one the opinion, however largely it may be entertained, and by whatever names it may be supported, that the object of the Act is to enable persons to get titles to property which they are not entitled.

2807. No, I do not put that? I must explain; or, if you wish, I can answer the question directly and give my explanation afterwards. I do not share in that opinion.

2808. Your impression in regard to the department, as I infer from your evidence, is that it is well-officered and well-conducted, both in regard to the legal and to the lay administration, but that the office is under-manned? That is my opinion.

2809. Have you had considerable personal experience in investigating titles? Very great, I suppose.

2810. Can you give us an idea of how long, on the average, taking the nature of the titles that exist in New South Wales, it would take you to go through a title? I can offer no opinion whatever.

2811. From your experience, supposing you were an examiner of titles and knowing the nature of the titles in this Colony, how many do you think that you could do in a week of the ordinary office hours? It depends entirely on the character of the titles themselves. I might find a difficulty in one title which

H. B. Bradley, Esq., would not seem to a layman a very complicated one. A title might comprise two deeds and a will, and a question of law might arise on the construction of that will which would require a long investigation of cases and an amount of consideration which would not be required in another case.

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2812. But would that not be exceptional? It would be to some extent exceptional; wills do not crop up in every title, but they do in some cases.

2813. But excluding that class of cases? We find, in practice, unless we send cases of that sort to counsel, and rid ourselves of the trouble and responsibility, that a great deal of time would be occupied in looking up a matter which a layman would give us no credit for looking up at all. In matters of ordinary conveyancing practice, you cannot lay down a rule for legal consideration in a day, or a week, or a year, as a grocer may determine how many chests of tea he may sell or put into his cart.

2814. I should not expect anything so unreasonable? I can give no idea about it, beyond approximating as nearly as you can expect me to do, in this way: I have found in practice that with two intelligent officers at work upon a matter of sale and purchase (with auctioneer's conditions, mind you), we commonly get our business done in something like a month or six weeks. If a purchase at auction takes place to-day, you get it completed within a month or six weeks; but it not unfrequently runs for six months, or even twelve, and, during the same time, of course we have other cases passed through the office, and a variety of other business along with it. The course of inquiries themselves occupies time.

2815. No doubt about that—the only question is whether you could approximate, and if I thought you could not I would not have troubled you to state it? I cannot state it in any way but that in which I have done; in ordinary business we find that cases go through our office in from a month to six weeks from the time they come in.

2816. You have not found as a rule that they get through a case in a month in this department? No, I have not.

2817. How long does it take, as a rule? I cannot say; I cannot charge my memory with it. For some years after the commencement of the operation of the Act I do not think that my office had any experience. During the days of Messrs. Holden and Dick, I am not aware that I attempted to pass a case through under the Act. When the examiners who succeeded them came into office, they inherited a large arrear of work, accumulated during that time, and of course with some little modification the rule, "first come first served," would naturally obtain, and therefore we did not expect to get our new cases disposed of immediately in preference to the scores and perhaps hundreds of cases which had been in the office a long time before ours were brought in. A great delay has arisen in consequence of our cases not being entitled to be treated at once, because there were others before them.

2818. My object in putting the question I did was simply this: It has been almost unanimously stated that the examiners are slow, frivolous, vexatious, and over-technical, and I was anxious to ascertain from you, as a man of large experience, whether those examiners are slow, *et cetera*, or otherwise; and whether you as an experienced conveyancer, could give any idea of the number of cases which a man with nothing else to do could get through in a week—I mean average cases, not exceptional ones as you illustrated, but taking simple ordinary cases, and leaving the others to be estimated by themselves? I am quite unable to do so. You are of course aware that the quality of the case must largely determine the length of time that will be occupied in its consideration; that a number of those cases which are brought before the examiners are brought because there is something avowedly awkward in the title which it is sought to cure under the operation of the Act; that, as I have known in practice myself, an objection arises in a title, the purchaser wishes to complete his purchase, the objection is a troublesome one, and the purchaser says, "I will complete the purchase if you will put the property under the Act"; and sometimes the vendor, relying upon getting up evidence meanwhile, will say, "I will put the property under the Act for you." That and similar instances show that a large proportion of the cases which go before the examiners may probably be such as, for obvious reasons, are required to be taken under the Act in preference to allowing them to remain outside with all their objections on their heads.

2819. Still, in all the affairs of life, where instances exist in large numbers, they are found to have similar characteristics, and averages can consequently be struck; if then a man has had a large experience in any particular walk, he can say on reflection how much or how little he could get through in a given time. It was in that sense that I asked you the questions I have; but of course if you cannot give any satisfactory statement as to average, I do not wish to trouble you further? I do not doubt that I could read through in an ordinary day's work, if uninterrupted, perhaps four long deeds in an hour—that unless these deeds disclose some peculiar defect I might arrive at a conclusion in regard to them at the end of the day; but it would be very unusual indeed that in the perusal of such a number of deeds, some (probably many) questions would not arise which would require not only legal research but research among the facts, and therefore, although my perusal of those deeds (say there was such a number of them as occupied six or eight hours, and four deeds to the hour), although the perusal of the title or evidence of title would be completed in one day, the consideration of that title would not be completed for a long time afterwards. I cannot tell what answers I may get to my inquiries, or what facts I may find on my searches, or how I might find decisions affecting the questions of law and difficulties which have occurred to my mind on reading the deeds.

2820. Then you consider the case that you have mentioned a fair average case? I do not consider it so; I do not consider twenty-four deeds an average case; I suppose average cases do not contain half the number of deeds—some cases would contain a great many more.

2821. Take an average case; how long would that take you according to the manner in which you have explained it? A man, if he were not disturbed, might read through probably two cases in a day—two average cases in a day.

2822. Nothing can be more satisfactory than that? But when he has read them I am not at all prepared to say he should determine upon those two cases in the day.

2823. But you think he could get through two ordinary cases? Under ordinary circumstances he could read through the evidence of title in two cases in a day if he had them before him. When he has read through this evidence of title, amongst other things that crop up is the question whether there ought not to be more evidence. With regard to that, I am quite aware that the applicants are required to make a declaration that they have brought in all papers in their possession or power relating to the title. I am quite aware also that in practice they do not do so. Deeds are found afterwards and brought in, sometimes twice—very frequently once—which ought to have been brought in at first. The effect of the neglect of applicants in respect of making their evidence of title perfect at first is very mischievous upon the examination

examination of a title. It causes very much additional work to examiners as it does to us in practice in the profession under the old law. I do not know by what means the difficulty may be avoided, because we know there is a punishment for a false declaration under the Act, but nevertheless the fear of the punishment does not deter or is not sufficiently deterrent. I believe one or two people in the early days of the Act were prosecuted for making false declarations, and one of them was convicted and punished for it—locked up for a few months.

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2824. But if full information is brought you in the shape of all the documents necessary in any particular case, and you having nothing else to do, could you get through two cases a day? I could read through the evidence; whether I could dispose of the legal points with as much expedition I do not know.

2825. *President.*] Suppose you had all the materials before you, and had nothing to attend to but the investigation of titles, do you not think you could peruse the majority of titles and prepare all proper objections and requisitions at the rate of one title per diem? Average?

2826. No; the ordinary run of title; leaving out exceptionally heavy cases? Leaving those out, I should hope to do so.

2827. The great majority of titles consist of about six or eight deeds, or say not more than a dozen? In answering that question I ought perhaps to add that when this perusal and the preparation of requisitions have taken place something else comes at a future time.

2828. Never mind the future time? Namely, the replying to the requisitions, and the consideration of the manner in which those requisitions are replied to or complied with. I would not be understood to say that they should be dealt with without any expenditure of time. If a man should get through two titles in a day at the average we have been speaking of, he should be allowed certain of his days for the consideration of this additional work which comes in consequence of his first half day's work. That of course will account for a good deal of his time.

2829. What I am asking you now is about the original investigation? Yes the original investigation.

2830. You could peruse one ordinary title and prepare all necessary requisitions and objections at the rate of one title per diem—never mind what follows? Oh! certainly.

2831. Then of course questions arise under your requisitions and objections that involve further expenditure of time? That involve further expenditure of time.

2832. You mentioned just now that between two competent officers the completion of a purchase occupies a month's time? A month to six weeks, I have commonly found.

2833. Does not that completion involve a great deal besides the investigation of title—question of tenancies, arrears of rent, and various other matters that do not bother the examiners of titles? No doubt other matters are involved in the transaction of business between two attorneys' offices than those involved in the examination of titles by examiners.

2834. So that if those other matters do not come into question, a sale may be completed in much less time? If the two competent officers had not a great deal of other work to do at the same time which distracted their attention.

2835. But notwithstanding their having other work to do, and being bothered with questions which do not affect the examiners, as a rule a purchase may be completed in a month or six weeks? As a rule a purchase may be completed in a month or six weeks.

2836. Do you know of any case where an application for title has been made to this office, and where requisitions have been received by the applicant within six weeks? Oh, I think so.

2837. As a rule, are they received within that time? Requisitions or observations?

2838. Call them what you like—requisitions, objections, or observations; the document that is sent out to an applicant as the first intimation of the examiners dealing with his case? I think so. I have two or three cases in my mind where that occurred.

2839. When did that occur? Within the last two or three years; I was surprised at getting them, knowing the arrear there was in the office.

2840. *Mr. Terry.*] Do you think it right that titles should be passed, subject to qualifications, and then advertised? It is in case of the applicants.

2841. But do not some of those qualifications amount to a strong recommendation against the title? No doubt they may do so; but I find there is provision made for it in the English Act passed about the same time as our own—the English Act for registration of titles, 25 and 26 Victoria cap. 53, if I remember rightly.

2842. Is there anything in our Act as to titles passed subject to qualifications? I fancy this arises from the practice under the system prevailing here, which is, that the examiners report to the commissioners, and the commissioners grant the certificates, comprising, or not comprising, as they think fit, such qualifications as the examiners may have stated in their report to be preliminaries to the issue of a clean certificate of title.

2843. *Mr. Dawson.*] Do you consider that whenever a person conceives himself aggrieved by the issue of a certificate of title to another, or by its refusal to him, in fact, in any case where a decision has been put forth by the Registrar General or the commissioners in which decision he does not concur, he should have a right of appeal at all times to the Supreme Court? I think so.

2844. *Mr. Terry.*] After the certificate is issued? —

2845. *Mr. Dawson.*] Yes, after the certificate is issued? After the certificate is issued I should say his course is to proceed for compensation against the assurance fund.

2846. But where the certificate has issued in error, and may have had the effect of dispossessing a man of what has been his home for years and years, causing a loss which no compensation whatever would cover—in such a case as that would you not give an appeal to the court at all times? I certainly would, and one of the greatest objections to the present system is that a man may be deprived under it of that for which no pecuniary consideration would compensate him.

2847. *Mr. Terry.*] Would that not do away with the Act altogether—virtually rendering it useless? I think not.

2848. Where is your indefeasibility, if that appeal to the Supreme Court were carried out? The appeal might be hedged round with the necessary precautions, and proceedings might be required to be taken within a certain time. I have always felt that the preliminaries to the operation of the Act are quite insufficient for the purpose of warning persons who are absent, with regard to property which is not in their actual occupation; that the expectation that people who are not employed all their lives in the purchase and dealing with land, will read the Government Gazette and all the newspapers published in the Colony, is an expectation too great for any reasonable person to entertain.

2849.

- H.B. Bradley, Esq. 2849. *Mr. Archer.*] Then if a person came forward and said he had not seen the advertisements, would you make that a sufficient reason for an appeal to the court? Certainly not—not a sufficient reason.
- 6 May, 1879. 2850. *Mr. Terry.*] Was not the assurance fund under the Act established to meet all such cases as those alluded to by Mr. Dawson? I do not think that pecuniary compensation would meet cases of the character referred to by Mr. Dawson.
2851. *President.*] You think that if the certificate is wrongly issued, for any reason whatever, the person aggrieved should have the right to appeal to the Supreme Court? I think so—within a certain time. I would limit the time. I think that the applications would be very few, and probably would give very little trouble. I think that the principle is a good one. I do not like the principle of dealing with a matter behind a man's back. I approve of the maxim *audi alteram partem*.
2852. But I suppose you would not allow the right of appeal in a case where the grantee of the certificate had, previous to the appeal, transferred his property to someone else—a third party? No, certainly not.
2853. That would be a proper case for an application to the assurance fund? That would be a proper case for an application to the assurance fund.

Alfred John Cape, Esq., M.A., solicitor, examined:—

- A. Cape, Esq. 2854. *President.*] You are a solicitor in large practice? Yes.
- 6 May, 1879. 2855. And I suppose you have had a good deal to do with the Real Property Office? Yes, I have had a fair connection with it.
2856. In what repute does the office stand with solicitors and the public? Not by any means in good repute as far as my observation goes.
2857. How has it come into such disrepute? I should say owing to the vexatious delays, and to the nature of the objections that are frequently made in cases of applications.
2858. Can you say how the delays originate in the office—which branch of the office is answerable for them? The delays I have noticed most are in connection with the examiners of titles; the time taken in the investigation of titles is unusually long. If a solicitor in private practice took anything like the time taken here, the result would be that he would not get any practice. I have had one case in the office—a comparatively simple case—which, I think, took two years and four months. The average time of the cases is from twelve months to eighteen months.
2859. Are not some of the delays occasioned by the solicitors or applicants themselves? No doubt, frequently, in delaying answering requisitions that are made; but I am talking of cases in which both clients and solicitors have been anxious to get their application settled, and where there has been no unusual delays on the part of the applicant or his solicitor.
2860. Then, in cases where there has been no delay on the part of the applicant or his solicitor, the case still takes twelve or eighteen months? That is the average run, as far as my experience goes. I believe that delay arises, to a considerable extent, from the fact that there is either a want of, or too much, method in the office. Your answers to requisitions may go in to-day, but it does not by any means follow that they will be taken into consideration that day or the next day, or, perhaps, for a considerable time. Owing to some practice in the office, an application has to wait its turn for consideration of the replies to requisitions, so that if an application has been shelved by the examiners sending out a requisition, and there is a long list of other applications following upon it, when the requisition in the first application is answered it has to wait its turn on the examiner's list before the reply to the requisition is considered. That is a practice I have been given to understand prevails in the office. Thus a very simple requisition might be made which could be answered very readily, and probably would be answered the same day, yet it might take a month or two, or three months, before the reply was considered. The application has to wait its turn on the list.
2861. Then I presume you consider that when an examiner is once seised with a case he ought to go at once into the question of answers to requisitions, and not postpone them for other cases not yet commenced? I think it is a matter in which the examiners ought to use their discretion, and not follow any strict rule. Where there is a straightforward title upon which requisitions are made, and the replies are simple, it is a case that might be passed over at once. If, on the other hand, it was a title involving some very difficult point, perhaps the examiners would be justified in laying it aside until they had more leisure to consider it. I do not think this is a matter in which a hard and fast rule ought to be laid down and followed strictly. I have been given to understand that there is such a routine here, which a case, however simple it may be, has to go through.
2862. Do you think the examiners afford facilities to applicants, and try all they can to get the work through? That is rather a difficult question to answer.
2863. I mean by the way in which they deal with cases; do they seem anxious to get the cases passed, or, as some people say, anxious to reject them, for fear of incurring some possible responsibility to the assurance fund? They certainly appear to be very frightened about this assurance fund. It has always been held out to applicants and their solicitors as a kind of bugbear; but very often I think highly technical objections are taken through some fear that the assurance fund may be attacked.
2864. *Mr. Terry.*] Would you take those objections in private practice? Certainly not.
2865. *President.*] Do you think the examiners' fear of damaging the assurance fund leads them into taking too minute and too technical objections, objections that need not, in fact, prejudice the validity of the title? In very many cases I think so.
2866. You have had a great many cases where you have acted as solicitor for purchasers? Yes.
2867. Probably a good many under open contracts? Yes.
2868. Do the examiners take more captious or fine-drawn objections than you would do yourself when you act for a purchaser under an open contract? In very many cases I think so.
2869. Objections that might be fairly overlooked? Highly technical objections.
2870. That might be fairly overlooked, and cannot prejudice the title? Yes.
2871. And they insist pertinaciously upon having those objections removed, or do they give them up? They generally insist upon them. When once an objection is taken it is generally insisted upon, as far as my experience goes.
2872. Have you not known cases where they have taken objections and not insisted upon them? Not that I can recollect. They generally press for some evidence to satisfy every requisition.

2873. The objection has been cured? There has been some evidence that they have been satisfied with. Documents have been produced which satisfy them as admissions of title or something of the kind. I do not recollect cases where they have waived objections altogether. A. Cape, Esq.
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2874. Can you give us, from your experience, an idea of how long it takes to investigate a title generally? 6 May, 1879.
What kind of a title?

2875. Dealing with the ordinary run of titles, how long would it take you, if you had nothing else to do, to investigate that title and state all the requisitions and objections which present themselves? Taking the ordinary run of titles, if I were not disturbed I could easily get through a title in a day.

2876. Would you easily peruse a title and find all objections that exist, and probably prepare your objections in one day? Yes, the ordinary run of titles. There are some old titles, the Riley estate title, and other similar titles, commencing from an early period, and which contain very complicated dealings, that might take a much longer time for consideration.

2877. I do not care to go into exceptional cases. Then each examiner here ought to be able to deal with, in the course of the year, 300 titles, supposing he had nothing else to do but to examine titles? Well, I think that would be hard work, because I suppose, as a rule, the ordinary run of titles are not brought up here.

2878. Oh yes they are? I suppose an examiner of titles here would have, in the course of the year, more difficult and complicated titles to peruse than a solicitor in private practice.

2879. I do not think there would be very much difference, because a great many non-professional men bring titles here, and do not know whether the titles are difficult or otherwise. They come here only for the purpose of getting a salcable title—what they consider would be a better title than the ordinary title. Do you think there are sufficient examiners to get through the work of the office? I think so.

2880. And you think that the three examiners ought to be able to dispose quickly of all titles that are brought in? I think so. I have thought at times that it would be convenient if there were some Board of appeal, or some authorized official of ability, who could decide difficult points to be referred, and whose decision would be conclusive. Where, for example, two examiners hold different views, I think there should be some ready and inexpensive means of getting at a conclusion. I happen to know of a case in the office affecting a large property here. The title was passed in three different cases, but a fourth case was lodged and was not passed, notwithstanding that the same title had been previously passed, because of an objection taken by the then examiner; there were some decisions one way and some the other, and the examiners did not or would not decide, and the application was withdrawn. It occurred to me that in a case like that, if there had been some Board of reference or ready means of appeal the point could have been decided at once. No doubt there are many similar cases.

2881. Do you not think the Board of Commissioners is competent to deal with such difficulties? I do not think the Board of Commissioners are professional men. These matters would probably be such as would involve a good deal of legal knowledge.

2882. Have you considered whether the Board of Commissioners is of any advantage at all in working the Act? I have not considered that, because I know so little of them. The profession do not come in contact with the commissioners.

2883. But you think it would be an advantage to have some individual or body to whom applicants could appeal against the examiners? I think so.

2884. Suppose a commissioner of titles or a master of titles, as they have in some other Colonies? Yes, if considerable care were taken in his appointment.

2885. A man of standing and ability? A man of good standing and ability.

2886. Can you give us any instances of abuses in the office of any character? What kind of abuses?—I do not know of any —

2887. Do you know of any case of expedition fees paid to any officer in the department, or anything of the same character? No, I do not—nothing that I can speak of.

2888. Do you know whether the officers are all efficient? I believe they all try to do their best.

2889. Do you think there are sufficient officers to work the business of the institution? Certainly not in the clerical department.

2890. At the counter? At the counter. There is great delay and loss of time occasioned by the insufficiency of the staff, or by the want of method. I have often had to complain of the time occupied in taking up deeds. Say six persons are waiting for information or to take up deeds. Five of them might be answered at once and their business disposed of. The sixth might take half-an-hour, and the other five have to wait their turn until he is done with. There is only one clerk attending to these six people. When a person goes to take up a grant, if there are five people in before him he might wait the whole morning before he could get his grant, because some of these before him may want information which occupies the clerk a good deal of time looking up. Then if you go to deposit a transfer or mortgage, or other dealing for registration, the same clerk receives the document, examines it, enters it in a book, receives the fees, and posts up the fee book. He has to make three copies of this fee receipt, and you have to wait while all this is being done. I think that there is some want of method in this respect.

2891. Can you point out any other grounds of complaint? There is a matter in connection with the searching which, I think, requires amendment. If you go up to the office for the purpose of making a search for incumbrances you are not allowed to make the search yourself. A clerk in the office makes it, and you are obliged to take the report of that clerk as conclusive. If the clerk has made a mistake, you suffer; and, if you are a solicitor, possibly to the extent of thousands of pounds. The clerk has no special interest in the search. If, for instance, you came up just before the closing of the office and want a search made, the clerk being in a hurry to get away, may have slurred over some incumbrance on the register, and reported to you that the land was clear; you would have to take his report, and if found incorrect, you or your client would suffer.

2892. Then I suppose you would prefer having written certificates that the property is free from incumbrances? I would very much prefer having written certificates; it would relieve the searcher who cannot himself check the search, and it would bind the office—bind the assurance fund. The books are kept behind the counter, or a good many of them. If the public were allowed to make searches themselves it would cause great confusion. As a matter of regulation the public are not allowed behind the counter, but some persons do go there—some of the solicitors' clerks go there to overlook the search from anxiety in the question of searching, I have no doubt, because if they bring to their principals a wrong result they would most likely suffer.

- A. Cape, Esq.** 2893. Are there any other matters? In connection with the dealing with land previously to the issue of the grant, I think that dealings might be expedited. Formerly you were able, under section 99 of the Act, to register a dealing on the production of the Treasurer's receipt for payment of the balance of purchase money; now the department will not register unless you present a formal certificate from the Under Secretary for Finance and Trade or the Colonial Treasurer that the purchase money has been paid—a formal certificate, and that sometimes takes six weeks or two months to procure, entailing repeated applications at the Treasury and the Lands Office. Formerly a dealing was accepted simply on the Treasurer's receipt.
- 6 May, 1879.** 2894. And what do you say they require now? Before they will allow the dealing to be deposited in the office they require a formal certificate from the Under Secretary for Finance and Trade or the Colonial Treasurer, that the purchase money has been paid; and what I say is that the onus of getting that certificate is cast upon the public, and it takes a very long time to get it. Some years ago they accepted the ordinary printed receipt.
2895. Printed receipt of whom? Of a clerk on behalf of the Colonial Treasurer, given to a person when he paid up the balance on his land.
2896. And now, instead of the clerk's receipt, they require that of the head of the office? It is a formal certificate by the Under Secretary for Finance and Trade that the payment has been made. You have to go through a lot of forms to get at it. Under section 99 the Act authorizes you to register on the Treasurer's receipt.
2897. Have you any other matters to mention? In cases of transmission applications, if some amendment could be made in the Act to meet such cases, to simplify the dealing, I think it would be a large benefit. Unusual time is taken to get trustees or devisees registered proprietors by transmission. Under the old law you could deal directly the testator had died; but under this Real Property Act you have to go through a long process of getting the representatives registered proprietors by transmission, and answering a number of requisitions, very much like an original application.
2898. Do you think a fresh assurance fee ought to be paid on any of those transmission cases? I have not considered that at all.
2899. It has been abolished in some of the other Colonies. Do you think an assurance fee ought to be paid on the issue of an original grant where there are no past dealings to be afraid of? I think it would be difficult to draw a line. There might be outside dealings by the grantee which would bind the land. There is another troublesome matter in connection with original applications and the issuing of certificates of title, and that is the practice of noting dower. There are very many certificates issued in which dower is noted as an incumbrance, and the chances are ten to one, owing to the lapse of time since the Dower Act, there is no dower at all, but yet it is a blot on the certificate. It may be extremely difficult for you to get evidence satisfactory to the examiners to negative dower. If some amendment can be made to meet that, or some provision for the few exceptional cases where dower might attach, it would be beneficial. I have had cases where certificates have issued with this dower notification, and where there has been certainly no reasonable belief that any dower existed, but there was difficulty in proving to the satisfaction of the office that it did not exist.
2900. And you cannot propose any remedy for getting rid of the difficulty? I have not considered the matter.
2901. If you swept off dower altogether it might work injustice to some women? Very few.
2902. *Mr. Terry.*] You are aware that it is abolished in South Australia? I think it would work injustice in a very few cases.
2903. Would you like to see it abolished here? Yes. There is another matter I might mention. It has become a practice in this office, where a mortgagee sells under his power of sale, to require and insist on proof by statutory declaration that default under the mortgage has continued up to the time of making the declaration. As far as I understand, they will not accept a dealing unless such proof is tendered. It is under section 55. I think if this practice is pursued it will be found to open a great many difficulties. Of course in many cases such a declaration can be given, but if it is insisted on always, there may be cases in which a mortgagor makes a tender to the mortgagee after a sale.
2904. *President.*] You think that system gives the mortgagor too great privileges? Quite so. It allows the mortgagor to tender after the sale. The mortgagee could not then make the declaration. I think the Act is very explicit on these points, but the court have decided, by a majority, that a declaration should evidence default up to the time of sale.* The Act does not say that; sections 55, 56, and 57, only require proof that default has continued for two months. Here, as far as my practice goes, the department insist upon proof that the default has continued up to the time of the mortgagee making the declaration to enable the registering of the transfer, that might be years after a sale.
2905. Have you any other point to refer to? Nothing further occurs to me.
2906. *Mr. Terry.*] Have you had any difficulty in dealing with leases under this Act? No; I have had very little dealing with leasing property under this Act.
2907. Have you found any more expedition in the office since Mr. Maddock was appointed an examiner? I have not had many recent applications. The application branch has become a kind of bugbear with the public? I have advised clients several times not to bother about bringing their land under the Act, because of the delays and objections.
2908. Which of the examiners makes those most technical objections that you have alluded to? I would rather not mention any names.
2909. Does Mr. Burton? This is not purely a matter of individual opinion; different persons form different estimates. I do not wish to particularise.
2910. *Mr. Archer.*] It is scarcely a matter of opinion, it is a matter of fact? —
2911. *Mr. Terry.*] Who were the examiners in the office at the time of your bringing in applications to place property under the Act? I have had business dealings with the department almost since the Act came into force.
2912. Well, you had no difficulty when Messrs. Holden and Dick were in the office? No.
2913. Do you think Mr. Burton could succeed as a private practitioner if removed from this office? I do not think so, in conveyancing, if the same time were taken up investigating titles as is taken here.

FRIDAY,

*NOTE (on revision):—*Ex parte* Hassall, 10 Supreme Court Reports, 292.

FRIDAY, 9 MAY, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P.,
THOMAS ROBERTSON, Esq.,WILLIAM HENRY ARCHER, Esq.,
JOHN DAWSON, Esq.

William Henry Binsted, Esq., licensed surveyor, examined:—

2914. *President.*] You are licensed by the Government and by the Real Property Office? I am.
2915. And you have had some experience in dealing with titles under the Real Property Acts? I have. I have been a staff surveyor to the Government, and I am also licensed by the Governments of Victoria and Queensland. I have passed an examination in each Colony.
2916. You are aware that under the Real Property Acts of this Colony certain plans can be prepared only by surveyors licensed under the Act? I am.
2917. Do you know whether plans have been prepared and brought into this office by surveyors not licensed under the Act? I am aware that they have been, but I cannot indicate the exact plans.
2918. But you know the fact that plans have been prepared by surveyors not licensed under the Act? I know that is the fact.
2919. Do you mean plans lodged on applications for certificates? Yes, I do.
2920. And subdivision plans? Subdivision plans in cases where they have referred to two or three portions, but not in a large estate where there is a great number of allotments; they insist then on a licensed surveyor certifying to those plans. Cases of two or three or more portions of a large grant, I have known, where the people certifying have not been surveyors at all.
2921. Are you aware of any plans of land divided for a township being brought into this office, prepared by unlicensed surveyors? I am not aware of any such having been prepared by unlicensed surveyors. I cannot say whether there have or have not been any.
2922. But plans on applications for title have been prepared by unlicensed surveyors? Yes, many.
2923. Surveyors not licensed by the Government? Well, we do not recognize anyone as a surveyor unless he has passed an examination, which is the only criterion of a man being a surveyor. (*Witness's certificates handed to President.*)
2924. These certificates seem to me to be the test of a man being a licensed surveyor. Have those plans been prepared by persons not holding certificates? They have.
2925. Do you know whether any harm has come of plans prepared in such a manner? Many instances have come under my observation of considerable errors existing in the surveys.
2926. I suppose you have had to deal with those plans afterwards? I have.
2927. And that is how you have discovered the errors? Yes; measuring the ground in the vicinity. And I have discovered errors as Government surveyor—plenty of them.
2928. Do you consider it objectionable that any person should be allowed to practice in this office who is unlicensed by the office? Most decidedly; for good reasons.
2929. How is it these gentlemen have been allowed to practise when the Act requires that no person shall be permitted to practise as a surveyor under the provisions of this Act, unless specially licensed by the Surveyor General? I am unable to assign a reason for it.
2930. Can you inform us of any difficulties that have arisen in this office in the working of the Act, in connection with plans and the draftsman's department? I cannot; I have known that difficulties have occurred, but have made no particular note of them. I could not instance any of them; I presume they are well able to do so themselves.
2931. Have you any suggestions to make in reference to the Act? I would mention with regard to the working of the Act, that they have held here that only licensed surveyors need sign these plans when they are plans of subdivision of township, but when it is the surveying of a whole estate, where the boundaries are complicated and require all the experience and the judgment of years which a surveyor may have acquired, they do as they like about it, no matter whether the surveyor is licensed or not.
2932. Then you consider it just as important that a licensed surveyor should make the plan in the original instance as that he should make the subdivisional plan afterwards? Undoubtedly, in the interests of the public.
2933. The correctness of making a subdivisional plan depends on the correctness of the original plan? Entirely. A junior could make a subdivisional plan afterwards.
2934. Then you think the subdivisional plan is less important than the original plan? Certainly I do. I have had a great amount of experience in the bush and in various places in finding out old boundaries and reconciling conflicting boundaries, finding out that Government boundaries sometimes even overlap. I know the serious nature of it, and the very heavy and costly actions that might arise under these things unless thoroughly and properly done.
2935. Can you tell us any reason why these unlicensed surveyors have been employed here? The only reason given on inquiry here is that they say, I think, that the Crown Law Officers have decided that the 100th clause applies only to the plans of subdivisions, that is on land subdivided into a number of allotments.
2936. And why should these unlicensed surveyors be allowed to practise in preference to licensed surveyors? I cannot say.
2937. Is it any question of favouritism in the office? I should not wish to impute anything of the kind.
2938. Are these men persons of superior ability although unlicensed? I think not, and the door once open any one's plans may be adopted.
2939. Have many been allowed to practise in this way? Yes, many.
2940. How many do you suppose? It is impossible to say.
2941. A dozen? More than a dozen. The records would show a hundred, perhaps, rather than a dozen.
2942. *Mr. Robertson.*] The department themselves do not employ unlicensed surveyors, do they? Oh, no; they do not recognize any work but from licensed surveyors. I may say that a circular was issued by the Land Titles Office some years ago, for the guidance of licensed surveyors. I remember one paragraph, which stated that surveyors were to consider themselves more the agents of the Government than of those people who incidentally employed them. That being the case, we naturally look for some sort of

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9 May, 1879. of protection in this department itself; but, as matters are at present, a licensed surveyor has no status at all, because anyone's work may be accepted: It rests entirely with the Chief Draftsman as to what work to accept.

2943. You mean that those instructions give you a sort of retainer to protect the interests of the Crown in making these surveys, so that the assurance fund may not be prejudiced hereafter? So that the office may not be involved in disputes. Though employed as licensed surveyors by the public, we should consider ourselves more as agents of the Government, so as to keep the Government office out of all difficulties. Of course we expect something in return for that. I dare say there is a copy of that circular in the office here. It is very stringent, as far as the surveyors are concerned, but more honored in the breach than in the observance.

2944. *Mr. Dawson.*] Does it rest with the chief draftsman to accept or refuse a plan prepared by an unlicensed surveyor? It does, in point of fact.

2945. He is the arbiter? Yes. Reading the 100th clause of the Act, it refers only to plans of subdivisions, the positive plan of a township, and something of that kind; but there are many plans here—parts of original grants—which are certified by unlicensed surveyors.

2946. *Mr. Archer.*] I suppose the base lines are often wrong? Yes, they often are.

2947. Is there not rectification of this in many instances? How?

2948. Are not places built upon, and the errors which may have existed originally, condoned by time? Sometimes; but in other cases they are not. The President can tell you that in connection with the Underwood Estate knotty questions have arisen.

2949. Do you think, in the interests of the public, these original plans should be dealt with by licensed surveyors? Undoubtedly.

2950. *President.*] Do you consider the chief draftsman a man of ability and thoroughly trustworthy? As far as I know.

2951. *Mr. Archer.*] This thing has been going on for many years? It has.

2952. Have you known of any serious loss accruing from it? I have known of many errors in these surveys, and I suppose they have led to loss.

2953. You have not known of any instance where practical importance was attached to any one of those errors? I have known instances, but cannot quote them. Very serious errors have occurred. I might also mention that there is one case, which I cannot exactly say I am in a position to prove, where a licensed surveyor was employed in a district by the Government, and then found so very incompetent that he was dismissed the department; but he has subsequently been signing plans as a licensed surveyor.

2954. *Mr. Archer.*] Is he in possession of certificates of competency? Yes; they have not been cancelled. A surveyor may go into the field and be found incompetent, but the Government may say, "If we take his license away, he loses his bread and butter."

2955. But if he is incompetent, how does he get his certificate? The examination was not so strict formerly as it has been during the last few years; a letter of introduction has been sufficient sometimes.

2956. Then it would be necessary to draw the line even with the licensed surveyors? Yes, it would be so. You will observe, from my papers, that I have separate certificates, and one is almost contingent on the other. A surveyor must pass an examination for one, and having received that, he afterwards gets the other.

2957. *President.*] Are the certificates of surveyors, allowing practice in the Real Property Office, signed by the Surveyor General? Yes, they are. In connection with the case of the surveyor I referred to just now, I might mention that he is employed as clerk in a business quite distinct from that of surveyor, and is located a long way from Sydney. His "statutory declarations" are so loosely worded, they may refer to any plan; and he probably is not aware whether his "declaration" will be appended to a plan of a few allotments near Sydney, or to a plan of 200 allotments situated 300 miles away.

2958. *Mr. Archer.*] And are those accepted in this office? Yes.

2959. *President.*] And those declarations may be annexed to another plan? Yes, and the surveyor who signs the certificate may not have the slightest idea of what the plan is.

2960. The cure for it is endorsing the certificate on the original plan itself; not having it annexed? And have it signed by the J.P. who witnesses the signature.

Mr. William Shirley Muddle, counter clerk, examined:—

Mr. Muddle. 2961. *President.*] What is your position in the Real Property Office? Counter clerk.

2962. And the duties? Well, my duty is to receive all documents for registration—all documents that pass across the counter in connection with anything.

9 May, 1879. 2963. Applications for certificates, and the title deeds and plans lodged with them? Yes; in fact it may be termed the mouth-piece of the office. Through me almost all questions and answers go.

2964. What do you do with applications when you receive them, and the documents accompanying them? Well, we first give a memorandum of fees, and then they are entered in the application book either on the day they are received or at the latest, next morning, and then passed on upstairs to Mr. Lander, to be dealt with by him.

2965. How long is it before they reach Mr. Lander's hands? An application lodged to-day would in all probability go up to-night; at all events it would not be later than to-morrow.

2966. Then they are never detained downstairs? They are never detained downstairs.

2967. Any delay that subsequently occurs arises from the acts or neglect of the officers connected with the examination of titles? Exactly so.

2968. And you can say that they are never detained by the counter clerks or in their department? Never detained; we are too anxious to get rid of the work and get it out of the road; we should be swamped if we did not do so.

2969. And they are detained in the examiners' department? I cannot say; I believe they are.

2970. Have you heard complaints to that effect? Frequently.

2971. The public or solicitors come to you and make complaints that they cannot get their cases proceeded with? Precisely so, and frequently I have endeavoured by my own efforts to get cases passed through, when it has been represented to me that the cases are particularly trying ones.

2972. And you cannot give us any idea whether there is any unnecessary delay? Well, of course, I have

have my opinion about the matter, which is only a layman's opinion at the best. If I have the permission of the Commission I may perhaps give expression to my opinion, though it will be only a lay opinion against that of the legal men.

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2973. We shall be glad to have any facts, or even your opinion? Well, I think myself that the applications before certain examiners might be dealt with much more expeditiously if a different method were adopted in the examination. For instance, I cannot conceive why short cases, which should not take an ordinary man ten minutes or half-an-hour to pass, should be kept back for long and difficult matters which may occupy a week or a fortnight, as the case may be.

2974. Do you have many complaints made at the counter in reference to the delay in completing cases? Frequently; they are almost of daily occurrence.

2975. Do those complaints occupy much of the time of the clerks at the counter? They occupy this much time—that when it is represented to me that cases have been delayed, I have made it my business to go upstairs and hunt the matter out, see what was delaying it, and suggest anything that might expedite it or get it through.

2976. So that the other work in the office is necessarily delayed by the time occupied in making those inquiries? Yes. I have conceived it to be my duty, and I have always been taught that it was, when persons have come to me to know the state of their applications and the reason of the delay, to see what the nature of the delay is, and use my endeavours to get rid of it.

2977. Have you sufficient assistance at the counter? Not nearly enough.

2978. How many clerks are there? Two counter clerks—myself and an assistant; and we find the work too heavy for us to do. There have been complaints made to the Registrar General by parties of the delays at the counter, or arising solely from the fact that we cannot get rid of the work that comes in upon us. For instance, there are many matters that come in to the counter which will take three-quarters of an hour or an hour to get the full information wanted, and while we are employed in getting that information, other people have to wait.

2979. Are people frequently detained when they come for information, or for making necessary inquiries at the counter? Only in the way I have pointed out to you.

2980. When I have been in that office I have always seen a good many people waiting? I have counted as many as five-and-twenty in the room at one time.

2981. And you think the present staff is insufficient to deal with that? The present staff is totally inadequate. The work is very difficult, and requires a great amount of care and attention. I have known the clerks here for years past to have been stopping and working overtime. They stop sometimes till 5 o'clock, half-past 5, 6, and sometimes till they have to light candles.

2982. *Mr. Terry.*] Are they not paid for that overtime? Never been paid a sixpence. Of my knowledge of them for many years I can conscientiously say that they discharge their duties with a greater regard for the convenience of the public and everybody concerned than any set of clerks in any office I ever knew of.

2983. *President.*] When grantees apply for their grants do they go to the counter for them? Yes, they get them from the counter.

2984. How is it they are so long detained before they can get the grants issued to them? That is a matter which rests with the Lands Office; we know nothing of the grants until they come to us for record.

2985. How long does it take you to deal with them after they arrive here? If they come up in ordinary batches, as they came up before that great rush when the Governor went away, we should take only a day or a couple of days to deal with them, and they would then be ready to be handed over.

2986. Then the detention arises in the Survey Office? In the Lands Office—in the Survey Office. We know nothing of them until they come to us for record and delivery.

2987. And do you say they are ready for delivery within two days after they arrive here? If they come up in ordinary batches. We had a rush of 12,000 or 13,000 before the Governor went away, and we could not get through them; we had to make representations to the Registrar General that we could not get through them.

2988. *Mr. Archer.*] Is there any signature affixed in this office? Yes, the Registrar General's signature is affixed to every grant and to the memorandum of record.

2989. What do you call an ordinary batch? Say 250 or 300; but they have been coming up to us in batches of 600, 700, 800, and 900, lately—when the Governor went away. Directly they are received at the office, a clerk attaches the date to them, prepares them for the Registrar General's signature, and sends them upstairs. The Registrar General, as a rule, signs them the same night, and then they are sent downstairs and numbered, and we deliver them.

2990. *Mr. Terry.*] Papers are frequently mislaid in this office? Yes; they pass from the examiners' hands to the examiners' clerk, and back again, and perhaps to Mr. Pearson, and perhaps downstairs, and going backwards and forwards they get mislaid sometimes. It cannot very well be helped. I do not think there is any great blame attachable to anybody. Papers are frequently brought upstairs and downstairs for the information of the examiners.

2991. How is it that certificates of title are sometimes mislaid? Simply because the area of the office is too small; the documents are too numerous for the area of the office—we can find no place for them.

2992. *President.*] Have you not arranged them systematically? Yes, but they are continually taken out for record purposes and reference.

2993. *Mr. Terry.*] Is that not inconvenient? Very.

2994. *Mr. Archer.*] When papers are removed is there no check as to where they are gone to? No; we do not generally keep a check, because if they are removed we generally know where they go to, and we can go to the clerks for them. I think the appointment of a record clerk would obviate a good deal of that.

2995. To supervise where papers are taken to? Yes; he would have charge of all records under his hand, and have the responsibility.

2996. *Mr. Terry.*] Is there not a charge made for taking dower off a certificate? We charge an endorsement fee of 2s.

2997. *Mr. Archer.*] Is that prescribed by the Act? Yes; endorsement fee, 2s.

2998. *Mr. Terry.*] It is not an endorsement? We have to endorse for the satisfaction of our office, and we charge for endorsing the satisfaction.

2999. That is taking it off? Yes, but we make the charge under the last item in Schedule P of the Real Property Act. It is an endorsement on the certificate.

3000. No, it is taking it off? Satisfaction is endorsed.

3001.

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3001. *Mr. Archer.*] What is that 2s. for? If you lodge a mortgage to-day, and you have twenty grants in the mortgage, we charge you 10s. for every mortgage, and every grant after the first grant 2s.
3002. You take this transaction in regard to dower in an official sense as a memorial? Yes.
3003. *Mr. Terry.*] And do you think that last paragraph in the schedule bears out that charge. I do.
3004. And that it is a legal charge? Certainly; I have always been under the impression that it was a legal charge. It is an endorsement on the certificate, and the office should get the benefit of it.
3005. Do you mean to say that the endorsement of dower on a certificate is a memorial? The cancellation of dower is.
3006. *President.*] You said just now that the clerks have for years past been detained for hours after the regular time in doing the work of the office? Yes, frequently; it has been almost of daily occurrence.
3007. They are detained in the office? They stop in the office.
3008. Doing the business which is supposed to be done during working hours? Yes, during working hours.
3009. Do they get any pay for that? No.
3010. Do not the applicants for certificates or persons dealing with the office pay them for it? No. There were one or two instances in which, in very peculiar matters, they gave the clerks some slight remuneration for stopping over hours.
3011. What do you call slight remuneration? Three or four guineas, I think, between them.
3012. For how much work? The cases were very particular ones; they were large Melbourne mortgages, and it was represented to us that the mortgagor in Melbourne was paying interest for his money, and that the money would not be advanced to him until intimation was received from the agent in Sydney that the mortgages were duly recorded in this office, and the question was put to me as to when it would be done. These were very large matters—some 500, 600, or 700 grants. I said I could not possibly tell when it would be done, as they were very large matters. After conversation, it was said to me, "If the clerks will stop over hours and work at it, get it done, and we will pay them for their trouble."
3013. And then the work was done? The work was done.
3014. Within the time, satisfactorily to the persons concerned? Quite so. I never heard of any complaint to the contrary.
3015. Was that done with the knowledge of the Registrar General? No, I do not think it was.
3016. He was not applied to to permit such things? He was not.
3017. And has never been? And has never been.
3018. Have not your clerks downstairs received other fees in other cases—expedition fees? Never expedition fees.
3019. In no case whatever? In no case whatever. The only fees I have ever known them receive are those I speak of.
3020. Which were given for overwork—for working over hours? Those are the only cases I know of. The peculiar nature of the dealing is this: A large dealing may be lodged to-day at a quarter to 4 or between 3 and 4, and they may say it is a matter in which a man is paying his interest on between £50,000 and £60,000, and cannot get the advance of the principal until it is known that the mortgage is registered here, and they want it done as quickly as possible. The only way to get at that dealing is to clear off all the work in front of it, because all the cases bear consecutive numbers, and to get at any particular dealing we have to clear off the work in front of it. By stopping after hours to get the large urgent matter through, we expedite the work in front of it and also the work coming after it, because the whole of the grants in the matter are cleared away. So that by getting rid of this case by work after hours, we benefit everybody—the persons concerned in the particular case, the public, and the office.
3021. This practice tends materially then to the progress of business in the office? It does. By getting rid of a large dealing, it expedites the work, and leaves the track clear for all the work afterwards. That was my reason for thinking there would be no harm in letting the clerks do this work.
3022. I see no harm if it is done with the consent of the Registrar General, but otherwise I see that it may lead to great abuses? Yes, it might do so; but in regard to the matter I speak of, there were only one or two cases of the kind.
3023. Has no money ever been offered to you for expediting work? Oh yes, frequently. I have frequently been offered money for expediting cases.
3024. *Mr. Terry.*] What did they mean by that—putting a case before the others? For pushing it through the office. I have been offered money to do that, and have refused. If I took it it would be in the sense of robbing people, for I have no influence with the examiners in pushing through the work; not so much as you, for instance, for a letter from you would do far more good than all my representations. In no single instance did I receive an expedition fee for putting an application through.
3025. Merely for endorsing the grants? Yes.
3026. *Mr. Archer.*] Did you receive that? Yes, and distributed it.
3027. Did you retain any for yourself? I retained a part for myself, for I did a part of the work myself. I do not wish to conceal anything; I wish the Commission to understand the thing in its true light.
3028. *Mr. Terry.*] You are aware that it has been mooted out of doors that the clerks have been in the habit of taking expedition fees? A great many things have been mooted out of doors, but I guarantee there is not a legal man nor a layman who can lay to my charge one single instance where I have demanded from him a sixpence more than he was entitled to pay under the Real Property Act. I have heard about the matter, and have felt somewhat hurt about it.
3029. *President.*] There has been a statement made that in Heydon's case an expedition fee of two guineas was paid to you for forwarding that case? Allow me to explain. This was a matter that Heydon sent down to me to fix up for him. He could not do it himself, and he sent it to me through Messrs. Ellis and Makinson. It appeared that Ellis and Makinson could not do it, and they came to me to do it. It was suggested through them that for the time and trouble I took over the matter, and over many other matters I did for Heydon, they ought to pay me something. He sent me down a cheque for two guineas by a letter, in which he said I ought to receive something. So far from it being an expedition fee, the case was not in the office then, and has not come in since.
3030. What was the case? It was a peculiar transmission case, and he wanted to know how he should fix the application.
3031. Did you prepare the application? No, I only gave him the instructions.

3032.

3032. And the application has not come into the office? No; it was never contemplated to bring it into the office, and, as far as I know, it is not in the office now.

3033. *Mr. Archer.*] And did they actually send you the money before you did the work? No; the instructions were sent away.

3034. I understood you to say you received two guineas? Yes.

3035. Did you send back the cheque or retain it? The two guineas were sent down after I sent him the instructions.

3036. You did do the work? Yes.

3037. And it has not been utilized? No.

3038. *President.*] When was this work done? After office hours.

3039. Quite after office hours? Quite after office hours. I explained to the clerk, "I could not do this now; if you will leave it I will do it after office hours." When the suggestion was made about the payment I said, "You can do what you like about that; I will do what I can for Mr. Heydon, and give him the benefit of my experience in these matters whether he thinks fit to send me anything or not." I am not aware of anything in the service to prevent me earning a little after hours.

3040. The difficulty is that it leads to such abuses. If it were done under certain rules, and was a recognised thing, there would be no difficulty; but if it is done in an underhand way it may become a usual thing, and be demanded in every case? It was never demanded. I never demand anything.

3041. How was this fee suggested? I cannot tell you.

3042. Was it not suggested by you as a case in which you ought to get some fee? I think not. I do not think I made any such suggestion.

3043. The shape in which it comes to us is that you suggested this was a proper case for an expedition fee—I think those were the words—and that thereupon Ellis and Makinson wrote to Heydon, and he sent down a cheque, which was handed to you? Who makes such a statement?

3044. We have heard it made? I think it is only fair that I should know who it was that made it.

3045. *Mr. Archer.*] Who was it came to you from Messrs. Ellis and Makinson? Their clerk, Mr. O'Connor.

3046. And do you not remember what occurred between him and you? I do not, because I thought no more of it afterwards. I could not recollect the whole of the conversation that occurred.

3047. But it is the only case of the kind you say? Yes, the only case of the kind.

3048. One would suppose that would strike you? The fact of receiving the money would. I cannot recollect all the conversation.

3049. You are not clear whether you or he suggested it? I think he suggested it. It cropped up in the course of conversation; but how, I cannot tell. I am satisfied on one point, that I never demanded it.

3050. *President.*] How much have you received during the last twelve months for overwork such as you have mentioned, or for any other work in connection with the business of the office? I think £5 would cover the whole lot of it.

3051. For twelve months? I should not be sorry to hand over all I am likely to get for £5 a year.

3052. Then how is it that these reports have got abroad so generally that such fees are paid in the office constantly? I cannot tell; I have not the slightest idea.

3053. They have been very general? So I have heard since the Commission have been sitting. I cannot tell you how they could have got abroad.

3054. Do you know whether expedition fees or other similar fees are paid in other Government offices? I have been led to believe that they are paid in some of the other offices, but as to the truth of the statement, I cannot say.

3055. You have merely heard so? I have merely heard so. I believe up in the Supreme Court, in cases there, they get expedition fees.

3056. Principally in arrest cases? Principally for attachment.

3057. Not for attachment, in arrest cases, *ca. re.*? —

3058. *Mr. Dawson.*] After office hours? Yes; they give them a fee of two guineas, perhaps, as the case may be. The clerk stops after office hours.

3059. *Mr. Terry.*] Is this office in good odour with the public out of doors? With some in very good odour.

3060. And with others not? With others not. I could bring, I suppose, 100 people to testify to the work done in the office—to the manner in which it is done, and to the way in which the clerks perform their duties. I could bring overwhelming testimony in reference to this matter of expedition fees. It is said that it is utterly impossible to fight with shadows, and you cannot grapple with the statements that have been made respecting expedition fees because there is nothing definite in them.

3061. *President.*] We want to see whether there is any truth in the statements, and that is why we ask you about them? If you could get it down in black and white, of course you know what to do with it.

3062. The only statements we have in that definite form are the cases we have mentioned to you.

3063. *Mr. Archer.*] It is but just to you that you should know of them, so that you should be able to make an explanation and clear up the difficulty that exists.

3064. *Mr. Dawson.*] In order that you should be justified, if you can justify yourself, which I have no doubt you can;—has there ever been, upon any occasion, apart from those mentioned in which you deny having made it, any suggestion that a fee would expedite matters? From me?

3065. Yes? Never, in any single instance. I have been offered money over and over again to put matters through the office.

3066. And assuming that a fee were offered, and taken by you, it would not tend in any way to expedite the work, or get one case passed before another? Not one iota.

3067. The cases would have to take their turn? They would have to take their turn.

3068. *Mr. Terry.*] Can you give any reason why delay takes place with the titles when they get to the examiners' clerk before the examiners see them? The only reason I know of is that he is overwhelmed with work; he is besieged with parties all day making inquiries. His time is taken up entirely in attending to the outside public, and the other work necessary to get applications prepared for the examiners' perusal must, in consequence, be delayed.

3069. Then you think more assistance is required there? I am satisfied of it; I am satisfied more assistance is required throughout the office, from top to bottom.

3070.

Mr.
W. Muddle,
9 May, 1879.

- Mr. W. Muddle. 3070. *Mr. Dawson.*] Then do you require more examiners? I do not know that we require more examiners. I think if some of the examiners had more business capacity they would get through the work more quickly.
- 9 May, 1879. 3071. *President.*] How many clerks at the counter do you think sufficient to get through the work within the proper time? You see we could not put in more clerks at the counter, because the counter work is so peculiar that it requires a man of special experience. You go to the counter as a legal man, and it is not everybody that you could put in a Government office who can deal with legal questions. Legal men come to me every day to satisfy them on points in reference to the Act, to frame matters for them, to put them into shape, to show them how to do things. Just as you sent down for me, one legal man came to me and wanted to know how to frame an application where the land was conveyed to trustees, giving the wife the power of appointment. I turned to and showed him how to do it. Those are cases where a man unless he had plenty of training that way, would not be worth having.
3072. *Mr. Dawson.*] Do you consider it part of your duty to frame those applications, and assist an applicant to fill in an application? I always assist anyone.
3073. *Mr. Terry.*] He assists the legal profession more than anyone else.
3074. *Mr. Dawson.*] It must interfere with your legitimate duties? That has always been considered one of my legitimate duties.
3075. *Mr. Archer.*] The Act was intended to do away with the legal profession altogether? I do not see that at all. I think the legal profession is necessary under this as under the old Act.
3076. Was it not so contemplated? I do not know what was contemplated in that way.
3077. May not the process which you now carry through be inherited from that idea that you were to assist the public in transferring property from one person to another—that you were to give every assistance at the counter? Quite so.
3078. And that the necessity of applying to a legal adviser would be reduced to a minimum? I presume so.
3079. But it appears that you advise the legal advisers? Oh, yes, every day.
3080. *President.*] Who makes the endorsements which you mentioned just now as being necessary in case there are more than one grant dealt with? The endorsement is put on by the registration clerk.
3081. Is he one of the counter clerks? No, his duties are purely those of registration.
3082. Then, how could the duties of the office be facilitated by appointing more clerks? There are many matters we have to do as counter clerks which are purely clerical work, and which we could turn over to them, instead of which we now do it ourselves, and it entails a great waste of time.
3083. How many clerks do you think would be sufficient to do this service? I think if we had a couple appointed it would be enough.
3084. Would not one be sufficient, so as to relieve the clerks from the duty of stopping over hours? One might be sufficient, as Mr. Ward has recommended the appointment of another one downstairs to attend to particular matters—to the Treasury receipts, under the 99th section, which are very nasty things. They require more attention than can now be given to them.
3085. *Mr. Terry.*] Are applications to bring property under the Act falling off or increasing? Falling off, I think.
3086. Can you give any reason for that? The only reason is that delay in passing an application has had the effect of deterring people from bringing land under the Act.
3087. *Mr. Archer.*] How do you want assistance when business is falling off? That is only with reference to applications. The business, in regard to applications, with the counter clerk, is infinitesimal. The difficult portion of the counter work is attending to the public and the legal profession. They require constant and unremitting attention. To give you some idea of what it is, from the time the office opens in the morning until we shut at 4, the clerks are constantly at work, and they are here sometimes until half-past 4. During the whole of the time I myself never sit down, being constantly busy.
3088. And is this in relation to properties under the Act? In relation to business of all sorts.
3089. *Mr. Terry.*] As the public and solicitors complain about the examiners, which examiner have they the most complaint against? As the question is put, I suppose I must answer it. I have heard them speak very bitterly of the delays caused by Mr. Burton.
3090. *President.*] Do they not complain of the others also? Yes, they have complained of Mr. Jones.
3091. And have you heard of any complaint of Mr. Maddock? No.
3092. He has not been here very long? No; Mr. Maddock gets through his work very expeditiously.
3093. *Mr. Archer.*] Do you find that your constantly coaching up solicitors' clerks and others, or solicitors themselves whenever they come to you, has any effect in lessening your labour in regard to those individuals, or do they come to you on every trivial occasion, as if they had never seen you before? Not on every trivial occasion, but there are frequently matters cropping up in which they are uncertain how to act.
3094. Novel questions? Yes; and I am only too desirous to give any assistance I can.
3095. *Mr. Dawson.*] You are speaking of questions in practice? Yes, and construction too.
3096. *Mr. Terry.*] Surely solicitors do not come to you to know about the construction of the Act? Yes, they do, frequently, and it gives me great pleasure to assist them; I do not care who it is.
3097. *Mr. Archer.*] It appears to me, according to your statement, that you are the adviser of the legal profession? Not exactly that.
3098. *Mr. Terry.*] I suppose more solicitors than private individuals come to you? Well, not exactly more solicitors, but solicitors' clerks, principal clerks, and so on. I guarantee that you will find some of them here every day. There is one especially, from Messrs. M'Carthy, Robertson, and Fisher's office—there is not a day that he is not here.
3099. *Mr. Archer.*] Wanting to know? Inquiring about matters. If Nobbs is away a day it is spoken of as being extraordinary. He is a most indefatigable man.
3100. *Mr. Terry.*] I ask you the question because you have been accused of helping private individuals. I think the solicitors get most of the help? I am willing to help anybody, and I think it is, to some extent, flattering to be asked by solicitors for information.
3101. *President.*] Can you tell us what Mr. Nobbs comes here for? They have always matters coming under the Act, and he is always hunting them up.
3102. Does he come to lodge matters properly under the Act, or for advice and assistance in lodging those matters? Both; he comes for advice and assistance, and to watch his matters going through the office, and to make inquiries as to what progress they are in.

3103. Then you have frequently advised Mr. Nobbs as to the particular course or form of instrument he ought to adopt? Frequently.
3104. *Mr. Archer.*] Did Mr. Nobbs ever pilot a case through by paying fees such as you alluded to a little while ago? Yes, it was one of the two cases I spoke of?
3105. He has only done so in that instance? That is all.
3106. *Mr. Terry.*] It must have been from people speaking of those accusations that the reports got abroad? My reason for accepting the fee was, that I saw, by expediting this matter in this way, that instead of doing other people an injury, it would be actually creating a benefit.
3107. *President.*] I see no possible objection to such a practice, provided it is under certain regulations to prevent its abuse, that is to say, with the sanction of the Registrar General. Then, it seems to me, it is a benefit to the office that the clerks should work over hours, and get the business through? Understand, Mr. Norton, that these were isolated cases, and the only two I ever knew of. They were very particular and extremely urgent matters, as it was represented to me that the mortgagor was paying interest upon the property that he had mortgaged, and that he could not possibly get the principle until he had received intimation from the agents up here that the mortgage had been recorded on the register book; and taking all the circumstances of the case into consideration, that this man was perhaps losing large sums of money, which might be ruinous to him, and seeing that allowing the clerks to do the work in over-time would not injure anybody, but would benefit everybody, I conceived that it would be no harm to allow them to do it. That was my only object in doing it.
3108. *Mr. Terry.*] Do you think the salaries paid to the officers in this department are sufficient? I think they are wretchedly low, conscientiously speaking. They are the lowest of any department under Government.
3109. *Mr. Robertson.*] Have you plenty of help? No, we have not enough help.
3110. *President.*] What is your salary? I get £250 a year, which I have had for nine years, and the prospect of an increase is so remote that I cannot see in the future the slightest chance of it.
3111. Have you received that rate of salary since your first appointment? Yes, over nine years ago. When I was brought over to the Land Titles Branch, £50 a year increase was recommended for the counter clerk, in consequence of the onerous nature of his duties; but that £50 was disallowed by the Government then in power, and it was never reinstated. £50 was proposed for me last year, and it was struck off.
3112. *Mr. Terry.*] Has not Mr Lewis been recommended for an increase of salary frequently? Once or twice.
3113. Is his salary not particularly low? He gets £300 a year. It is too low for such work as he does.
3114. What did Mr. Bishop receive? He got £350.
3115. And Mr. Lewis is doing the same duties as Mr. Bishop did when he was in the office? Yes.

Mr.
W. Muddle.
9 May, 1879.

TUESDAY, 13 MAY, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P.,
THOMAS ROBERTSON, Esq.,

WILLIAM HENRY ARCHER, Esq.,
JOHN DAWSON, Esq.

Thomas Walker, Esq., of Yaralla, examined:—

3116. *President.*] Our Secretary received a letter from you on the subject of a case of complaint which you have against the Real Property Office? Yes.
3117. Will you be good enough to state the nature of your complaint against the office? My complaint is, in general terms, that the office has granted a certificate of title wrongfully and unjustly to a person who has not the shadow of a title to the property with respect to which they have granted the certificate. I have given the particulars of the case in a letter dated 31 March last, which I addressed to the commissioners.
3118. Did you apply for a certificate of title to this particular piece of land? No. I happen to be connected with the case, inasmuch as a part of the land in respect of which the certificate of title was granted is mine. The certificate of title includes a portion of land which belongs to me. It is in that way I am connected with it; I was not an applicant.
3119. Then you are deprived of land you claim as yours by the issue of a certificate to some other person, as you say, wrongfully? I have sufficiently inquired into the case to be able to assert that the party to whom this piece of my land has been granted by certificate of title has not any title to it whatever, and therefore I conceive that injustice has been done in the administration of the affairs of the office, and that the action of the department in such a case is one that ought to be inquired into to ascertain upon what principle it has proceeded. It may be discovered that the grant has been made on the ground of possession, which I conceive is a principle that cannot be upheld.
3120. Did you ever have possession of this particular piece of land? I do not know that I, myself, have, but my predecessors had.
3121. You are the present owner of the land? Yes.
3122. And you claim it as part of your property? Yes, I claim it as part of my property, but I sink the idea of whose property it is, and say that the department has acted wrongfully in giving a title to a person who had no title. I take up the abstract question; I do not view it as one personal to myself at all.
3123. Can you inform us who was in possession at the time the certificate was granted? I have assumed in my letter to the Commission that the applicant was in possession of it. The allegation I make is that irrespectively of who is the owner of the land, the department have acted wrongfully in granting a certificate of title to a person who has no title. It is upon the abstract principle I take my stand.
3124. *Mr. Robertson.*] What you object to is that a certificate of title has been given to a wrongful possessor of land, who came originally wrongfully into possession? Just so, and I conceive it to be a most important matter of inquiry whether the office gives titles upon grounds of mere possession.
3125. *President.*] Of course you are aware that, under the Statute of Limitations, a person may acquire a title by mere possession? I entirely differ from you. By the statute to which you refer, I am prevented from

T. Walker,
Esq.
13 May, 1879.

- T. Walker, Esq.
13 May, 1879.
- from bringing an action of ejectment, but it confers no title—and here is the department actually making and granting a title, which I humbly submit they have no right to do.
3126. What you mean is then that the statute prevents your recovering land from somebody else wrongfully in possession, but that it does not give him a title? Just so. I am aware that if a man takes possession of land belonging to me and retains adverse possession for twenty years, I am debarred by Act of Parliament from bringing an action of ejectment against him; but my argument is that he does not thus acquire a title to my land. The purpose of the Real Property Act is not to enable anybody to acquire a title. It is to give a certificate of title—a certificate which can lawfully be given only when the person receiving it had a title; and the point I bring under notice is that if the administrators are giving certificates upon any other grounds, it is a proper matter for inquiry. I do know that they do so; indeed, on the contrary, I understand that they do not do so, and do not affect to do so, but it is a subject for inquiry.
3127. *Mr. Robertson.*] We have been informed by Mr. Burton that they do recognize possessory titles, that if the rightful owner of the land is in the country, and not under disability, and the occupant has been in possession for twenty years, they recognize that as a complete title. If the rightful owner is not known, so that possibly he may be under disability, then they would not give a title for forty years; but they do go the entire length of giving titles to what you would call wrongful possessors if the legal owner is in the country and does not assert his claim for twenty years? I was told, on the contrary, that they do not do so, and I submit they have no authority to do so.
3128. *Mr. Dawson.*] I have always understood that an application must be founded originally on some documentary evidence of title, and I know that I have refrained from bringing land under the Act in cases of such possession as you speak of? I beg leave to submit that the administrators of the Act have no authority to grant a title on the ground of possession; they are only empowered to give certificates of title to those who have titles. They are entrusted with the duty of bringing property under the operation of a certain statute. That I conceive to be the object of the Act. Their office is not to create or to make titles, but to give certificates of title to those who have title, which certificates are substitutes for the original title, and carry with them their own advantages or disadvantages.
3129. *President.*] That is not the only case in which they have done the same thing; to my knowledge they have issued certificates depending on possession? Then I conceive that it is a proper subject of inquiry to ascertain whether they are acting within or without their authority. In a young country like this, to grant certificates of titles on the ground of possession would tend to great injustice, because we know how scant and widespread the population is, and how people neglect their rights of possession, and others get into wrongful possession.
3130. The question of limitations of actions of ejectment is in this country a very serious one where land is not capable of being turned to profitable annual account? Yes; for the statute to say that a man is to be deprived of his right to recover his property merely because some one has held adverse possession of it for a given number of years, seems to me to be very unjust.
3131. *Mr. Archer.*] It is not peculiar to this country; it is the same in England and Victoria.
3132. *Mr. Terry.*] If you bring your property under the Real Property Act, the Statute of Limitations will not apply? We have included in our own laws the statute limiting the right to eject, and I know that in England—we see it by the papers—they have actually limited the period within which you can bring your action of ejectment to fifteen years.
3133. *President.*] Twelve years? But in England it may be defensible, because it would be strange if the rightful owner did not occupy in some way his property. Here it is different. That, however, is as to the policy of the law, and I am not entitled to speak to that, except in general terms; but I say they have no right here to grant certificates of title, founded on mere possession, for the fullest extent to which this remarkable statute goes is to deprive the owner of the right of bringing an action of ejectment.
3134. *Mr. Archer.*] But in practice in Victoria, they act in that way. I mean that it is not a novelty there. The Commissioner of Titles there has looked upon possession for the statutory period as creating a title—that the person in possession becomes, by operation of law, the owner? The Victorian statute may authorize him to do so; but we are not called upon to follow Victorian precedents. I do not know what their law is. Perhaps it may be different from ours.
3135. Is this your position—that, although the law in this country provides that if a person neglects to use his land for a certain period, and that another residing on it cannot be ejected, it does not give to the possessor a statutory title? I am satisfied it does not. It restricts the owner from bringing an action of ejectment, but that is all.
3136. If I understand you rightly, the person of whom you speak may have lived long enough on the land to have acquired a statutable right to it? The gentleman never did live on it, but a portion of the land was fenced. It may have been for twenty years.
3137. But do you suppose he may have obtained the statutable right we are alluding to? I assume that he has acquired immunity from an action of ejectment on the part of the owner.
3138. If he has done that and you could never eject him, where is the hardship of allowing him to have a certificate of title? Because it gives a marketable title to a wrong-doer. The law has deprived the owner of his right to recover his property, but does not give the wrongful possessor a title to it, and he never could have a moral right to it, assuming that it is a robbery. In giving to the applicant in the case a marketable title, the administrators have altered his position altogether. They have added to the value of the property enormously. He previously could not have sold it, but now he can do so. They have put him in a position far different from that which he held before. I do not venture to go into the policy of the law limiting the right of bringing an action of ejectment, but I think it very doubtful, as a matter of policy, whether the same law which is good in England is good in a colony like this, where the population is very scant, and where people use property in a very loose manner.
3139. *Mr. Robertson.*] In America, where the Statute of Limitations applies, they do not let the statute run until the land has been fenced in. That is to meet the circumstances of a new country? They have interpreted it differently.
3140. *Mr. Archer.*] There they have such a limitation, but here we have not? These are points that do not affect the present case. The accusation I bring against the administrators of the "Real Property Act" is simply this: That they, in contravention of the provisions of the Act, have given a certificate of title to a person who had no title. The case (No. 3,639) is fully described in my letter of 31 March last, to which I beg leave to refer.

William Whaley Billyard, Esq., solicitor, examined:—

3141. *President.*] You are a solicitor in practice in Sydney? Yes.
3142. And you have had a good deal to do with the Land Titles Office? Yes.
3143. Have you any complaints to make of the administration of the Act? Yes.
3144. Will you be good enough to state what you object to? I object to the highly technical character of the objections taken to titles.
3145. Are those objections more technical and minute than are taken by solicitors for willing purchasers? Certainly.
3146. Why do you suppose this great particularity exists? I have had very great experience, and it appears to me that the examiners place themselves more in the position of an adverse counsel to the applicant than anything else.
3147. Do they act as if they wish to reject titles? Certainly.
3148. Not as if they wished to pass all that they could pass? No; I have withdrawn several cases because the objections were so numerous and so startling.
3149. Were not those proper objections for them to take? No, I do not think so.
3150. Were they such objections as you would have taken for a purchaser? Certainly not; they seem to attach the same importance to objections that are really of no consequence as to those that are of consequence.
3151. With which of the examiners have you had dealings in these matters? I will say chiefly with Mr. Burton; of course I have had dealings with the others as well—with Mr. Jones.
3152. And Mr. Maddock? No, I have not had anything to do with the office since Mr. Maddock was appointed.
3153. Are Mr. Jones' objections of the same character as Mr. Burton's? Pretty much—I think not quite so highly technical.
3154. Can you propose any remedy for curing the difficulty you have raised? As to the re-modelling of the department?
3155. No, I mean as to the extreme technicality of the objections? I do not know how it is to be removed. I wish to state that I consider Mr. Burton a very able Real Property lawyer, but I believe the objective faculty is so strongly developed in him that he cannot avoid taking objections to titles which would never occur to any other person. I think he is a very conscientious man, and he may think all his objections necessary, but they are very annoying to practitioners and give a great deal of unnecessary trouble, and I cannot see what benefit they are. If a party can prove a fair and equitable title, and no one is damnified by his having a certificate, I do not see why he should not have it.
3156. Do you not think those objections are taken for the purpose of saving the assurance fund from risk? I am not aware of any claim having been made upon the assurance fund. I think, as a general rule, that titles in this Colony are very fair titles. Very few titles that occur in practice are really bad ones.
3157. How could the examiners justify themselves in passing titles without investigation and consideration of the difficulties arising under them? I think they ought to pass any title that a solicitor for a willing purchaser would take. The objections sometimes are so highly technical that it is difficult for me to comprehend the meaning of them in some cases.
3158. Do you think the nature of the objections made by examiners prevents persons from bringing titles into the office? Certainly.
3159. Has it ever prevented you and your clients? Yes; I am solicitor to the Savings' Bank, and they object to concur with any mortgagors or persons in bringing properties under the Act.
3160. The Savings' Bank do? Yes.
3161. I thought they made it a rule to take titles under the Act in preference to those not under the Act? After they are brought under the Act, but if properties are mortgaged that are not brought under the Act, then they object to concur with the mortgagors to bring them under it, partly because they find a difficulty in getting the deeds back again, and partly on account of the delay.
3162. Do the objections made by the Savings' Bank originate with the trustees of the bank or with yourself? With the trustees—the late managing trustee, Mr. Allan, not me.
3163. *Mr. Terry.*] Do you not think it would be a good thing if dower were swept away in reference to properties brought under this Act? Yes, I think it would be a beneficial change. It is very difficult to prove that a person has not left a wife dowable, and, in some cases, where the conveyance has been made forty years ago, I have had to prove that there was no dower, though the doweress, if living, must have been 100 years of age. But still it is put on the certificate of title if you cannot prove it; and the difficulty I have found is getting evidence from the registers, particularly through Mr. Kerrison James.
3164. Do you not think it would be a good thing to do away with the assurance fee on transmission cases, people having paid it on application to bring the property under the Act? Yes, I think it would.
3165. Do you think the Government ought to charge an assurance fee on a grant direct from them to the grantee? No, I should think not.
3166. *Mr. Archer.*] I understood you to say that from your experience in regard to titles in this country, you did not consider that the majority were difficult and intricate titles? No; I should think that a competent man, in an hour's time, would pronounce a tolerably positive opinion whether a title is good or not.
3167. That is what I am coming to. Supposing you had nothing else to do than to sit in this office as an examiner, with a body of searching clerks, draftsmen, and all other officials requisite, to bring you information you desired about a title, how many titles of an ordinary character do you think you could get through in a day? I should say half a dozen.
3168. If, in the discharge of your duties as a solicitor, you only got through one a day, would you be able to make bread and cheese? No.
3169. Do you think one a day is a fair average to expect from each of these examiners? Not taking them altogether. I do not think so.
3170. You think each ought at least to do one a day? Certainly.
3171. Would it be fair to expect more from them, taking the cases all round, difficult and easy ones? I think they ought to do more.
3172. Could you do more than that a day? Yes.
3173. Could you do two? Yes; I think I could do half-a-dozen; but I have given up my whole life to this one branch of law.

W. Billyard,
Esq.

13 May, 1879.

- W. Bilyard, Esq.
13 May, 1879.
3174. Truly, but it is to be supposed that an examiner also gives up his whole life to it? Yes; I never could understand the extraordinary delays that occur; it is incomprehensible to me.
3175. *Mr. Terry.*] Do you think it would be a good thing to do away with the commissioners and appoint a master of titles, to whom cases could be referred when differences take place between applicants and the examiners? I think there should be a master of titles, with a large salary, say £2,000 a year.
3176. *Mr. Dawson.*] Do you conceive the Board of Commissioners to be of any service at all, bearing in mind that they are laymen? I do not see that they are of any service.
3177. *Mr. Archer.*] How many years have you had practical experience as a conveyancing solicitor? Forty years.
3178. So that you thoroughly know the character of the titles in New South Wales? Oh, yes. I have been thirty years here, and I had a large conveyancing practice before that.
3179. *Mr. Terry.*] Do you think Mr. Burton would gain a livelihood in private practice, if he made all the objections he makes now? No, he never would.
3180. Have you ever lost title deeds in this office? Yes.
3181. *Mr. Archer.*] Really lost them—never had them back? They have said they have not had powers of attorney from me, and I have had to send to England for fresh powers of attorney because they could not be found, and then afterwards they turned up. Mr. Terry is alluding to an old case of mine, which was really in Mr. Holden's time. I had the title deeds of the Terry estate, and I brought a number of the properties under the Act. The title deeds were very voluminous; they declared that they had not them here, and I searched my own office, searching every deed and every box, and it took me three or four days. I charged one of my conveyancing clerks with having had the deeds last. Then I went up to the Real Property Office, and they said that they would search, but that they had not the deeds. Well, it became a serious matter, and I said, "Look here, I require you to produce all the deeds in every case I have brought under this Act," and they brought up the missing deeds. They gave me certainly a week's search and more than a week's anxiety. It makes conveyancing so expensive, because all the offices now take the points they think Mr. Burton would take.
3182. *President.*] They do so particularly as to dower? Indeed, it has become so common, particularly among the younger solicitors, that they have stereotyped forms of objection—a sort of thing applicable to every case.
3183. Have you had cause to notice whether there is sufficient counter accommodation down below,—do you find your business occasionally or ever delayed by reason of the want of a sufficient number of clerks? Yes, very much so.
3184. Would you suggest that another or more should be appointed? Oh, no; I thought you meant when I have asked if the certificate has been issued, and they have said they had searched for some time and I must call again, and I have had to call again several times before they could find it out—I thought you meant whether there was any such thing as that. They have said that they had several thousand certificates to go through before they could find it out. I think the clerks are very obliging. I think Mr. Muddle and all of them are exceedingly obliging, and they seem most courteous in the office to every solicitor.
3185. What I wished to ascertain from you was whether you had had complaints from your clerks or had experienced it yourself, of having to wait a long time at the counter to acquire information that is wanted? I have not experienced that myself.
3186. *Mr. Terry.*] You say you have had a good deal of experience in this office,—do you think it necessary that two examiners should be employed on every case? I do not say it is absolutely necessary. I think the salaries paid to the examiners are too low.
3187. You do not think those salaries will get efficient men? No; you cannot expect, you know, to have a man like Mr. Dick. He knew most of the titles and he used to suggest how difficulties could be got rid of. Of course, we got on very well with him.
3188. *President.*] Do not the present examiners suggest how you can remove their difficulties? No. I may add that I think in simple cases of transmission it should not be necessary to advertise the application.

Mr. William Shirley Muddle, counter clerk, recalled and further examined:—

3189. *President.*] I have received your letter, Mr. Muddle, and shall be very glad if you will read Mr. Heydon's letter which you allude to? The letter I hold in my hand. It is as follows:—

Mr. W. Muddle.
13 May, 1879.

My dear Muddle,
Bathurst, 9 May, 1879.

I am in receipt of your letter of 8th instant. I have not the slightest difficulty in stating that the fee paid to you in Croaker and Clements' matter was not an "expedition fee" in respect of any matter in your office. The easiest way to explain the matter is to narrate the fact. I was attempting to get a title for my client. He had previously had the papers in another solicitor's hands for three years. The title consisted of an ante-nuptial settlement, settling all after-acquired property on wife; grants of after-acquired land—some to husband, some to trustee for wife; and the will of the husband, inconsistently with the settlement devising the land; and everything was hopelessly confused by a decree in Equity. My client was purchaser from a devisee under the husband's will. The complications were so appalling, that, with the probability of any application that might be framed not meeting the view of the case taken by the examiners of titles, no application had been framed. When the case was put into my hands I thought it rather better not to frame an application and send it in and perhaps have it rejected, but to be sure beforehand that the application framed would be such a one as would pass through the office smoothly, and, knowing that you were acquainted with the idiosyncrasies of the examiners, I sent down all the papers, settlements, grants, probate and decree, to my agents, with instructions to get an application settled in the office with you and then send it to me for signature. The mere trouble of perusing and considering such a title was worth the fee, and the work was no part of your duty. The fee was certainly not demanded even then. It was, I understand, suggested by my agent's clerk, and certainly most willingly paid by me. I can understand how Mr. Makinson might very easily have received a general idea, from the clerk's account of the matter to him, that the fee was some sort of expedition fee. But it certainly was not so. As a fact, the application in the form settled, making use of your suggestions, has not yet been signed, nor, of course, ever lodged in your office. You have many times very kindly answered my inquiries, and saved me much delay and trouble by advising me how to shape cases so as to humour the practice of the office and pass without any hitch. You had never made any hint at payment, and I had felt myself under an obligation for so much extra work. I must have received more than a dozen private letters from you on points of office practice. I very much regret that your courtesy and intelligence, by causing your suggestions to be sought and acknowledged, should have brought on you the suspicion of asking payment for doing your work; for, according to my experience, you certainly have been, of all the clerks in your department, one of those who did most to alleviate the inconveniences of the system and to supply the shortcomings of others.

Yours, &c.,
LOUIS HEYDON.

FRIDAY,

FRIDAY, 16 MAY, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P.,
THOMAS ROBERTSON, Esq.,WILLIAM HENRY ARCHER, Esq.,
JOHN DAWSON, Esq.

Theodore James Jaques, Esq., solicitor, examined:—

3190. *President.*] You are a solicitor? Yes.

3191. And formerly Registrar General? Formerly Registrar General.

3192. Do you wish us to examine you on any particular points in connection with the Real Property Acts? No; I was not aware that I was to be examined. In conversation with one or two—with Mr. Terry on one occasion—I have expressed my opinion on the subject of the present working of Torrens' Act. I might state that I was in the office when the system was first introduced into the Colony by Mr. Dick, and at that time I was opposed to his ideas and to the present arrangement. My idea, formed from many years practice in the Registrar General's Office was that a person should submit his title to a competent board of examiners, and that upon a certificate being issued by that board that his title was perfect, he should go on dealing with the land as under the old system without having his title challenged—antecedent to the certificate, thus avoiding the large machinery of the present department. He could then go on dealing with his property in a variety of ways which cannot be carried out under the present system; and at any future time, and as frequently as the title became troublesome or complicated, he could renew his application and get a fresh certificate, paying of course such fees as, according to the value of the property, would keep up the establishment or pay for the expense of the department. By that arrangement it appears to me we would avoid the immense investigation of title from the first foundations, *i.e.*, the original grant. We would then start with a new title, the certificate of the board of examiners being equivalent to a new grant, and no purchaser should be allowed to take exception to the title anterior to the certificate. I might mention that before the system of Torrens' was introduced, Governor Denison, who was governor at the time, established the Pitcairn Islanders, prisoners who had escaped from somewhere, on Norfolk Island, and he asked me if I could draw up papers by which they could deal with their lands one to another. As he intended to issue grants to them of portions of the island, for good conduct, I did so, and they were printed at the Government Printing Office. I told him in conversation that the forms would do for all simple transactions in land, but that when they came to marriage settlements, and a variety of other dealings, difficulties would arise. He did not see that any difficulty of that kind would arise for many years, because such difficulties were not likely to occur, the number of persons being small.

3193. Then did you by your rules establish a kind of office for dealing with land, for transferring it? Yes, there was a registry office. Every instrument was to be executed in duplicate, and one copy to be deposited in the registrar's office and certified as registered something similar to certificate issuing under Torrens' system upon simple transfer of land.

3194. Did you embody the principles you think ought to be adopted here? No; I explained to the Governor that in a large colony, with deep and heavy transactions, it could not be carried out. It was a simple notion of the present system of certificates issuing at that time, I foresaw the difficulties which since, in practice, I have met with. There are many difficulties which arise under the present system that you cannot deal with, for instance in wills; the testator devises all his property to his trustees; that will does not operate according to the present system until the transmissions are recorded in the Registry Office; that necessitates a record affecting each separate property as devised by the testator, multiplying the records to such a terrible extent that in years to come I look forward to this establishment being so immense that it will be impossible to carry it out unless there are country registers established; those country registers will also open up many difficulties. Another difficulty I have met with in the present system, is that when a transaction is completed and purchase money paid, you have to wait for a month before you get your title. It may have been that the purchaser has agreed with some friend to advance him a portion of the purchase money, and he has agreed to deposit the title deeds as soon as they are executed, which cannot be done where a new certificate has to issue, as it takes so long to prepare the certificate. It therefore causes great dissatisfaction to the purchasers that they are so long in getting their deeds, as the uninitiated call it, and they cannot understand the delay that takes place. That delay is caused by the fact that the certificate has to be prepared in the office, whereas under the old system the two instruments, *i.e.*, the deed and registration copy are prepared at once and signed; one being placed on record, and the other delivered to the purchaser. The purchaser then gets his title at once.

3195. Then the principle you would advocate is something like the principle adopted in the Encumbered Estates Commission in Ireland? Something after that system. It was seeing the working of that which gave me the idea that a person having a complicated title should go to a board of examiners and submit his title, and they being satisfied that his title was a good one up to a certain date, no exception by law should be taken to the title anterior to that certificate.

3196. The principle of dealing with land under the Act is so incorporated into the systems in all the colonies that I do not think it could be altered, though what you suggest might be an advantage? I would suggest that even now a person should be at liberty to withdraw his title from Torrens' Act, and then let him deal with it as heretofore, the certificate he receives being equivalent to a fresh grant from the Crown. Marriage settlements and other complicated trusts do not appear in any way on the records, and you are also in a manner crippled in many transactions.

3197. Then do you think that the present system does not sufficiently protect settlements and wills and such complicated dealings? It may protect them, but it does not give the facility of working.

3198. You know that trusts are not recorded here at all? They are recorded, but *sub rosa*; they are not on the face of the instrument.

3199. And a dishonest trustee might, by getting the caveat removed, make away with the property —

3200. *Mr. Terry.*] How can he? There is a caveat entered; a person may represent the caveator and get it removed, and then the dealings go on. You do not know what the trusts are, and it appears by the certificate that the man has got a clear and free title, whereas, under the other system, as soon as you produce your title the trusts are disclosed.

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3201. *President.*] You can hardly take precautions against such frauds as that. They are perpetrated under the present system? If the trust cannot be disclosed, there should be something on the instrument itself which could not be removed, disclosing that there are trusts.
3202. There is something under the late amending Act with reference to that? Which notifies the caveat.
3203. Yes? That can be simply removed; it is not sufficiently impressed on the instrument itself, and does not disclose the trusts.
3204. The whole system is intended to ignore trusts? Yes.
3205. And to facilitate dealing with property, without the difficulty created by trusts? Yes; but is it advantageous to cripple the transactions of a landed proprietor in his dealings with the land?
3206. That is a matter of expediency—both sides have to be considered? Then, again, in intestacies and wills, where minors are dealt with, under the old system an administrator could dispose of the land. I know of a case where property was left to the wife and to a young child, and the officials tell me that the property cannot be dealt with to pay the debts of the testator until the child becomes of age, except under these two arrangements—sequestration of the estate, or by a judgment creditor selling.
3207. You mean that the machinery of the Acts does not authorize the winding up of the estate and the payment of debts out of the estate which the testator happens to leave in that manner? Yes. In a case like that I think the simple way would be to let the person withdraw his title from Torrens' Act, and deal with it as he could under the old system.
3208. You could hardly withdraw it after the man is dead? I think his legal representative, his administrator or trustee under his will, should have the same power as the testator, and the estate being committed to him, he should have full powers to deal with it.
3209. That would not mend the matter, because the will does not give him power to sell—he would have to go to the court? He might have to go to the court, but still the property left, subject to the debts of the testator, and, under the old system, the administrator could sell the property to pay off the debts. Then there are many other difficulties that the applicant is met with as to his title, which, in dealing with his land under the old system, would not be considered as fatal objections. Every cloud does not foretell a storm; but, under the present arrangement, the examiners think if there is the slightest cloud in your title, that there is a storm pending, and you must remove it.
3210. Does that arise from the extreme caution of the examiners? Over extreme caution of the examiners.
3211. Do you think the examiners go too far in the investigation of titles? Yes, by bringing up difficulties which would not be considered as fatal in the ordinary transactions in land, and requiring you to remove these difficulties, which would pass on with the title without being considered as fatal objections by any solicitor.
3212. Do you think they raise more difficulties than would be raised by solicitors for purchasers of land not controlled by a contract? I think so, in many cases; in requiring proof of negatives which, with others, they do not expect you to prove. The matter of dower is very often met with as a very difficult objection under the present examination. Identifying parties is another difficult matter under the present system. I can illustrate one difficulty that occurred to me, which I thought quite unnecessary. In the case of a renunciation by a trustee under the will, probate having been granted to the other two trustees, I was compelled to register the renunciation. The testator was dead, and could not be considered a party to the deed of renunciation; the other two trustees were not parties to the deed, and could not be considered as parties for the purpose of signing the registration copy, and the difficulty was to get the signature to the registration copy of the renouncing trustee.
3213. I suppose you got a Judge's order? I ultimately got the signature of the renouncing trustee. The original document was deposited and was still in the Wills' Office, and available for production at any time, and the property being under Torrens' Act, the registration had to be made under the old system. It struck me as being a most strange requisition on the transmission from the testator to the present trustees. I had to obtain the original deed from the Wills' Office in order to make the registration copy.
3214. I know that the examiners have insisted very pertinaciously on the registration of documents, and in many cases most unnecessarily. In the case you mention, there could not have been any necessity for registration? It struck me so, they having the custody themselves of the original, and the registration being outside their province, being under the old system, the property under Torrens', and nobody after the certificate is issued is expected to search under the old system. Certificates had issued to the testator, and still I had to register under the old system the renunciation by a trustee of property, certificates of which had issued under the new system.
3215. *Mr. Terry.*] Then you think they ought not to look behind registered documents? Mr. Burton raised the objection. He said that the original instrument might get burnt or destroyed. But so may a man's certificate, or all the records of the department get burnt or destroyed. There was no more likelihood of the original recorded with the will than the other, *i.e.*, the registration copy filed in the same office.
3216. *President.*] Do you know of any other difficulties in the working of the office? I had made a great number of notes upon different matters when I was Registrar General, but never dreaming that I would go back to my profession—which I have been compelled to do by the Government in reducing my allowance to less than one-half what I retired upon—I believe I handed the notes over to Mr. Ward, or to some gentleman in the office. Therefore, many of the notes I have made I have forgotten, and it was only yesterday your Secretary called upon me to say you wished to examine me. I made, however, one or two notes last night. There is another difficulty I found, and that is this: Many landed proprietors having their certificates of title, and not knowing that it is necessary to fill up the forms that are mentioned in the Act and place them on record, deal with the property by endorsement on the certificate; the land passes from hand to hand by these endorsements, and the original holder of the certificate is not to be found, or dies. The present owner cannot become registered proprietor, because none of the intermediate transactions can be placed on the register, not having been filled up in the precise form required by the office. I think many of these things will come to light as the system gets older. There are many parties holding certificates (not engaging a professional gentleman to complete the transactions), who deal with their properties, as they would under the old system, by endorsement on the back of the certificates—sufficient to pass an estate, but not in sufficient form as required by Torrens' Act to place it on the register; and then they are shut out entirely, as they cannot get the transfer recorded, or a new certificate issued.

3217. Then you think there should be some means of recognizing those dealings with property? I think, on proof of those dealings—the same as a solicitor would require if transferring the property under the old system, *i.e.*, proof that the dealings are genuine and sufficient for passing the estate—that in some way the certificate should issue to the present owner. When once the property is under the Act, you cannot under the present system apply to have it placed under the Act again, or get these intermediate transactions recorded, and there is no provision by which the present holder of the land can get a certificate.
3218. Do you not think that, when people get better acquainted with the Act, these things will not be carried on? In a colony with a scattered population like that of this Colony, people are not likely to get acquainted with it; the more illiterate portion of the population think that by making endorsement on the certificate, such as “I have this day sold for £50, paid to me, all my right and interest in the land within-described, and transferred the same to ‘John Jones,’ who shall hold the same to him and his heirs and assigns for ever,” and having it signed and witnessed, it is all that is necessary. This would be accepted under the old system where no other deed could be obtained, but under the new it would not be recognized.
3219. That which goes on now, then, is very like what went on seventy or eighty years ago by simple endorsement? It still goes on, but under the new system the present owner cannot in any way deal with the land in a proper form, because he cannot get himself recorded as the proprietor.
3220. Do you think there are many cases of that sort? I have heard of several.
3221. *Mr. Archer.*] Do you mean that the registration should be merely for rectification, or that persons should be allowed to transfer in this informal manner? In the case of such dealing there should be some method by which the present owner could get a fresh certificate in his favour, or he should be permitted to withdraw his title from the new system.
3222. Would that not necessarily disturb the very foundation of the system of passing land by registration? No; I mention this as one of the difficulties that cannot be met under the present system, and that there should be some means of re-application for a fresh certificate.
3223. *President.*] Would you not give these people relief whether they withdraw the title or not, because they would not know anything about the right to withdraw? I would give them relief where these difficulties have cropped up; and where a person wished to withdraw a title and deal with complicated trusts, or anything of that sort, I think he should be at liberty to withdraw his title in order to do so. I believe there is a case where the Master of the Rolls has ordered the withdrawal of a title from the register. *Mr. Burton* told me of a case when I was speaking to him on the subject. He said he saw that the Master of the Rolls had been compelled to allow the withdrawal of a title from the record upon the application of the proprietor of the estate. I have not seen the case.
3224. *Mr. Archer.*] Would you not open the door for the destruction of the whole system by that power of withdrawal? No more so than that persons are not compelled to bring it under the present Act. A person could make his application and get his certificate, and he could withdraw it, having a perfect title, for purposes of settlements or trust dealings. This would of course give him a certificate of title up to date of withdrawal.
3225. And why should any man having got a certificate go and withdraw it; would not withdrawing it depreciate the value of his property? I do not think so when withdrawn for such purposes.
3226. Or rather does not the possession of a certificate of title enhance the value of most properties? It does.
3227. Then why should any man in his senses wish to withdraw it? Because he cannot deal with it in the way he wishes.
3228. Do you know of a single case which has occurred in this Colony of hardship or difficulty in the way you are alluding to? I have known cases where parties have been advised that they could not carry out their wishes, simply because the property was under *Torrens’ Act*.
3229. Do you know any extent of hardship to warrant any alteration in the law? No, but these are some of the difficulties I have foreseen in studying the Act, and I think provision should be made to allow re-application for certificate in such cases as I have mentioned, and for allowing the withdrawal where the proprietor wished it.
3230. A theoretical difficulty that may inflict hardship practically on occasion? It limits the free action in matters of real property.
3231. *President.*] Have you got anything else to mention? There is also that which I think multiplies the number of records. A will, for instance, deals with the whole of a man’s property. He may be possessed of thirty or forty different properties, but you have to get a transmission of each of those properties placed or noted on the register, whereas the will deals with the whole, and so it did under the old system; a man could convey thirty distinct properties by one deed, but under the present system, unless the properties are very closely attached to each other, you have to get a separate certificate for each. One bargain may contain fifty different properties, and you have to get fifty different transfers.
3232. One bargain? One bargain, buying the whole of the properties. Under the present system you must have a distinct transfer of each property, which entails a very much larger amount of expense than under the old system. I think there should be some provision made by which a man buying the whole of the properties should have a certificate, and that the one certificate should embrace the whole.
3233. He may include as many properties as he likes in the transfer, but he should be entitled to one certificate including a great number of properties? Yes. I do not see the actual necessity for their being a certificate for each distinct property, even where they are not adjoining.
3234. They would issue one certificate if the plan could be made to include the properties; they issue one certificate now for half-a-dozen allotments if they are contiguous, and can be got into the same plan? But why not have one certificate to embrace properties in separate localities. If you are dealing with any properties that are contiguous, you have to deposit your certificate, and get it noted. Why not, if there were ten properties, have one certificate for them. I do not see the actual necessity for confining one certificate to the one property, or to contiguous allotments.
3235. Would you abolish the plan that they endorse on certificates? I do not see the necessity of plans unless in the subdivision of allotments.
3236. Is not the plan a very good means of identifying property? Not the plan they put on. I do not see the slightest facility of identification. It gives you no starting point; it gives you some lines, but does not say so far from this or that road. It gives you some chains of frontage, but I defy any surveyor, from the plan on the certificate, to go and settle down, or point out the land.
3237. Is that plan not as reliable as what you see in ordinary deeds? In ordinary deeds you have the description, commencing, for instance, from a point 10 chains from the road, or such a description as would enable a surveyor to measure off the land.
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3238. Sometimes? The surveyor's description generally goes from some point, from which you can start for survey purposes.
3239. Deeds are made with very vague descriptions sometimes? Yes; that is the fault of the surveyor, or of the person accepting the title.
3240. The plan adopted here may give you all the necessary information you require just as well as a written description? If it were to show on the plan the distances from certain places, or the adjoining properties.
3241. What you want is a definite starting point? Yes; that the plan should be something more instructive.
3242. *Mr. Archer.*] Do they not give bearings? Yes; but bearings are of no use unless you first get on the land. I will illustrate my meaning. (*Witness explained by rough pencil diagram.*) I would benefit the identification by having a more definite description in the certificate, without relying too much upon the diagrams. As regards the work, to relieve the department of such an immense amount of work—and it multiplies fearfully as the subdivisions take place—I think that the certificates should be prepared outside the office, deposited with the transfer, and simply examined by the department as to its being correct—not that the department should prepare every certificate. That would relieve the department of considerable work, and I do not think it would become more expensive to the purchaser. When found correct, the certificate could be signed and stamped, and would be ready for delivery in a much shorter time.
3243. *President.*] That is the very thing that Torrens—originating the system—wished to avoid? Yes. I know it was one of his ideas that all the work should be done in the department. I think that the department in a few years, will become so magnified, that it will be next to impossible to manage it, unless by having district registrars.
3244. *Mr. Terry.*] That is very easy to do? There are many difficulties that crop up with respect to district registrars.
3245. *Mr. Archer.*] But the business of transfer of land has gone on in Victoria and South Australia to an extent far beyond what it has attained in New South Wales, and difficulties have not yet been realized there in practice? I have heard of many difficulties arising in South Australia.
3246. Of being so overburdened that they require district registrars? No; but difficulties from delays in the transactions.
3247. Difficulties exist under any system. The old system of conveyancing was so cruel and inflicting on the public, that the new system was hailed with delight? The new system is advantageous where there are nothing but simple subdivisions of property, and the facility with which a transfer can be made, not necessitating any investigation of title. I think it is a mistake to say the new system is a more inexpensive way of dealing with the land. I believe it costs a person as much to get a transfer as it did a simple conveyance under the old form. It is the investigation of the title from its first date, and the necessary searches, which occupy the time and cause expense. This would be avoided if such a certificate of good title as I have before-mentioned were issued to the land owner.
3248. Is that not the fault of the mode of administration—is it a fault inherent in the system? It is necessary under any system. For instance, if you employ a solicitor, he has to fill up the necessary forms, which occupies his time as much as making out a short conveyance. There are the necessary attendances to file the transfer, and again to get the certificate—sometimes two or three attendances for the last purpose.
3249. Does that not show a defect in the mode of administration? I do not see how you can avoid it; Forms must be filled up, and there must be attendances to file documents, and again to get certificate, and this occupies time.
3250. How would you make it less expensive by your system? I could not do so. I say it is partly a mistaken idea for the public to suppose it is less expensive to get a transfer under the present than under the old system, except where there are complicated titles, which I would avoid, as I have before stated, by issue of certificate that title was perfect up to date of certificate.
3251. And I say, may not that be from a fault in the mode of administering the system? No, not exactly that. Work has to be done under either system, and is expected to be paid for.
3252. If you had the administration of this department, could you not undertake to transact ordinary transfers on behalf of the public at a very low rate? Do you mean for the department to fill up all transfers, and virtually act as conveyancers?
3253. Not as conveyancers, but as conveyancing clerks, who would fill up formal or ordinary things in a kind of perfunctory manner? Yes; but the question would then arise as to the great expense of the establishment and the strength that would be required to fill up all transactions. Your idea, I suppose, is to have one immense transferring establishment?
3254. I am simply asking this, accepting the system, as established by law, of registration as proof of title;—could you not, from your official experience, organize such a plan as would render that system cheap and efficacious to the public? Yes, by having a wholesale transferring establishment by Government.
3255. Which the Office of Titles is supposed to be? All transfers would then necessarily have to be transacted in this one office—a large conveyancing establishment.
3256. But is that not the system that is supposed to exist—that a person having a certificate of title here could at this office cause an endorsement to be made there and then, in half-an-hour, and dispose of his property? Yes, but that never has been carried out, and could not be unless by having a large wholesale transferring establishment where all parties would have to attend to transact their business.
3257. Is not this office, as constituted by law, a wholesale transferring establishment? No, because they are not supposed to prepare the transfers, make the necessary searches, have all parties to attend to execute the documents, pay over purchase money, &c.
3258. Why not prepare them? There is nothing to prevent them.
3259. And could they not do so if the work were properly done? Yes, by charging a fee to pay expenses of the department, and by having a number of gentlemen in the office to fill up the forms of transfer, make all necessary searches for judgments, insolvencies, &c., it could be done.
3260. Was not that the original idea? Not that I am aware of. There would be difficulties—money would have to pass, and everything else transacted in the one office; parties would have to go there and transact their business, and pay over the purchase money, &c., in the Registrar General's Office, which would be a large conveyancing establishment—and it would have to be an immense establishment.

3261. Was it not intended to do with land as is done with ships? Yes; it was spoken of that dealings with land should simply be under the same system—that there should be a transferring office, where all transfers could be filled in by officials in the department, and the business could be transacted in that department, and the parties could call again and get their certificates; but it was not the intention of the Act, and was never commenced.

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3262. *President.*] Do you think it advisable that all transfers of land should be prepared in the office? Not to compel persons to transact their business in the office, because most persons prefer to go to their own solicitors to do their business.

3263. If the transfer is a mere form, it does not seem very material whether it is done here or done outside? That is what I say. It is immaterial where it is done; but persons should not be compelled to transact their business at the one office.

3264. It seems to me that if it were done in the office it would require such a large staff that the business could not be got through? Yes, and would necessitate much travelling expense on persons in the country coming here. For the one department under Government to do the work, as suggested, would require the strength of the whole of the Sydney solicitors' conveyancing clerks combined.

3265. *Mr. Archer.*] You know that in South Australia persons licensed to do this work for the public were not lawyers? Yes; but the work was not necessarily done better or cheaper.

3266. It is not necessary that a legal man should be engaged in this transfer work; it is not of such a complicated or difficult character? No; most persons could do it. But gentlemen prefer to go to their solicitors to have their work done.

3267. There is no reason why they should not? This is the difficulty. You say it is not necessary to go to a lawyer; people put endorsements on their own certificates, intending to deal with the land, and when the certificates come before the Registrar, the difficulty arises. These endorsements put on the certificates are of no use; they complicate the matter. Not being on the prescribed form, they cannot be dealt with by the Registrar.

3268. From your experience as formerly Registrar General, and your present position as a solicitor, can you say whether or not the Act has had a beneficial tendency? Beneficial, undoubtedly.

3269. In what way? In removing great difficulties of title to very insignificant property as regards value. That is, if you have a title to property worth about £20 it would cost you as much under the old system to get a transfer as for a property worth £20,000, simply because there was a long tail of title attached to the property. By bringing that property under Torrens' Act you get a clear certificate to date.

3270. But you would let him get it only for a number of years? I say that he should be at liberty to deal with the land as he likes, after he has received his certificate of title.

3271. *Mr. Terry.*] From your experience as former Registrar General, do you think it necessary to retain the Board of Commissioners? I said from the very first I did not see the use of them, and I never could.

3272. *President.*] Did you join the office from the first establishment of the system? Long before. This system was an attachment to the old Registrar General's Department to which I belonged.

3273. Then you have been in the office during the times of the different examiners? Yes, from the first.

3274. While Messrs. Holden and Dick were examiners, did there arise the same difficulties about passing titles as have since arisen? I do not think that minor difficulties were so pertinaciously insisted upon as they are at the present time. Attention was called to them, but on explanation they were allowed to pass, if only a blemish in title, but not a defect. At present, with some of the examiners they are persisted in, and there is very great difficulty in removing them, of which I have already given an illustration.

3275. Were Messrs. Holden and Dick anxious to bring the office into a good state, and to bring into it all the titles that could be brought? Yes. Messrs. Holden and Dick predicted that in less than five years every title in the Colony would be under the Act. I predicted the opposite.

3276. You think they worked with that object in view? No doubt, to get as many titles as possible; but I do not accuse them of passing defects in title for the purpose of carrying out their prediction—not at all. Where there were difficulties such as proving negatives, or identity, and other such things, they did not insist upon them, but took such evidence concerning them as solicitors between themselves would be satisfied with if working for a willing purchaser.

3277. Then you think they were neither too lax nor too stringent? No,—a happy medium.

3278. And the office worked successfully under them? Yes. The contrast I make is that Mr. Dick and Mr. Holden acted as solicitors wishing to complete a transaction; Mr. Burton's idea is that he must work as an attorney endeavouring to get out of a bargain, raising objections as if he wanted to throw the title over.

3279. When did the change take place in the office in the mode of examining and dealing with titles? It was after Mr. Dick and Mr. Holden's removal from the office that the difficulties began to magnify.

3280. With any particular appointment? I cannot but say that Mr. Burton is the great obstructionist.

3281. *Mr. Terry.*] He is absolutely an obstructionist? I cannot but apply that term to him, though it may be harsh. I am speaking now, of course, as a solicitor. I have found him as an obstructionist when bringing a title under the Act, as instanced by his insisting upon the registration of the renunciation of one of the executors of a will, the original being deposited in the Wills Office, a part of the same department in which the copy would have to be lodged.*

3282. *Mr. Archer.*] Do not those obstructions increase the cost? Greatly.

3283. That is an illustration that the increase of the cost is not necessarily the result of the system, but arises from the idiosyncrasy of those administering it? Yes, but a man may have a title to a small property which when sold would necessitate the removal of many of these difficulties. A person brings his title for investigation, upon application for certificate, and the difficulties then crop up. Therefore it is not the department itself that brings about the difficulties, but the application to bring land under the Act that brings them forth.

3284. I understood you to say that these difficulties would not have been treated by Messrs. Holden and

*NOTE (on revision) :—Case—Transmission, under will of late E. W. Cameron. Application lodged, 9th July, 1879. Certificates received with transmissions endorsed, 15th November, 1878. The only requisition being the registration of the renunciation by one of the trustees.

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- Dick with the particularity with which they are treated by Mr. Burton? Precisely so.
3285. My question was whether Mr. Burton does not increase the expenditure to the public? Necessarily by these objections.
3286. *Mr. Terry.*] Would any solicitor in private practice make the same objections to a title as Mr. Burton makes? Certainly not with regard to the objection I alluded to, and to many other objections. I believe many objections are raised by Mr. Burton which attorneys would not raise unless acting for a purchaser who wished to get out of a purchase.
3287. Have you had any dealings with Mr. Jones? Yes.
3288. Does he take the same kind of technical objections as Mr. Burton? No, I think not so strict. Of course I have found him back up Mr. Burton's objections. Probably he feels a difficulty where Mr. Burton has noted an objection on the title, and the title comes to him; he cannot remove the objection by striking it out, and the second examiner is compelled in a way to carry out the objections started by the first.
3289. Have you had any dealings with Mr. Maddock? No, I have not had any titles passed under Mr. Maddock.
3290. Then you cannot speak of him? No, I cannot speak as to him.
3291. *Mr. Archer.*] Are the generality of titles that come into the office difficult ones? No, some are most simple.
3292. If you were an examiner, how many could you get through in a week, having nothing else to do but investigate the titles? If I were an examiner I should adopt a different system to what is adopted here; I should not allow a difficult title to be a dead-lock to a simple title; I should devote a certain proportion of my time to passing on simple matters. I believe Mr. Burton's system is that, where there is a difficult title he makes it a dead-lock to all minor titles. His argument to me is that it would look like favoritism to take the small ones when the big one stands in the way; but if there are a number of carriages, and one of them is from some defect obstructing the way of the others, you are at liberty to urge off the ones that are ready to move off in order to get rid of them.
3293. That is sound common sense; and looking at business in that light as you know it in this office, how many cases do you think you could go through by your system in a week, having nothing else to do? That is a difficult question, but a gentleman of quick perception would pass through from five to nine or from five to seven ordinary simple titles.
3294. In a week? In a day. Assuming that there is a grant, and that the different deeds—seven or eight in number—are correct, I do not think it would take an attorney an hour or a couple of hours to see that those deeds are properly executed—sufficiently enough to pass the estate and to see that the present applicant is the proper person.
3295. Are there many cases coming into this office having only seven or eight deeds? I cannot say.
3296. Are you sufficiently informed of the nature of titles in this Colony to be able to say whether the investigation of them would involve as a rule more than half a dozen deeds? Very many titles do not, but I should think it would be the more complicated titles that would be brought into the office for examination.
3297. You do not know of your own knowledge what in the main is the character of titles that come into this office? No.
3298. *President.*] You have had experience in dealing with titles, and taking the difficult and simple ones together in fair proportion, how many could you investigate in a day? I cannot say, unless I had seen the titles that came before the examiners.
3299. I mean titles generally that you have to deal with outside as a solicitor. You know some are very simple and others complex, but take the average? You mean simply pointing out the difficulties, but not removing them.
3300. Perusing a title, preparing requisitions of title? How many in the day, taking the generality.
3301. How many a week if you like to put it that way? I should say that in extensive practice an attorney would require two days to each title; that is, taking very complicated titles among them, and working them to final issue. I am scarcely able to answer the question, because one title I lately passed which took me fully a fortnight to work up to a good title.
3302. Exclude those exceptional cases and take the ordinary run of titles—some consisting only of one deed, some of a dozen, some perhaps of more? Taking the ordinary run of titles, a solicitor would deal with two a day.
3303. You said just now from five to seven? That is simple titles, where there is no complication or settlements, or trust deeds, or other deeds of that nature.
3304. Do you think, taking the average run of titles, you could deal with two a day? I think so.
3305. Then you think if an examiner does not deal with more than one a day he does not do sufficient work? No, I do not say that, because I believe more complicated titles would be brought to this office than would go before a solicitor in his ordinary practice.
3306. I think it is not so in point of fact, because persons bring titles here for the sake of subdivision afterwards. Those are simple titles? Yes, but there are many more complicated titles—people wishing to remove difficulties from their titles—than would go before an ordinary solicitor.
3307. You mean to get a good title for a bad one? Yes, probably so; more correctly a simple title for a complicated one.
3308. *Mr. Archer.*] It is your impression that it is likely—not that you know it is so? I should fancy that was the object of the office—to rectify the complication of titles, and also to facilitate the transferring of land from one to another.
3309. *Mr. Terry.*] Do you not think it would be an advantage if the examiners had power to pass, on payment of an extra premium, a title not absolutely good, but so good that no charge would be made on the assurance fund? I think so, and that the examiners should have the power to increase the charge for assurance when there were difficulties, which could not be removed, but under which they thought claims might be made, but were very remote; such a title, for instance, as a willing purchaser would accept, but an unwilling purchaser could not be compelled to take unless under special conditions of sale.
3310. Do you think an extra assurance fee should be paid to the Crown on transmission cases, the original applicant having paid an assurance fee to bring his property under the Act? I do not see why, any more than on a transfer.
3311. They do it now? I have often wondered why, because the transmission is simply dealing with the property by will instead of by transfer, and with transfers there is no assurance fee.

3312. Then you think it ought to be done away with? Certainly; I do not see the necessity for an assurance fee on transmissions. I believe the idea is that they have to examine the will to see as to its full effect, as the will may not pass the absolute estate, and for their judgment on the will (in case they err in that judgment) they charge the assurance fee.

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3313. *President.*] The will is looked upon as a complicated, dangerous document to deal with? It is more so than a transfer.

3314. But, nevertheless, you think there is not sufficient difficulty to justify the charge of an extra assurance fee? I think there is not. I have known an instance of a party executing transfers at the same time he as executed his will, for the very purpose of preventing the assurance fee. He said: "Keep the transfer along with the will; when I die you can lodge the transfer, and at the same time prove the will." That has never yet been tried, but I know it has been done, though not yet carried through, and as I have mentioned, to avoid the assurance fee. The property say, is worth £5,000; he executed the transfer of it to the very person to whom he intended to leave by his will.

3315. The devisee? Yes, the intended devisee. Then he makes a will of other personal properties. By the record of the transfer the certificate issues to the devisee, instead of going through the will and paying the assurance fee.

3316. Do you know of any irregularities in this office in the working of the Act, on the part of the officials? No; nothing has come before me that I can call to mind.

3317. Do you know of any instance of money unauthorised by the Act being paid to any of the officials here? No, I have never heard of a case.

3318. You know that when an application for title is lodged, there is generally lodged with it a plan? Yes.

3319. Which plan may be prepared by any surveyor, whether licensed under the Act or not? It may be prepared, but it is not accepted here unless certified by a surveyor licensed under the Act.

3320. It is accepted here? Not original plans, or of subsequent subdivisions of properties.

3321. I mean the plan lodged with the application for title? Yes, there is a plan, signed by surveyor, lodged with the original application.

3322. And do you know that a plan will be accepted here, although not prepared by a surveyor licensed under the Act? I do not know. In all matters that have come before me, I have always had a licensed surveyor. I was not aware that any but those were accepted.

3323. In point of fact, they accept plans not prepared by licensed surveyors;—do you think that an objectionable practice? As long as there is a competent surveyor I do not see why he should require a special license under the Act.

3324. Why should they require a special license for subdivision plans? I am answering the question generally. I do not see why a competent surveyor, although not licensed under Torrens' system, should be debarred from preparing plans under Torrens' Act.

3325. But you know that this license is issued as a test of competency? But if they get their license from the Surveyor General, and do not undergo any further examination under Torrens' Act, why should it be necessary for them to get a certificate under Torrens' Act?

3326. Then you think surveyors licensed by the Government should be allowed to practice in this office without further certificate? Yes.

3327. Do you see any difference between subdivision and original plans? None.

3328. Would you have them all prepared by a surveyor duly licensed by the Government? Yes.

3329. *Mr. Terry.*] Do you not think it would be an advantage to abolish dower, as in South Australia? Undoubtedly.

3330. *President.*] Abolish it altogether? Very great difficulties crop up from fictitious and absurd dowers—dowers that would cost fifty times as much to recover as they are worth. I would not abolish the right to dower on properties under the Act unless with the wife's consent; if persons having property under the Act die, I do not see why it should be ignored. I would not deprive all women of their dower; but I say that the objection as to dower on old titles should be removed, and should not be a reason for refusing a title under the Act.

3331. Nor is it at present.

3332. *Mr. Terry.*] They notify it on the certificate? Yes.

3333. And thereby damage the certificate? And damage the certificate; and I say they should not do so, but that the assurance fund might be made to meet all those objections as to dower.

3334. *President.*] Do you not know there are many instances of dower actually existing in the case of women married before 1837? I do not know of many. I know of one lately died out—that of White's estate, in George-street South.

3335. I know of several, and I do not think it would be quite fair to sweep them away? That difficulty might be met by having a dower assurance fund, the same as having the other assurance fund. I think there are very few owners of land married prior to 1837 having the land now, whether under the Act or not,—that is, that the person married prior to 1837 is the now actual proprietor of the land on which the dower would arise; it is vested in somebody else than the husband whose wife is entitled to dower. In that case I think the dower should be removed, because the husband has sold the property long since for its full value, and had the benefit of the money, and having had that, the wife has also had her share of the benefit.

3336. Possibly; but suppose the wife had separated from her husband? Yes, possibly, but rarely.

3337. *Mr. Terry.*] Then you think the assurance fund ought to be chargeable for dower, and that the certificate should issue not marked with it? I think there would be very few claimants for it.

3338. Do you think the Government should charge an assurance fee on a grant direct from the Crown, issued by them? I do not see why they should.

3339. They do it? Yes, I know they do it.

3340. Should not that be abolished? Yes; it is as much as to say there may be a defect in the grant, and that the owner of the grant may be dispossessed by the error of the person who charges the assurance fee.

3341. And therefore the Government should not charge the purchaser of land an assurance fee? Decidedly not; there should be no assurance payable on the grant under the Act by the grantee. The assurance is to prevent the Government being a loser through some error of the examiners in passing a title. The Government issuing a grant for valuable consideration should not charge the grantee an assurance fee, which is as much as to say "I have made a mistake in selling this land, and you may be deprived of it."

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3342. *Mr. Robertson.*] And when they are deprived of it they are not paid out of the assurance fund. That is another reason why the grantees should not contribute to the fund. Why should they contribute to a fund out of which, even if the grant turns out to be void, they are not recouped? The Government are the vendors, and get the purchase money. To charge an assurance fee is equivalent to a vendor receiving the purchase money for land sold, and charging the purchaser an assurance fee should he, the vendor, have made a mistake in selling the land and be called upon to pay back the whole or a part of the purchase money. The Government sell the land and issue a Crown grant, and I do not think they should charge an assurance fee to indemnify themselves against a mistake committed by them.
3343. And when they do commit the mistake, they do not indemnify the grantee from the assurance fund, but take it out of general revenue. They have made several mistakes; several grants have been made and called in again, and the grantees have not been compensated out of the assurance fund, but out of general revenue? That is quite right from my point of view.
3344. What I mean is that the grantees contribute towards one fund, and when the contingency arises that they should be compensated they are paid out of another fund altogether; they are not compensated out of the assurance fund? I look upon the assurance fund in this way: It is to meet any error in judgment in originally placing the title under the Act. It is not for any subsequent dealing with the property under the Act. We admit that the Crown has a good title, and if they sell the land twice over that has nothing to do with the assurance fund. A mistake has been committed by themselves, and they have received the purchase money twice. They should therefore recoup out of the money they have received twice, and not come upon a fund which is to indemnify the Government for any error committed by their officers in the examination of titles.
3345. That is what the Government do? And then I say the grantee ought not to contribute to the assurance fund, which is to indemnify the Government for errors committed by the examiners of titles.
3346. *Mr. Terry.*] Are you aware that the examiners now are passing titles subject to certain qualifications, and advertising them? I believe that has been done—that is during the time for caveats to come in. Certain difficulties must be removed before the issue of the certificate.
3347. Do you think that is right—ought not those difficulties to be removed by requisitions before they advertise the property? I think it is quite correct to advertise that on a certain date certificate will issue, so that parties may come in with caveats. In the meantime the applicant will have to remove certain difficulties in title.
3348. Might not some of the qualifications, if they could not be removed, amount to a very serious defect in the title? In that case they will not issue the certificate.
3349. Is not the person holding the property damnified by the action of the examiners? I presume it is done with the consent of the applicant, to avoid delay.
3350. They do it without that consent in numerous cases? Looking at it in that light they might get the consent of the applicant, and ascertain as to whether he could remove the objections, which I understood they always did. There is another thing which damnifies your title, and that is, that when the title deeds are brought into the office they are stamped. If your application is refused, your deeds go forth with a brand upon them as bad.
3351. Do they stamp your deeds before the certificate is issued? Yes.
3352. That they ought not to do? My impression is that they stamp them when they come into the office.
3353. Do you think it right for the examiners to demand the production of the same deeds two or three times over? I do not see how you are to avoid the difficulty.
3354. On the same property, but different applicants? Assuming the one deed deals with ten or twelve different properties, and the deed has been produced and certificate issued, and subsequently on another of the properties being brought under the Act, and they want the deed again produced, I do not see how you are to avoid the difficulty unless by making a copy of every deed. They do not retain in their mind sufficient knowledge of the deed to pass the title when the second application comes in; the deed has passed from their memory.
3355. But they frequently require the production of the same deed for the same property. One man brings in his application, and then another, and they require the same deed twice over? I do not think they require it where an application has been made for a portion of the property, and a subsequent applicant applies for a certificate for another portion of the same property.
3356. They do; latterly they do? I have never met with a requisition of that sort. So soon as I point out that a title has been passed, and my abstract discloses the same title as that passed, they dispense with the production of the deeds.
3357. Would you recommend an increase of the examining power in this office to enable them to get through the work more expeditiously—examiners of titles, I mean? I do not know what number of applications are brought in, but I fancy the present staff of examiners of titles should be able to get through the work.
3358. Do you think it would be an advantage to this department to have a master or commissioner of titles? I certainly think there should be a person as a final referee, whose decision should be final.
3359. Do you think it necessary that two examiners should examine all the simple cases? I do not see the necessity for it. There are very many titles that could be passed by one person without going through a second.
3360. Do you not think it would expedite matters if all simple cases were dealt with by one examiner, subject of course, to the approval of the master of titles? I presume the master of titles would have no cases referred to him for investigation, but only the difficulties pointed out by the different examiners. Of course two heads are better than one, and it would probably increase the risk to the assurance fund to allow one examiner only to deal with cases, but there are many titles that might be passed without asking the advice of a second examiner. An attorney seldom gets the advice of a second, and it is a very rare case to refer to counsel. The master of titles would I presume act as counsel, having difficult points referred to him.
3361. If you had a master of titles, it would be for him to distribute the cases, to hand the simple cases over to one and the difficult cases over to two;—would that not expedite the work? Then the master of titles would have to examine the title sufficiently to pass it as a simple or complex title, before he passed it to the other examiners to examine again.
3362. He would simply look through them to see whether they were simple or not,—say one remove from the grantee? That would expedite simple cases, by having examiners on simple matters and examiners

examiners on complicated matters, and the dead-lock I mentioned would not arise—one examiner having the difficult or complicated cases to deal with, and the simple cases could be dealt with by another examiner, and would go on much more expeditiously, or the examiners I think should devote a certain portion of their time each day to simple cases. If the head of the department should pass some as being simple and others as being complicated, it would take away the difficulty Mr. Burton mentions as to favouritism. The favouritism, if any, could only be charged on the head of the examiners' department, as he would say, "That is a simple case and I pass it as such; this is a complicated case and I place it as such." I think it is a good suggestion that there should be a head of the examiners' department, he being the chief, not acting as examiner, but to whom difficulties should be referred for investigation and decision.

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3363. And that gentleman, you think, should have a good salary? Yes, and should be a very competent person.

3364. What salary do you think would be sufficient? That person would be one to whom the other examiners would refer the difficulties appearing on the titles; he would have to judge of what was actually necessary to be removed, and what he could, in his own judgment dispense with without troubling the applicant; and he ought, of course, to be a most competent solicitor.

3365. What salary do you think would be sufficient? I am not in a position to say what the salary of a competent solicitor should be.

3366. Would you give him the same salary as the Judges receive? I forget what the salaries of the Judges are; at any rate he would not be compensated under £1,200 a year.

3367. Do you think £2,000 a year would be enough to give a master of titles? I should say that would be ample.

3368. And you think you could get a good qualified man to accept that? I think so. He ought to be well paid, because the risk is, of course, upon him, and his judgment would have to be very deep as to all the applications for title; he would be, as it were, a Judge. I should fancy £2,000 would be ample. I am not a competent judge of the salary that one of the principal solicitors would accept. I should say that you ought to get one for £2,000. While speaking on the subject of salary, I would suggest that investigation should be made as to the salaries of some of the gentlemen attached to the department, the very heavy and responsible duties they have to perform, and the remuneration paid, which I think is very inadequate.

TUESDAY, 20 MAY, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P.,	WILLIAM HENRY ARCHER, Esq.,
THOMAS ROBERTSON, Esq.,	JOHN DAWSON, Esq.

Charles Wood Readett, Esq., solicitor, examined:—

3369. *President.*] You are a solicitor of the Supreme Court? Yes; residing at Newcastle.

3370. Our Secretary has received a letter from you intimating that you wish to give evidence in some matter? Yes.

C.W. Readett,
Esq.

3371. Will you be good enough to state what you have to say? It is in the matter of Mr. Robson. Application was made in 1871 to bring under the Act some land—his property, situated at Tighe's Hill, Newcastle, and that has been going on up to the present day; and after supplying a great deal of information to the best of our ability to the examiners, we can get, up to the present time, no satisfactory answer at all from them, either one way or the other. They will not even reject it. They "hum" and "ah," and that is about all we can get from them.

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3372. Have they sent you requisitions or objections? The title is passed subject to the qualifications. They sent us the usual form, saying, "this title is passed subject to the following qualifications." Those qualifications we have answered to the best of our ability, and since they were answered, we can get no answer from the examiners. They will not say whether they will accept them or reject them, and we are just as we were when we started.

3373. Of course you are aware that you are entitled to call upon them to give a statement of their objections, and that then you can appeal to the Supreme Court? We know that, and we have threatened that in a dozen letters.

3374. *Mr. Terry.*] One examiner can strike off the qualifications? Yes. I and my father have been here I am sure fifty times. I am certain that Mr. Muddle can bear us out in that. We saw nobody but Mr. Burton in the meantime, and he would hold his head down and "hum" and "ah," and so on, and we would come away without any satisfaction; we got perfectly sick of it.

3375. *President.*] Do you say you have satisfied all their objections? There is no doubt about it.

3376. Then why not compel them to give their reasons, and appeal to the court? We have threatened that a dozen times over. We have not carried it into effect. I may state that some time ago I went to Mr. Burton, and said, "Now I want you this morning, if you will kindly do it, to give me an answer—'yes' or 'no'; that is all. If you will state now that you have come to the conclusion that you have got some compunction about passing the title, intimate that to us, and we will take the usual course and apply to the Supreme Court, and serve a writ upon you to show cause why." I said, "We do not want to do it, and if it can be avoided we will do all we possibly can to avoid it." Then he said he had consulted with Mr. Jones about this matter, and he went on—"Well, Mr. Jones is favourably inclined to it, and," rubbing his hands, "perhaps I may make some concession in the matter, and I may agree with it." I said, "Very well, Mr. Burton, but this matter has been going on for years and years; when will you do it? Will you kindly say if you will take a month? Let there be a limitation; let us know what we are doing. My client cannot understand it, and nobody can understand it. My client is beginning to doubt me; you place me in a very awkward position." Well, he said he would do it. I came down again, and he said he had been very busy, and one thing and another, and he had really forgotten all about it, and he would go into the matter again. That is the way we were treated, and can get nothing satisfactory.

3377.

- C.W. Readott, Esq.
20 May, 1879.
3377. Had the property been advertised? Yes. I am given to understand, and I believe it is the case, that previous to Mr. Holden's death he drew out a draft report favourable to this title. I forget when he died, but no doubt you could obtain that draft report. I may state that we have had Mr. Owen's opinion about this matter, and he had not the slightest doubt about this title. Mr. Robson has been in possession of this land for thirty-five years, independent of any documentary title, and we have a good documentary title as well as a possessory title.
3378. A documentary title preceding the thirty-five years' possession? No, but we have a documentary and possessory title.
3379. Why has the case taken so long—you brought it into the office in 1871? That is a mystery to me. All I know is that we—father and myself—are almost ashamed of writing and coming to the office.
3380. You received objections from the office? Yes.
3381. And did you answer them expeditiously? We did.
3382. There was no unnecessary delay there? Certainly not. There was some information for which we had to write to India.
3383. That would cause some delay? But not more than six months. This matter has been going on for nearly eight years now. That is where the complaint lies; and as I said, Mr. Holden, I believe, drew out a favourable report in this matter.
3384. *Mr. Dawson.*] What is the nature of the qualifications? I have not got them with me. (*Papers in this case produced and examined.*)
3385. *President.*] After lodging the application for certificate of title, did you receive objections or requisitions from the Registrar General? In answer to that I should like to look up the correspondence to see what we did receive. I believe, if my memory serves me right, we received objections.
3386. You said just now that you answered all their objections as soon as practicable after receiving them, and that there was a delay of about six months in sending to India? We had to send to New England and to other places like that, as well as to India. We had to find out about the death of Mr. Campbell.
3387. Was there any delay on the part of the applicant beyond the necessary delay of six months through getting evidence from India? Decidedly not.
3388. You know the qualifications appended to examiners' reports? Yes.
3389. Were those qualifications sent to you at any time in the shape of objections or requisitions? That I told you just now; I will not be sure of the form they took—whether they took the form of objections or requisitions. You see it is a long time ago—nearly eight years ago. Father was the first to initiate this matter, and he had the whole of the matter in hand up to a short time ago.
3390. But when you tender your evidence we expect you to come with all the particulars; we cannot make out your case? I know that, but what I think is that those papers (*alluding to case produced*) ought to prove the dates, and show the position in which the matter stands.
3391. It is impossible for us to go through the papers, especially in such large matters as this? All I say is we put in our application in 1871, and I want to know why the examiners do not in a reasonable time from that date go into the title, and then within a reasonable time send us these objections or requisitions.
3392. *Mr. Archer.*] But how do you know they did not do that? The date would show it.
3393. But how do you know that they did not immediately on receipt of the title make certain requisitions which you did not answer until a late period? I am certain of it. I know my father used to come down here repeatedly, and see Mr. Burton, who would say he would do it; and I have come down, and immediately I have gone into the room he has looked up at me and said, "Dear, me! I quite forgot your case."
3394. Is it your impression that they allowed seven years to pass over, and then discovered a blot on the title they had never before seen? I can come to no other conclusion.
3395. But it is a question of fact.
3396. *Mr. Terry.*] Have you applied to them since these qualifications have been answered for this certificate? Certainly. I have also seen Mr. Muddle several times, to know why they did not give us an answer if they had received the qualifications. The position Mr. Robson is placed in is that some time ago he sold some portion of the property by auction for £5,000, and received the deposit money. At that time, nearly two years ago, Mr. Burton led me to believe the title had passed.
3397. It has passed subject to these qualifications? Yes. Ever since the sale of a portion of the property the purchasers have endeavoured to get Mr. Robson to give them a title, and he in many cases has had to give back the purchase money, and I daresay you will find several letters in which we have threatened to take proceedings under the 106 section of the Act, and apply to the court. Every time we saw and threatened Mr. Burton he used to say, "I will decide the matter; we will do something with this matter one way or the other," but it has gone on day after day and month after month.
3398. Have you seen Mr. Jones in reference to this? No, because Mr. Burton had the matter in hand.
3399. Mr. Jones is one of the examiners; I should have seen him? I have not seen Mr. Jones in the matter, because they informed me that Mr. Burton had the matter in hand. Now he has thrown it up.
3400. *Mr. Archer.*] And now that the title has passed with certain qualifications, you say you have supplied all those qualifications? They are there among the papers; Mr. Norton has read the qualifications and the answers.
3401. *President.*] I see among these letters a copy of a letter containing objections forwarded by Mr. Muddle, the Deputy Registrar, to your father, on the 19th December, 1871? Yes.
3402. There was not much delay in sending those requisitions? No, I do not see very much.
3403. Do you say those are answered? I do, most decidedly. They have been answered by interviews between Mr. Burton and my father, who came down to Sydney.
3404. *Mr. Terry.*] Have you got a statutory declaration in reference to the first declaration from Parry Long that the papers—the contract for sale—had been burnt? We never did try to obtain such a declaration.
3405. They require a declaration to that effect? According to the qualifications, they are so vague—why do they not say they require a declaration to this effect.
3406. That is what they do require.
3407. *President.*] All they do is to point out the objection, and leave you to remove it as you think best.
3408. *Mr. Terry.*] I would go and get a statutory declaration that you removed that objection? They say,

say, "if practicable"; we say it is not practicable. Neither Mr. Owen nor ourselves can see how the producing of this memorandum is of importance to this particular title. We say we have held possession for thirty-five years.

3409. *Mr. Dawson.*] It does not seem to me that the want of that declaration of the loss of the contract is the only objection to the title. I think there are divers other things that would crop up if one knew really what the case is? I will tell you another thing that has occurred to my father and me, as regards the Statute of Limitations. Mr. Burton says it runs as regards the mortgagee, and that a possessory title as against the mortgagee is not good.

3410. *Mr. Robertson.*] Is there an unsatisfied mortgage over the property? That is what he makes out.

3411. *Mr. Dawson.*] To my mind every one of those qualifications could be readily adopted.

3412. *Mr. Terry.*] They could be answered easily enough? (*Qualifications read by President.*) The last thing we have to deal with are the qualifications. You will find there is not one word about the Statute of Limitations, where he bases his legal difficulty.

3413. *Mr. Dawson.*] That is not mentioned in titles subject to these? And therefore you see what the President has been reading does not touch the matter now. Mr. Burton has waived that. The only things we have to deal with now are the qualifications.

3414. *Mr. Archer.*] Can you not deal with them? You can see our answers.

3415. *Mr. Terry.*] One of them is not answered; they will require a declaration about the loss of those papers? They say "if practicable"; what does that mean?

3416. *President.*] You must prove you cannot get it.

3417. *Mr. Terry.*] You must make a declaration? If they had only said a declaration was required if obtainable —

3418. They never say that; they leave it to you to supply it? Well, then you might as well require a declaration for each qualification; that is to say that the answer shall be in the form of a declaration.

3419. *President.*] So it must, as a rule? Then I must state that I am informed there are only two qualifications to be cleared up.

3420. There appear to be only two? And therefore the way in which we have answered the others is satisfactory without a declaration.

3421. It appears to me you have produced most of the deeds required in qualification 3, possibly all of them. Surely Mr. Burton or Mr. Jones will mark this off. Then the only other qualification appears to be the production of the contract. You can prove the burning down of the office? I can get a declaration to that effect from somebody.

3422. *Mr. Terry.*] That will satisfy that qualification? Of course we can only say it is presumed that particular document is burnt.

3423. *Mr. Archer.*] It simply comes to this: You think you will be now able to pass the title, but you come here to complain of the extraordinary delay? There is no doubt about it. We say unnecessary delay in this matter.

3424. *Mr. Terry.*] I would advise you to go and get the qualifications marked off, and try and satisfy the other? Then I will go to Mr. Jones.

FRIDAY, 30 MAY, 1879.

Present:—

JAMES NORTON, Esq., PRESIDENT.

SAMUEL HENRY TERRY, Esq., M.P.,
THOMAS ROBERTSON, Esq.,

WILLIAM HENRY ARCHER, Esq.,
JOHN DAWSON, Esq.

William Hilson Pigott, Esq., solicitor, examined:—

3425. *President.*] You are a solicitor, in practice in Sydney? I am.

3426. Have you had much experience of the working of the Real Property Acts? Yes.

3427. Have you found any difficulties arise in the office? Well, the complaint that we have is as to the great delays in the office. That is the principal complaint—the great delays in passing titles.

3428. With which branch of the office do those delays rest? With the examiners.

3429. Can you give us any instance? I can refer you to one or two. With regard to two cases which I may mention, I may say first, that my partner has had more to do with them than I have, but I can state the simple facts. The first case is number 4,628, the application of Michael Fitzpatrick and others. The application was lodged on the 18th February, 1878. On the 9th March, 1878, we received a requisition to have the bearings of the land put on the plan. That, of course, was a matter which could not affect the investigation of title. A little time was taken up in endeavouring to get this done, but it was again lodged on the 18th June, 1878. Numerous inquiries were made from time to time at the office to ascertain when the case would be proceeded with, but we could get no information at all. On the 15th January, 1879, we wrote a letter to the Registrar General, pointing out that delay was very prejudicial, and asking what was being done in the matter.

3430. That is a year after the case was first lodged? Eleven months after the case was first lodged we wrote a letter to the Registrar General, pointing out that delay was very prejudicial, and asking what was being done in the matter. We received no reply to that letter. On or about the 18th March, 1879, Mr. Fitzpatrick asked a question in the Legislative Assembly as to the cause of the delay, and the reply was that the delay was caused by searches and complications. We failed to see what difficulty there could be—what complications there were, or what difficulty there could be in the searches, because the abstract of title shows a very simple title. I believe I am correct in stating that the adjoining piece of land had already been brought under the Act, and had been held under the very same title. On looking at the abstract I find it was part of Mrs. Underwood's estate.

3431. Ashfield? Ashfield; and I think I am correct in saying that Mr. Pope's property is the adjoining property,

W. H. Pigott,
Esq.

30 May, 1879.

- W. H. Pigott, Esq., property, and had already been brought under the Act. The search would properly begin on the 21st December, 1861, which appeared to be anything but a long search, there being a conveyance from Mrs. Underwood to purchaser, and the title after that appears to be a very simple one. Within a few days after the question was asked in the Legislative Assembly we received certain requisitions dated the 27th March, 1879. They were all very simple, and on the 8th April, 1879, they were answered, and the certificate is not yet issued.
3432. Have you removed all the difficulties raised by the requisitions? Yes, as far as we are aware.
3433. And produced the deeds asked to be produced? We produced all the originals that could be found, and with regard to the others they were all registered. Some could not be found, but they were all registered.
3434. Have you received any reply to your last communications? No reply, I believe.
3435. Do you know any reason why the certificate should not at once issue? I know no reason whatever, and cannot understand it.
3436. *Mr. Archer.*] Have you ever sought for a reason? I have inquired over and over again.
3437. What do they say? We can get no information.
3438. But have they not said anything about it? They say the matter is still before the examiners.
3439. Have you ever appealed personally to the examiners? Personally I have not; but my partner had more to do with this matter.
3440. *Mr. Terry.*] Who are the examiners that have your case under consideration? That I cannot tell.
3441. *President.*] Have you any other case that you can mention? There are two other cases; one is an application in the name of a person named Brandy. The application was lodged on the 23rd November, 1878. We have heard nothing at all of that.
3442. *Mr. Terry.*] Probably they have passed it? We can find nothing at all about it.
3443. *President.*] Has it not been advertised? No; we know nothing at all about it, and it is a very simple title.
3444. *Mr. Archer.*] There is no reason to suppose the papers are lost? No.
3445. *President.*] Have you any other case? There is another case that I had in hand myself pretty well all through—a case of Compagnoni, No. 4406. The application was lodged on the 16th March, 1877. There were a good many inquiries between the 16th March, 1877, and the 19th December, 1877—a great many inquiries I made personally and through my clerks as to what was being done in the matter. On the 19th December I wrote this letter to the Registrar General:—"On the 16th March last we lodged the necessary application, deeds, &c., for the purpose of having certain lands belonging to Mr. Compagnoni brought under the provisions of the Real Property Act. We have made inquiry several times, but cannot ascertain that any progress has been made with the application. May we respectfully ask whether the matter has yet received attention?" We received a reply from the Registrar General on the next day. He said: "In reply to your letter of 19th instant relative to the above-named case, I have to state that I am informed it is at present in the hands of Mr. Burton, one of the examiners of title to this department. I have this day forwarded a memo. to the examiners calling their attention to the subject. Regretting that there has been so much delay in the investigation of this case, &c." On the 22nd January, 1878, or somewhere about that, we received a letter from the Registrar General. A person named Dixon had become security at the Joint Stock Bank for a person named Beverley, and Beverley had given a mortgage to Dixon. Dixon had signed the usual discharge, but the examiners required also that the bank should sign a discharge also. We replied that it was unnecessary; but we were obliged to yield. They required also the contract of sale for part of the land from Compagnoni to a Mr. John Murphy. On the 16th February we replied to that letter, stating that the mortgage from Beverley to Dixon had been duly discharged, and we forwarded them a statutory declaration from Dixon to that effect, and also the contract of sale from Compagnoni to Murphy, and objected to do anything further. Then on the 27th June, 1878, we received another letter referring us to a case in Fisher's Digest to the effect that when the surety for the payment of a debt, or one standing in the relation of a surety, receives a security for indemnity, the principal creditor is, in equity, entitled to its full effect. Therefore they say it is impossible, without the bank's concurrence, to get the mortgage discharged. We had to give way. On the 27th June we received these letters. We then had the discharge from the bank prepared, and that was lodged on the 22nd July. On the 15th October a letter was written to the Registrar General, asking whether the application was to be passed or not. On or about the 24th December, 1878, we received another letter from the Registrar General, stating that it should be shown that the memorandum of 1st December, 1876, which was the contract of sale from Compagnoni to Murphy, was the original contract between the applicant and Murphy, failing which the original should be produced in order to see that there was nothing on it to prejudice the title. That original had been lodged a good many months before.
3446. I think you say the requisition is that you are to show that the contract lodged was the original contract? Yes, that is it.
3447. Was there any justification in asking for proof of that? We thought there was no justification for a good many of these requisitions, but of course when you are dealing with the examiners you are compelled to give way, otherwise the title will not be passed; and if it is rejected it is a blot upon the title afterwards.
3448. Did the contract lodged look like a mere copy? It was the original, signed by the parties.
3449. Written in their own handwriting? Yes, I believe so—written by one of them, and signed by both.
3450. Of course, if written by one and signed by him, they might take it for a copy only? It was written, I believe, in the handwriting of one and signed by both.
3451. What took place after receipt of the letter? We received the letter dated 23rd December, and on the 30th December, 1878, we wrote: "In reply to your letter of the 23rd inst. we have the honor to state that our client has informed us that memorandum of 1st December, 1876, filed with the papers in your office, is the original contract between the applicant and Mr. Murphy." Then, I believe, about the end of February we received these certificates. I may mention also in this case that the whole of the surrounding land had been brought under the Act before our application was lodged—all being under the same title.
3452. What title was that? It was Priddle's title, out at Marrickville.
3453. Most of that has been placed under the Act? Yes; it is Priddle's title. So that the date of lodging the application was the 16th March, 1877, and we received the certificate at the end of February, or the beginning of March, 1879; and that was a very simple title indeed.
3454. Those are all the cases you wish to mention? Those are all I brought with me.

3455. Can you tell us what causes these great delays? I certainly cannot. I do not know what reason there should be for the delay. W. H. Pigott, Esq.

3456. In your experience do the examiners take more strict objections than are necessary? They certainly take objections which we should never dream of taking in private practice. 30 May, 1879.

3457. If you acted for a purchaser under an open contract, and were therefore not bound by any special conditions of sale, would you take as strong objections as they take here in this office? I certainly would not. I should not dream of taking some of the objections which the examiners have taken.

3458. Do you know of any other difficulties in working the Act? There are one or two matters which I might, perhaps, be permitted to mention. Section 99 (this is a case which has cropped up in a matter in which we are concerned for a client) provides for dealing with the receipts of the Colonial Treasurer, and it is there provided that upon the receipt of the Colonial Treasurer being handed in it is to be registered; but I believe I am safe in saying that no such registration takes place, because it is alleged that you must have the receipt of the Colonial Treasurer himself, and that is never obtained. I think it will be found that there are numbers of those receipts in the office tied up together, but not registered, because they are not the receipts of the Colonial Treasurer himself, and therefore it is easy to be seen what complications may arise in dealing with these matters. These receipts, not being signed by the Colonial Treasurer himself, are not registered, and cannot be dealt with.

3459. *Mr. Archer.*] Are they not signed on behalf of the Colonial Treasurer? Yes, but the office takes no notice of that.

3460. *President.*] Have they told you so? They have told my partner so. Then there is another matter. Section 13 of the Amending Act—the last Act—requires that a *fi. fa.* must be renewed every six months, and be lodged in the office. One would imagine that this is altogether unnecessary because under the ordinary law a writ of *fi. fa.* remains in force for twelve months, and binds all laids. One cannot see why a *fi. fa.* should not be lodged here, and why it should not operate upon whatever lands defendant may have at the time of lodging the writ, or upon whatever lands he may acquire during the currency of that writ. We had this thing crop up the other day, and the way in which we found it out was this: That the defendant was selling a piece of land to a client of ours, and a judgment had been standing against the defendant for a considerable time, and the *fi. fa.* had been lodged in the Sheriff's Office; but when we came up here to deal with it, and were about to lodge the copy of the *fi. fa.*, we were told "no, your *fi. fa.* is in force under the ordinary law, but as the *fi. fa.* is more than six months old we cannot receive it." In this case our client was at the time absent from the Colony, and we therefore could not get the *fi. fa.* renewed. I cannot see why you should not be able to lodge a *fi. fa.* in this office, and that it should have the same operation as when lodged in the Sheriff's Office.

3461. Had the *fi. fa.* been lodged in this particular case? In the Sheriff's Office, but not here, as explained in my last answer. You cannot lodge a *fi. fa.* in the Real Property Office, excepting against particular land, and you may have no means of knowing whether or not a man has that particular land. You may search on one day and find no land registered in the defendant's name, and the very next day a transfer may come in in favour of the defendant, and you know nothing about it, and he may immediately re-transfer the land.

3462. What you mean is that the *fi. fa.* if lodged here must be lodged to bind a particular piece of land, and if he has any other land that is free? Yes.

3463. Which is contrary to the practice that obtains in the Supreme Court, which binds all the man's land? Yes; but here you must lodge it against a particular piece, and though when you come up here to lodge it there is nothing registered, yet a day after there may be something, and the creditors are simply sold.

3464. Do you know of any other point? There is nothing that I need call special attention to. I think it is perhaps fair to the gentlemen in the office to mention that we have received from them every consideration and courtesy.

3465. The whole of your difficulties, as I understand, have arisen with the examiners of titles? In my experience the whole of the difficulties have arisen with the examiners.

3466. *Mr. Terry.*] What is your opinion as to the law of dower in relation to land brought under the Real Property Act;—do you think it would be beneficial to abolish it? I think it would. Judging from the operations of the examiners, at all events the question as to dower creates more difficulty than anything else.

3467. Do you think that the Government ought to charge an assurance fee on land granted direct from the Crown? I think they ought not to do anything of the kind.

3468. Do you think an assurance fee ought to be charged in transmission cases? Certainly not.

3469. Do you think it would be beneficial to the interests of the public if you did away with the commissioners and established in their place a person of superior ability—call him what you like, commissioner of titles, or by any other name; a legal gentleman, to whom cases might be referred in the event of a difference between the applicant and the examiners? I am not quite sure that I quite understand your question.

3470. Suppose you had a case, and you considered the objections taken by the examiners not proper ones, do you think it would be advisable to have, in lieu of the present commissioners, some officer who would be over the heads of the examiners, and to whom an appeal could be made? I have not thought the matter over very carefully, but speaking off-hand I should think it would be a good thing.

3471. Have you ever had occasion to come into personal contact with Mr. Burton. Yes, sometimes.

3472. Do you think the objections he takes to titles highly drawn, and technical? I certainly think they are.

3473. Do you think that if Mr. Burton were a practising solicitor he would obtain practice if he took those objections? Well, I think if he insisted upon his objections he would never pass a conveyance. I know there is one case—I have not the papers with me because the matter has now passed out of my hands—in which I saw Mr. Burton, with Mr. M'Laughlin (of Gannon & M'Laughlin), some two or three months ago, and where an objection was taken that there was no evidence that a deed of assignment made by Willis and others, somewhere about 1840 or 1841, had been advertised, and the title is still pending, and application is being made by Mr. Simpson (counsel) to have the title brought under the Act. It relates to a piece of land at Enfield. An application is now before the examiners, and has been for a considerable time, and I believe has not been passed almost solely because of that; statutory declarations have been given of possession for thirty-six years at all events.

3474. *Mr. Dawson.*] I know the title well; it would be about that time? It passed through your office.

W. H. Pigott, Esq. 3475. *Mr. Terry.*] Do you not think that the examiners require the production of deeds too frequently when they are on the register below? I certainly think so. In the case I have cited—that of Fitzpatrick and others—there is evidence of that.

30 May, 1879. 3476. Would it not be a good thing to compel the examiners not to go beyond the registered instruments in dealing with the land under this Act? I cannot say that I could give an affirmative answer to that, because there may be evidence of title required, and which we, as practising solicitors, would require beyond the registered documents.

3477. Do you not think it would be advisable in amending the Real Property Act to compel all persons to register every document dealing with the land? Well, I am not at all sure that it would—I am not prepared to give a well-considered answer to that; there are advantages and disadvantages in it.

3478. Would you give any person having a title claimed through unregistered instruments a claim on the assurance fund, provided the title issues to another person? I think not.

3479. Do you think they have a sufficient clerical staff in this office to conduct the business? From what I have seen I think so.

3480. Sufficient examiners? I think so.

3481. Then all they require is a superior head to whom cases might be referred? Yes, and that the examiners should be made to get through their work more quickly than they have hitherto done.

3482. *Mr. Archer.*] Are conveyancing cases in your experience generally very complicated? No, not in this Colony.

3483. If you were an examiner, and had nothing else to do but investigate titles, how many do you suppose you could on an average get through in a week? That would depend on the circumstances of each particular case; some titles are very short and require very little consideration, but others require great investigation.

3484. Can you approximate roughly, having nothing else to do but to investigate titles? I think that, speaking roughly, each examiner ought to be able to get through six or eight, at all events, in a day. That is a very low average.

3485. That is from your experience as a solicitor in this city? Yes.

3486. Having a considerable amount of conveyancing business? Yes, we have had a very large conveyancing business for a great many years.

3487. *President.*] Perhaps Mr. Pigott refers to preparing deeds? No, investigating the title. I think, taking the general run of the titles we have, that an examiner should get through eight or ten a day easily—that is if he had nothing to do but to examine titles.

3488. *Mr. Archer.*] You could not get bread and cheese if you did only one or two a day? I think not; it would be a poor supply.

3489. You have had experience of Mr. Burton, I think you said? Yes.

3490. Have you had any experience of Mr. Jones? Not much.

3491. Did he strike you as an improvement upon Mr. Burton as to rapidity of work, or otherwise, or as much of a muchness? Well, about the same.

3492. In fact your whole experience in regard to examiners has been one of dissatisfaction? Altogether as to the rate of progress and as to the requisitions.

3493. *Mr. Terry.*] Have you had any experience of Mr. Maddock? I have latterly.

3494. What do you think of him? I think he has got through his work more quickly than any of them.

3495. And his objections are not so technical? No; he takes fair objections, such as we would take in ordinary practice, and apparently he gets through his work. Of course I cannot say what urges him.

3496. Have you ever had to complain of the loss of documents in this office? No. I think the objections which have been taken very highly technical and unnecessary, and in saying that I might say that I have been told I am too particular in the profession, and yet notwithstanding that I should not dream of taking the objections which have been taken.

3497. I suppose you are aware that some cases are not put before the examiners for three months after they are received in this office? I am not aware of that.

Mr. John Musson examined:—

Mr. J. Musson. 3498. The witness said—"I have been a sufferer under the Act in regard to that clause under which six months arrears of rent determine a lease. From inadvertence six months' rent was not paid within the specified time, and the lessors entered into possession of the property."

30 May, 1879. 3499. *President.*] How soon afterwards? Oh, I think it was a few weeks. Evidently they were watching their opportunity. I was making no use whatever of the property, which was on the Annandale Estate; and, in fact, the lessors were making use of it.

3500. And they cancelled your lease for non-payment of rent? For the non-payment of £12 10s., and the lease was worth £1,200 or £1,500.

3501. Per annum? No, the lease was worth that. It was a forty-two years' lease from Captain Johnson to me, before the Annandale people got possession of the ground.

3502. Is this part of the Annandale Estate now purchased by a Company? Yes. My lease was granted some three years ago, prior to the sale of the land. I had spent a considerable amount of money on it, and the industry I started on it had not succeeded, and I was just keeping it on.

3503. Do you blame this office in connection with the matter? Not at all. I blame the Act. I believe they conformed to the Act in the case; but what I complain of is the power any lessor has over a lessee when through an inadvertence he may forget to pay his rent.

3504. *Mr. Terry.*] There is a certain time specified in the Act? Yes, the Act says six months.

3505. *Mr. Archer.*] Would you never allow the lessor to forfeit? I do not know in regard to that; I am not much up in the subject. In this particular case it was a hardship. I think the lessee should have notice. Certainly for £10 or £15 he would not sacrifice property worth perhaps £1,500 or £5,000.

3506. *Mr. Terry.*] Why should they serve the lessee with notice—suppose he is out of the Colony? The lessors were themselves using the property. Mr. Young had put a fence on it. I thought the property was perfectly safe, and I forgot the matter. I think notice should be given to the lessee.

3507. But you knew you had to pay the rent? I did. (*Clauses 52 and 53 of the Real Property Act referred to, and read.*)

3508. *President.*] You were in arrear with your rent for over seven months, I understand you to say? I think so.

3509. They could not proceed under six months? It was certainly over six months, and they have acted legally.

3510. *Mr. Terry.*] Strictly in accordance with the law.

3511. *President.*] Do you not think it reasonable that landlords should have some security for their rent in this way? I think that landlords, where they think there has been negligence, should serve the lessee with some notice.

3512. I think the negligence excuses them? Here is a lease worth £1,500 or £2,000, and for £12 10s. it is forfeited. The lease has been an eyesore to the lessors, and they have watched their opportunity.

3513. Is this the first time you made default in payment of your rent regularly? I was very careless about the rent, I must admit. The rent was very low—merely nominal—and I was ignorant of the law in regard to the rent.

3514. Notwithstanding the nominal rent you always got in arrear with it;—is that what you mean to say? The property was leased to me, but they were in fact using it. The company's horses and cattle were running over it, and I did take notice of it. I had copper works erected upon it, and movable plant.

3515. What are you? A civil engineer and contractor.

3516. And what was the use you applied this land to? I leased it for the purpose of making copper by a chemical process, and for other purposes.

3517. Did you carry on that work? At first I did, but then I ceased working on the property.

3518. How long before the company took possession? I do not think I have done anything on it for two years, and they took possession two or three months ago.

3519. So you let the property lie idle, and the rent get into arrear? Yes. The chairman had, in fact, encroached on my leasehold with a fence, and I threatened, on a previous occasion, if they did not remove the fence I would not pay my rent. The case is going into Equity now. Mr. John Young put up a fence, and another director of the Company ran his stock there.

3520. Do you say it is in Equity now? I think so. I think we shall commence an action in Equity against them. What I think is, that in a case like this notice should be given.

3521. Well we will consider this matter? I mention this as a personal grievance.

Mr.
J. Musson.
30 May, 1879.

REAL PROPERTY ACTS INQUIRY COMMISSION.

APPENDIX.

[To E. Burton, Esq.'s Evidence.]

A.

E. Burton, Esq., to The Registrar General.

Sir,

Land Titles Office, Sydney, 30 May, 1874.

The matter of the replies furnished by yourself to the questions asked by the Honorable John Robertson, in the Legislative Assembly, on the 12th instant, appearing to place me in a condition of default, which I do not admit, I had the honor, on the 20th instant, to apply to you by memo. for information, "which are the 74 cases referred to, and which are the 251?"

I think it must be obvious, without argument, to a person familiar with the course of practice of the office, that the replies furnished by you may very incorrectly inform the Government and the Parliament on the subject of the condition of arrear of the business entrusted to this branch of the department, inasmuch as while it is well-known to us, it is unknown outside the office, that all cases were first taken to Mr. Holden, and that many of them were dealt with by him either in a preliminary legal manner, or from notes furnished by the draftsman, or by Mr. Lander; and it by no means followed, as, of course, that these cases ever came before me—though some of them no doubt did, and in some the requisitions had my concurrence—but others were at once made the subject of reference to the applicants upon Mr. Holden's preliminary requisitions alone, and until these should be answered the cases were virtually not before the Examiners at all, and certainly did not, in the ordinary sense of the words, await treatment by Mr. Burton.

It may even be questioned whether outside of the profession the word "requisition" is generally understood. By this term we denote the asking for something to be furnished by an applicant. Some requisitions are, in fact, objections to title—others are not.

Letters making requisitions are frequently marked "preliminary," to intimate to the applicant that his case has not been fully considered.

The supply of plans, production of deeds, proof of births, deaths, marriages, &c., are subjects for preliminary requisitions.

I trust I do not erroneously conceive that the character of this branch of the department, and the accuracy of the statistical information to be obtained from its records, have such a place in your estimation as to render my somewhat lengthy communication excusable, notwithstanding the trespass upon public time which it may involve.

I believe that if you had acceded to my application I could have relieved the office and myself by a suitable division and classification of cases, from much of the arrear now alleged, and while I admit that I am actuated by the spirit of self-defence, the furnishing of the particulars required may be useful in the future transaction of business.

My surprise, therefore, may be imagined on receiving your reply to this effect: "I am not in a position to give Mr. Burton details, neither do I think that it would be a proper use of public time, especially when the business of the office is so much in arrear, to order such a return to be made. I have full confidence in the figures supplied by Mr. Lander.—E.G.W., 21/5/74."

Upon receipt of your minute I immediately wrote a memo. asking Mr. Lander to hand me such of the 74 cases as I have not already; and without waiting for their receipt I put to him on the following morning the annexed questions, to which I subjoin, in red ink,* his replies.

These replies, without at all impugning Mr. Lander's accuracy, conclusively to my mind support the views entertained by myself with regard to the bearing and meaning of your answers to the Parliamentary questions and of their effect on persons unacquainted with the routine of the office.

It may perhaps be said that it is safe to leave to yourself the maintenance of the character of your department, but it will not, I think, be denied that I am also interested in maintaining my own character and in setting myself right with those who may judge of it from your answers.

I trust that I have shown sufficient reasons for being furnished with a list of the 74 cases, and also of the 251, but inasmuch as in your opinion the public time may not be so used, I request you to have the goodness to submit this letter to the Honorable the Colonial Secretary for his information and decision.

I had written so far, and was about to forward this letter to you on the morning of the 26th instant, when Mr. Lander came into my room and inquired whether I still wanted what he called the return, meaning of course the list of cases. I replied that I certainly did, and he then informed me that you had on the previous Friday (22nd instant) instructed him in that event to let me have it.

A little after 4 o'clock on the 28th instant I received from Mr. Lander a list purporting to include the 74 cases, but which list was authenticated only by the signature of Mr. Lander.

The next day (29th instant) I forwarded that list to you, with an inquiry endorsed upon it: "As to the 74 cases—is this the Registrar General's reconsidered reply to my memo. of 20th instant?"

I have received that list again, with your minute thereon, saying, "I am not aware that I have made any reply to Mr. Burton's memo. as to the 74 cases. My reply was to a question put to the Colonial Secretary by a member of the House of Assembly.—E.G.W., 29/5/74."

It appears to me to be now incumbent on me to despatch this letter.

In further elucidation, I subjoin two additional appendices, one being the copy of a set of requisitions and the other the form of Examiners' Report.

I have, &c.,

E. BURTON.

A 1.

Memo. referred to in above Letter.

Mr. Lander,—

I cannot comprehend how the number of cases on which Mr. Holden had written requisitions before 16th April last, and which awaited similar treatment by me, can be 74.

The practice has been to take titles to Mr. Holden who would frame requisitions upon them—some preliminary—others substantial?

Some preliminary requisitions originated with Mr. Holden personally. Others (inclusive of ones) were adopted from report or memorandum furnished by yourself or by the draftsman?

Head 1. In some cases the preliminary requisitions would be brought to me, for concurrence, which I generally gave?

Head 2. In others, Mr. Holden's requisitions would be despatched to the parties without the papers being brought to me?

Head 3. Other cases would be left with me for perusal or consideration?

I understand from you that in calculating the number 74 you have included cases falling under above-mentioned heads 1 and 2—

Although those cases have been put away as under requisition, and, although I have concurred in forwarding preliminary requisitions in some of them, and although others have not been brought to me at all. Am I correct?

Yes.

Yes.

Yes. Those were such as Mr. Holden requested might be submitted for your concurrence.

Yes.

A. When you did not see fit to concur immediately.

B. Others, when Mr. Holden's requisitions were satisfied.

Head 3 might be subdivided into other varieties.

and 3.

Yes.—J.L., 22/5/74.

E.B., 22 May, 1874.

A 2.

A 2.

Copy of a set of requisitions.

No. 3,594.—Applicant, J. Hellmann.

PRELIMINARY.

1. The grant to S. A. Porry, and conveyance from him to Christian should be produced.
(A covenant for their production is contained in the conveyance from Christian to Wilton, of 17 December, 1851.)
2. Also the deeds covenant for production whereof is contained in the conveyance Newton and Irving to Hatton, of 10 July, 1869, viz. :—

26 July, 1858, Wilton to Bettridge and another.
22 January, 1861, Sempill and others to Clark Irving.
14 August, 1861, Thompson and another to Ashdown.
11 July, 1862, Irving and Ashdown to Wilton.
12 July, 1862, Wilton to Irving.

Examination in disposing of former cases may probably dispense with the requirement of further production of the other documents connected with the title derived under the will of the late Clark Irving and Newton's mortgage.
If necessary a further requisition will be made to that effect.

[To E. Burton, Esq.'s Evidence.]

B.

E. Burton, Esq., to James Norton, Esq.

Royal Commission to inquire into the working of Real Property Acts.

Sir,

Land Titles Office, 12th August, 1870.

In the course of my examination before the Royal Commission I was asked (Question 468) "Were there any arrears of cases when you took office?" I answered "Yes"; and in Question 469 I was further asked "About how many?" I could not then answer the latter question, and it was arranged that I should prepare a return of the cases referred to. In Question 478 it was suggested that I should add an item showing what cases I had dealt with by examination and approval or by sending requisitions to the applicant, from the time of my acceptance of office till the end of last year. On the 11th instant I had the honor of orally explaining that the searching out of the materials for making such an addition would occupy some weeks, and would involve the laying aside of the current work of the office, whereupon you expressed the opinion that it could not be made.

I now therefore forward the Return itself—the preparation of which has necessarily occupied a considerable time.

As to the expression "arrears," I adopt it because it was used in the question put to me. I do not mean to say that my predecessors were blameworthy in regard to the Cases which I have included in the Return. I do mean to say however that those Cases were in the office before I came into it, and that I have had to aid in disposing of them subsequently.

There were indeed many other Cases undisposed of at the time of my appointment, some of which have occupied portions of my time; but I have included in the present Return hardly any Case on which I have not finally reported as to the whole, or in rare instances a part, of the land sought by the applicant.

The particulars disclosed by the Return will however speak for themselves.

The number of the cases included in the Return will be found to be 49.

Some of them were of a very difficult character; and indeed it may fairly be presumed that their difficulty was in many instances the reason of their accumulation in the hands of my predecessors.

I have, &c.

E. BURTON.

B 1.

[Enclosure in foregoing letter.]

SOME cases in arrear or undisposed of at the time of my appointment as an Examiner of Titles, taking effect on 6th July, 1868, but disposed of by me afterwards.

257. *Broughton*.—A very difficult case, at which I worked in time which I might otherwise have had for recreation. Reported by Mr. Jones and myself in November, 1874.

1132. *Anderson*.—Reported by Mr. Holden and myself.

1446. *Delow*.—Reported by Mr. Holden and myself.

1533. *Willis and others*.—So difficult that an Attorney General would not give a positive opinion upon it. Reported by Mr. Holden and myself in December, 1873. Ultimately went to Supreme Court by arrangement with Mr. Norton, applicant's solicitor.

1534. *Willis and others*.—See remarks on 1533.

1717. *Watkins*.—Reported by Mr. Holden and myself in March, 1874.

1787. *Callaghan*.—Reported by Mr. Holden and myself in July, 1868.

1833. *Barker*.—A long and complicated title. Reported by Mr. Holden and myself.

1834. *Barker*.—A long and difficult title. Reported by Mr. Holden and myself.

1837. *Jeanneret*.—Difficult. Reported by Mr. Holden and myself.

1865. *Laker*.—Long. Reported by Mr. Holden and myself.

1868. *Lloyd*.—Reported by Mr. Holden and myself in August, 1870.

1895. *Nainby*.—Very complicated. Reported by Mr. Holden and myself in August, 1870.

1899. *Campbell*.—Perused by me. Withdrawn 29th October, 1869.

1915. *Williams*.—Long title. Reported by Mr. Holden and myself in September, 1868.

1959. *Vidler*.—Reported by Mr. Holden and myself in August, 1868.

1905. *West*.—Title under Will &c. Reported by Mr. Holden and myself in December, 1869.

1906. *Fariell*.—Long. Reported by Mr. Holden and myself in December, 1869.

1919. *Rundle*.—Reported by Mr. Holden and myself in November, 1868.

1981. *Jones*.—Reported by Mr. Holden and myself, September, 1868.

1982. *Richardson and another*.—Reported by Mr. Holden and myself in July, 1868.

1986. *Ryan*.—Reported by Mr. Holden and myself in June, 1869.

1998. *Griffiths*.—Reported by Mr. Holden and myself, July, 1868.

2006. *Campbell*.—Examined by me, application ultimately withdrawn.

2008. *Mitchell*.—Reported by Mr. Holden and myself, July, 1868.

2009. *Love*.—A long and special title. Will not proved. Reported by Mr. Holden and myself in November, 1868.

2010. *Williams and others*.—Long title. Reported by Mr. Holden and myself in July, 1868.

2011. *Stewart*.—Special. Reported by Mr. Holden and myself, 23rd November, 1870.

2013. *Cross*.—Reported by Mr. Holden and myself, July, 1868.

2014. *Bourne*.—Reported by Mr. Holden and myself, July, 1868.

2015. *Moore*.—Reported by Mr. Holden and myself in April, 1869, as to part of the land. Application for rest was

I think not prosecuted.

2016. *Thornton*.—Difficult. Mr. Holden and I were engaged on and off for about a week with this title in July, 1868. Withdrawn same month.

2017. *McDonell*.—1st class. Reported by Mr. Holden and myself, 8th July, 1868.

2018. *Cameron*.—1st class. Reported by Mr. Holden and myself, July, 1868.

2019. *Hudson*.—1st class. Reported by Mr. Holden and myself, 8th July, 1868.

2020. *Dangar*.—Reported by Mr. Holden and myself, September, 1868.

2021. *Treewe*.—Voluntary settlement. Examined by me. Letter sent to Wilson, 7th May, 1869. Case withdrawn, 13th May, 1869. 2022.

2022. *Bulmer*.—1st Class. Reported by Mr. Holden and myself, July, 1868.
 2023. *Welsh*.—1st Class. Reported by Mr. Holden and myself, 8th July, 1868.
 2024. *Rannard*.—Reported by Mr. Holden and myself, 8th July, 1868.
 2025. *Cave*.—1st Class. Reported by Mr. Holden and myself, 8th July, 1868.
 2026. *M'Kay*.—Reported by Mr. Holden and myself, 26th August, 1868.
 2027. *Winderlick*.—1st Class. Reported by Mr. Holden and myself, 8th July, 1868.
 2028. *Winderlick*.—1st Class. Reported by Mr. Holden and myself, 8th July, 1868.
 2029. *Cameron*.—Reported by Mr. Holden and myself, 7th July, 1869.
 2030. *Allen*.—Special title. Perused by me. Requisitions forwarded, 8th August, 1868. Withdrawn in 1872.
 2031. *Fisher*.—A very difficult case. Reported by Mr. Holden and myself, in October, 1868.
 2032. *Hutchinson*.—1st Class. Reported by Mr. Holden and myself, 8th July, 1868.
 2033. *Dillon*.—1st Class. Reported by Mr. Holden and myself, 8th July, 1868.

12th August, 1879.

E. BURTON.

C.

Memorandum furnished by the Registrar General.

THE Registrar General in Melbourne has under his control the Registrar General's Department. He is also Registrar of the Supreme Court and Registrar of Titles. The Branches do not appear separate as in Sydney, therefore the cost of each cannot be ascertained. During the year 1878 there were 48 ordinary officers, with 13 supernumeraries and 7 professionals, consisting of a Commissioner of Titles and 6 Examiners of Titles. The total amount expended in 1878 for salaries was £19,528. This does not include the cost of supernumeraries.

The Registrar General's Department in Sydney comprises the following: Statistical Branch, Deeds Branch, and Lands Title Branch, with a total of 32 ordinary officers, and 3 professionals, who are Examiners of Title. The amount expended in salaries during 1878 was as follows:—

The Registrar General	£700 0 0
Statistical Branch	1,500 0 0
Deeds Branch	995 0 0
Lands Title Branch	6,125 0 0
	£9,320 0 0

The fees collected in the Registrar General's Department are a sure test of the amount of work performed. I make a comparison between the years 1863 and 1878:—

	Total Amount collected.	Amount paid into Consolidated Revenue.
	£ s. d.	£ s. d.
1863	4,303 11 10	2,975 1 3
1878	19,480 10 10	13,614 13 2
Increase	15,176 19 0	10,639 11 11

I take these periods in order to show that some of the salaries are quite inadequate for the duties and responsibilities imposed, and they are moreover very low as compared with the salaries in other departments.

SALARIES.

	1863.	1878.
Registrar General	£800	£700
Deputy Registrar General	500	450
Principal Draftsman	600	500

These salaries were reduced by the late Sir C. Cowper on the resignation or death of former occupants, and have never been restored, though the business has so materially increased. There have not been any increases in salaries for many years. The cashier who has the collection and accounting for all our revenue receives only £175 per annum. In South Australia the Registrar General receives a salary of £750, with only the Deeds and Lands Title Branches. There is also a Registrar General of Births, &c., at £500, and the Statistical Branch is carried on by the Under Secretary as statist. These are all combined in New South Wales under one official—The Registrar General.

RETURN of the Officers and the amount of salaries received by them during the years 1863 and 1879 respectively:—

Appointment.	Salary for 1863.	Salary for 1879.
	£	£
Registrar General	800	700
Examiner of Titles	1,200	800
Do	1,000	800
Deputy Registrar General	500	450
Principal Draftsman	600	500
Assistant Draftsman	350	300
Clerk to Examiners of Titles	300	300
Clerk	225	225
OFFICERS APPOINTED SINCE 1863:—		
Examiner of Titles		800
Draftsman		250
Do		175
Do		125
Do		125
Do		75
Clerk		250
Do		200
Do		150
Do		150
Do		125
Do		100
Do		75
Do		50

E. G. WARD,
Registrar General.

D.

D.

[To A. H. McCulloch, Jun., Esq., M.P.'s. Evidence.]

A. H. McCulloch, Jun., Esq., M.P., to The Commissioners, Land Titles Office.

Gentlemen,

I have the honor to forward you (on the other side) a copy of a letter received by me in answer to the letters of inquiry referred to in my evidence. I regard the letter as procrastinatory and altogether unsatisfactory.

I have, &c.,

A. H. McCULLOCH, Jun.

165, Pitt-street, Sydney, April 30, 1879.

D 1.

The Registrar General to A. H. McCulloch, Jun., Esq.

Registrar General's Department Land Titles Office, Sydney, 25 April, 1879.

Applications.

No. 4723—Read.

No. 4776—Wardrop.

„ 4728—McCrorry.

„ 4778—Mount.

Sir,

In reply to your four letters, dated respectively 21st instant, inquiring as to the progress of the abovenamed cases, which you state were lodged in this office on the following respective dates, viz., 30th July last, 6th August last, 18th October last, and 22nd October last, I have to inform you that the Examiner in charge of these (Mr. Burton) makes the following report to me:—“This is one of the Eveleigh cases. As soon as I can confer with one of my colleagues as to how much of the title he and Mr. Oliver accepted in the case which they investigated, I may proceed with this application.

The like remarks apply to cases 4,728, 4,776, and 4,778.”

I am, &c.,

E. G. WARD,

Registrar General.

E.

Remarks on the Real Property Acts and their working.

I TAKE it that the objects sought to be attained by the principal Act were simplicity, certainty, safety, cheapness, and despatch.

It is obvious this last-mentioned desideratum could scarcely be expected where the State with a moderate staff endeavours to do the whole of the conveyancing of the country, together with such surveyors' work as may be incidental to the transactions dealt with. It would, however, be well worth while to put up with some delay if the other objects of the Act were attained. I believe that were the Act amended, and carried out in its proper spirit, they could be attained, but it is unfortunately too notorious that they are not so at present.

It was no doubt intended that titles under the Act should consist of one document only, which should confer an indefeasible title. It so happens that the form of certificate in use refers to, and therefore gives notice of, the instrument by virtue of which it is issued, and it is very questionable therefore whether the register should not be searched to see that the instrument in question did really confer the estate expressed in the certificate. I understand this very question arose in South Australia, and that it is or was the practice to require an abstract of the previous title as under the old system, it being considered the saving clauses in the Act did not meet the case. Again, it is the practice of the office in issuing certificates to state the holders have a title subject to the conditions and reservations contained in the original grant from the Crown without specifying them, so that it is necessary for the purchaser to obtain a copy of the grant. Further, in very many instances no proper description is given of the land, but reference is made to a plan lodged in the office. In the event therefore of an action being brought involving a question of title it would be necessary to subpoena the Registrar General to produce the plan, and of course on a sale a similar difficulty would arise. The small plans in the margin are of no use, they simply show the outline of the land, not its locality or bearing towards any point which might enable it to be identified. I have in my possession a certificate of title which describes the land as in “Dawson-street, in the parish of Newcastle, allotment — on a deposited plan” and nothing more. Now there are besides the city of Newcastle several townships miles apart in the parish of Newcastle; which of them the land is situate in my client, who took the land as a bad debt, does not know, but believes it to be in one some miles out of Newcastle. If he attempted to sell I am afraid he would be put to some expense in identifying the land.

As regards expense, I would refer in the first place to the cost of obtaining a fresh certificate in every instance where a property is sold in lots, unless the owner chooses to risk leaving his title in the office, and unless purchasers are willing to take his word as to its existence. It frequently happens also that under the Act several instruments have to be prepared to meet a case that one deed only would suffice for under the old system, and that an expensive process has to be gone through in many instances where none was previously necessary. In one instance I was very poorly paid with £30 for work done under the Act which under the old system I would cheerfully have done for £5, and it recently cost a client nearly £20 to be registered as devisee under his father's will, a source of expense peculiar to the Act and I think utterly unnecessary. The necessary steps to appoint a new trustee are very costly.

As to the risks run, there may be included those arising from trustees having it in their power to make away with the Trust Estate, the fact that searches do not appear to be made prior to a property being brought under the Act, and that no provision is made for any record being inserted in the old register that a property is being or has been brought under the Act, and from the apparent neglect to compare references to instruments with the instruments themselves. Some little time ago a client of mine purchased a valuable property in two lots. I was furnished with an abstract of title under the old system, had it compared with the deeds, and had a careful search made which disclosed no encumbrances. Shortly before the settlement the vendor's solicitors informed me some of the property was being brought under the Act, and had been advertised long prior to my being supplied with the abstract. As the deeds related to several properties, and would therefore not have been delivered up, I should, but for this information have settled, little dreaming that my client's title was in process of extinction. In another instance a client made large advances on the deposit of some certificates of title, &c. After a considerable sum had been advanced he brought me the papers to make as good a security as I could. The land was coal land, and I observed an endorsement stating there was an encumbrance of a Royalty of 6d. a ton on all coal that might be raised. It turned out this was an untrue statement, as the encumbrance was actually an overdue charge of several thousand pounds. There were besides several matters in connection with this title which showed that proper precautions had not been taken in the office.

I think a great deal of the delay that occurs arises in the first place from want of proper system, and in the second from the Examiners in their very laudable desire to have matters correct, making requisitions which a Court of Equity would disallow in a suit for specific performance. My own experience is that matters are not attended to in the order of their being left at the office, as I frequently get back matters complete before others of much longer standing and of no greater complexity, and weeks or months may elapse between the return of the first and last of a batch of papers sent in at the same time.

Among other requisitions which I think might be dispensed with, are those requiring proof of payment of debts of the testator or intestate in cases of transmission by will or intestacy, and of the mortgage money being due in cases where a mortgagee exercises his power of sale and his security contains the customary clause exonerating the Registrar General and the purchaser from seeing to the fact or from the effect of notice that it is not due. It is a well-known rule that a charge

of debts generally does not follow land in the hands of a purchaser, and it might be impossible for the administrator to pay the debts without selling the land, and he certainly would not in any case if it formed the only asset do so where they exceeded its value, and there would in such case be no chance of the creditors getting paid without wasting the assets in an Equity suit. A purchaser in the second instance mentioned might have raised the very point in a suit for specific performance which would of course be overruled, and he would be compelled to complete his purchase with the full knowledge that the office would not give him a title.

I think the examiners are too technical in their ideas as to the forms which should be used where none are prescribed by the Act. I have frequently had papers sent back which were in a form that certainly would have passed muster in a matter under the old system, because they were not technically worded, although the words more clearly expressed the meaning of the parties than the altered form did.

Of course I have mentioned a few instances only out of a great many, but one result that has arisen from difficulties created in the most simple cases where the Act has been fairly observed is that the solicitor for the local Building Society, in cases where the vendor of land under the Act is to be paid by means of money to be advanced by his clients, refuses to allow the money to be paid until both the transfer and mortgage are registered, and the vendor is therefore kept sometimes for months out of his money. He informs me he has found this absolutely necessary, as in several instances he has had papers returned to comply with some out-of-the-way objection not justified by the Act, and where the vendors had left the district he had in one or two cases great trouble in completing the title.

There is no means under the Act (at all events the office hold there is not) of entering into covenants to run with the land in cases of transfer of the fee simple. The want of such a provision has given rise to a great deal of the litigation in the celebrated case *Dibbs v. Brown*. Years ago I prepared an agreement which has been much litigated, and inserted conditions in the transfer made in pursuance of it to meet its provisions, but they had to be struck out. This ought to be remedied, and I think also any agreement or instrument relating to land should be registered whatever its nature may be.

The list of implied covenants is far too meagre. It does not for instance meet the case of a mining or building lease. I do not see the necessity for requiring notices, &c., before a mortgagee can exercise his power of sale. The mortgage is sure to negative such necessity, and this and all other forms should be as much as possible in accordance with ordinary practice so as to avoid need for alteration as much as possible.

One great obstacle to the successful working of the Act is the ignoring of trusts, while at the same time protection is sought to be given to the parties beneficially interested by a mode at once cumbrous, expensive, and insecure, besides throwing difficulties in the way of carrying out the trust, and even of appointing new trustees. The plan of the Act is taken, in a great measure, from that part of the "Merchant Shipping Act of 1854" which relates to titles and dealings with vessels, and the framers seem to have lost sight of the different nature of a perishable chattel like a ship which is scarcely ever the subject of a trust, and which is practically indivisible to that of land which is perpetual, capable of almost infinite subdivision, and in which an infinite variety of interests can be held, many of them from the fact of marriage, infancy, &c., absolutely requiring the action of a trustee. There is no earthly reason why a certificate of title should not say, "A B is entitled to an estate in fee simple upon trusts, &c." [specifying briefly the nature of them], just as well as it should say he is entitled simply, and oblige him to have declarations of trust filed, caveats lodged, &c. Where property was left by will the trusts would be copied from it *verbatim*, where the trusts were created by an instrument under the Act, a statement of the nature of them without technical language would suffice. It appears to me this simple proceeding would meet the whole difficulty. The instrument need not be long; it would show the exact interest of everybody interested under it; it would dispense with reference to any other document, would prevent fraudulent dealings by trustees where no caveats were lodged, facilitate the appointment of new trustees, do away with declarations of trust, caveats, and a whole host of other obstructions, and be infinitely more simple and inexpensive. If the plan were adopted the system of caveats could be abolished. Except in case of trusts, at present they simply enable a malicious man to injure his neighbour. Very few people who had any real claim would ever resort to them. They would do at once what they would have to do ultimately, namely, resort to a Court of Equity. Supposing, however, it should be thought desirable to retain caveats, every caveator should be compelled to lodge with his caveat a statutory declaration affirming *bona fides* and setting out fully the circumstances on which he bases his claim, and also to deposit all papers in his possession proving it. The examiners might decide on the claim with power to appeal to the Supreme Court.

In many cases an owner of land might desire to have dealings with it which the Act could not provide for. To meet such cases he might be allowed to deal with his certificate as with a Crown grant under the old law, notification of the fact appearing on the register. If he subsequently thought it desirable to do so he could again bring the property under the Act.

As before suggested, search should be made against all applicants to bring property under the Act. Licensed searchers might be appointed, whose certificate of result of search should be receivable.

Every application to bring property under the Act should be registered under the old system. If the application fail or be withdrawn, a certificate by the Registrar General should be registered. If it be carried out to a successful issue that should be notified on the registered copy of the application.

It would be a great boon to people in the country if business were transacted by correspondence as was done some time ago.

I think it would very much facilitate matters if a separate register were kept for each county, or for each district, containing two or more counties. One or more registers could be in charge of one officer, instead of having several to attend to all. The effect of any delay or obstruction would be confined to the particular register in which it arose; it would facilitate searching and be more convenient for reference; and ultimately, when the population of any particular part of the country became sufficiently numerous to justify the establishment of a local register, the particular books relating to it could be forwarded at once without the delay, expense, and risk of mistake, to be incurred by making the extracts which would otherwise be necessary.

Wherever title deeds which relate as well to property brought under the Act as to property remaining under the old system are retained by the proprietor, or other person entitled to their custody, the Registrar should endorse on them a reference to the transactions coming within the scope of his duties.

Where property devolves by will or intestacy, there ought to be no necessity for the present expensive process of registering the transmission; on a sale by the devisee or administratrix the transferee should be entitled to have his title on depositing his transfer, and producing the probate or letters of administration.

The power to require deposit of maps is I think frequently unnecessarily used and might with advantage be curtailed.

The necessity for the proprietor of land sold in lots depositing his title deed and thus having nothing to show might be avoided by permitting him to have endorsed on his certificate of title a plan shewing the subdivision. The certificate could accompany each transfer sent to be registered, and have endorsed on it a memo., showing the number of the particular lot transferred, and be then returned to him, thus shewing all the transactions in case of a subdivision as if the whole had been sold.

A book ought to be kept shewing the date of receipt of every instrument sent in for registry, and also when certificate issued, and with a column of remarks. This daily looked over would show the officer keeping it what matters he had in hand incomplete, and prevent many papers from lying forgotten for months in the pigeon-holes. It should be made penal to take any matter out of its proper turn.

HENRY J. BROWN.

Newcastle, 30 May, 1879.

INFORMATION FURNISHED BY THE REGISTRAR GENERAL.

F.

Area of Land alienated by the Crown up to 31st December, 1862.

Old Settled Counties	6,569,016 acres.
Remainder of the Colony	1,175,529 "
Unconditionally sold by selection	22,346 "
Total.....	7,766,891 acres.

APPENDIX.

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F 1.

Land comprised in grants registered under the Real Property Act.

Year.	Area.			Value.		
	a.	r.	p.	£	s.	d.
1863	31,752	2	9	36,406	9	2
1864	71,929	3	26	95,007	18	10
1865	60,927	3	6	77,312	5	5
1866	113,737	0	4	139,526	2	11
1867	172,598	1	35	212,101	19	5
1868	246,878	1	1	271,158	7	10
1869	169,953	1	2	185,939	4	4
1870	141,415	3	26	163,557	10	6
1871	138,972	2	32	162,107	6	2
1872	173,922	3	11	187,783	17	6
1873	237,879	3	25	248,792	1	6
1874	280,355	2	5	326,228	18	9
1875	834,956	0	35	848,883	1	10
1876	660,011	3	4	671,353	18	11
1877	1,174,286	1	16	1,204,648	3	0
1878	2,039,163	1	14	2,063,908	4	10
Aggregate	6,548,741	3	11	£6,899,715	10	11

F 2.

Land brought under the Real Property Act by application.

Year.	Area.			Value.
	a.	r.	p.	
1863	67,913	1	15	£439,278
1864	31,839	0	38½	310,165
1865	20,922	1	4	326,168
1866	37,236	1	25½	278,063
1867	35,957	2	20½	261,484
1868	58,653	1	9½	214,813
1869	30,860	0	22½	177,569
1870	51,907	1	37½	203,476
1871	14,519	3	30½	197,338
1872	35,459	0	23	157,376
1873	31,207	1	18½	335,289
1874	26,369	0	15	362,403
1875	21,398	1	7½	229,258
1876	6,514	2	2½	220,166
1877	6,801	3	37	210,431
1878				156,390
Aggregate	477,560	0	26½	£4,079,667

F 3.

Return showing number of applications to bring Land under Real Property Act and how disposed of.

Year.	Number received.	Number withdrawn.	Number passed.		Number undisposed of.
			1st Class.	2nd Class.	
1863	340	.....	105	170	65
1864	362	.....	133	206	23
1865	434	15	132	250	52
1866	379	8	124	253	2
			50	77	
1867	324	10	59	119	19
			59	164	
1868	304	17	59	194	81
1869	300	8	89	173	17
1870	280	7	90	155	17
1871	269	12	78	153	36
1872	229	6	72	155	4
1873	251	7	48	155	48
			18	53	
1874	288	9	44	95	78
			66	163	
1875	256	8	54	163	27
1876	241	3	40	110	24
1877	240	9	30	161	90
1878	203	9			12
	4,700	127	1,291	2,814	595

APPENDIX.

F 4.

Return showing number of Transmissions and how disposed of.

Year.	Number received.	Number withdrawn.	Number passed.	Number undisposed of.
1863	.....	.....	.....	.....
1864	4	1	1	3
1865	9	.....	4	5
1866	4	.....	1	3
1867	20	.....	10	10
1868	21	1	11	10
1869	31	1	22	9
1870	42	.....	15	27
1871	44	2	31	13
1872	59	2	43	16
1873	65	.....	44	21
1874	80	2	56	24
1875	132	5	94	38
1876	136	4	96	40
1877	155	6	136	19
1878	206	2	195	11
	1,008	26	759	249

F 5.

Return showing number of cases dealt with by different Examiners.

	1st Class.	2nd Class.	Transmission.
No. of cases passed by Messrs. Holden and Dick, from 1st January, 1863, to 30th May, 1867, when Mr. Dick left for England—a period of 4 years and 5 months	544	956	11
Ditto passed by Messrs. Holden and Pennington, from 1st June, 1867, to 30th June, 1868—the former date is when Mr. Pennington was appointed, and the latter when he resigned—a period of 13 months	108	283	11
Ditto passed by Messrs. Holden and Burton, from 6th July, 1868, when Mr. Burton was appointed to 15th April, 1874—the date of Mr. Holden's death—nearly six years	423	965	188
Ditto passed by Messrs. Burton, Jones, and Oliver, from the 13th July, 1874, when the two last-named were appointed to 1st October, 1878, when Mr. Maddock was appointed in the room of Mr. Oliver—nearly 4½ years	229	638	441
Number of cases passed by Messrs. Burton, Jones, and Maddock in October, November, and December, of 1878	5	55	108

Land Titles Office, August 8, 1879.

F 6.

Return shewing the number of Officers employed in the Land Titles Branch of the Registrar General's Department in the years 1863 and 1878.

1863.—Registrar General, Land Titles Commissioners (2); Examiners of Titles (2); Deputy Registrar General, Principal Draftsman, Assistant Draftsman, Clerk to Examiners and a Clerk. In all 10 officers.

1878.—Registrar General, Land Titles Commissioners (2); Examiners of Titles (3); Deputy Registrar General, Principal Draftsman; Draftsmen (6); Clerks to Examiners (2); Clerks (9). In all 25 officers.

F 7.

Return of Fees paid into Consolidated Revenue.

Year.	Amount.
1864.....	£662 6 10
1878	7,347 16 0

E. G. WARD,
Registrar General.

G.

The Registrar of Titles, Melbourne, to James Norton, Esq.

Sir,

Office of Titles, Melbourne, 26 June, 1879.

I have the honor to acknowledge the receipt of your letter of the 21st instant, asking for certain items of information as to the working of the Transfer of Land Statute in this colony, and have pleasure in furnishing the following replies:—

1. The system came into force on the 2nd October, 1862.
2. The total area of land alienated by the Crown up to that date was 5,101,825 acres, valued at £10,489,560.
3. The total area of land brought by application under the system up to the end of 1877 was 541,035 acres, valued at £9,180,315.
4. Total area of land granted by the Crown under the new system up to the end of 1877—6,004,753 acres, valued at £7,837,048.
5. There are six Examiners of Titles—one at £800 per annum, four at £700, and one at £500. (The Commissioner of Titles receives £1,800 per annum.)
6. The average number of titles reported on by each Examiner during 1878 was 246. No distinction by class is made as to titles—long and short ones being taken equally by all Examiners.
7. During the year 1878 there were effected 1,162 entries of executor, &c., as transferee or proprietor.
8. It would be difficult to arrive at the highest and lowest rates of additional assurance as, when the indemnity is fixed by the Commissioner, it is according to what, in his judgment, will be sufficient to cover the risk attached to the flaw in the title (see section 32). From $\frac{1}{8}$ per cent. to 5 per cent. have been paid. Where registered memorials of deeds are accepted as evidence 20s. is charged for each memorial, without regard to the value of the land.
9. The balance of the Assurance Fund at the end of 1877 was £47,314.
10. Several demands for compensation have been made upon the Assurance Fund, but have been abandoned—I presume because the claimants had no good grounds upon which they could legally prosecute them.
11. Three claims against the Assurance Fund have been successfully prosecuted—the total amount recovered being £718 0s. 4d.

For your further information I enclose a copy of the Statistical Register of Victoria, for 1877—Part VII—Law, Crime, &c.

Registrar of Titles.

P.S.—In consequence of some of the returns not yet being completed for 1878, I have given the information up to the end of 1877.

* Signature of Registrar of Titles accidentally omitted.

1879-80.

NEW SOUTH WALES.

REAL PROPERTY ACT.

(RETURNS UNDER FOR 1879.)

Presented to Parliament by Command.

RETURN of the number of Applications, with amount of Fees, &c., under the Real Property Act, from 1st January to 31st December, 1879.

Month.	No. of Applications.	No. of Properties.	Area.		Value.	Fees.			
			Town and Suburban.	Country.		Assurance.	Commissioners.	Certificates and other Dealings.	Total.
			a. r. p.	a. r. p.	£	£ s. d.	£ s. d.	£ s. d.	£ s. d.
January	11	23	21 3 23½	11,256 1 0	25,278	52 13 3	17 0 0	652 6 0	721 19 3
February	10	14	11 0 27½	160 0 0	4,916	10 4 10	13 10 0	710 16 0	734 10 10
March	13	21	9 0 27	1,504 0 36	6,745	14 1 1	20 10 0	654 12 0	689 3 1
April	8	17	55 3 3	.....	2,960	6 3 5	6 0 0	584 12 0	596 15 5
May	16	17	102 3 27	701 3 22	6,680	13 18 4	17 0 0	645 17 8	676 16 0
June	8	19	10 0 8½	56 0 15	2,517	5 4 10	7 10 0	700 10 0	713 4 10
July	13	29	24 2 22½	415 1 22½	9,187	19 2 10	17 0 0	731 10 4	767 13 2
August	11	18	32 2 24½	.....	20,746	43 4 5	17 10 0	642 0 0	702 14 5
September	14	17	9 1 3½	2,681 0 11	32,708	68 2 10	23 0 0	608 11 0	699 13 10
October	10	17	153 1 8½	361 2 32	14,658	30 10 7	19 10 0	843 19 0	893 19 7
November	11	16	15 3 14½	1,465 2 20½	8,961	18 13 5	21 0 0	566 14 0	606 7 5
December	13	16	35 3 38½	84 0 5	21,790	45 7 11	20 10 0	571 3 0	637 0 11
TOTALS	138	224	482 2 30	18,686 1 4	157,146	327 7 9	200 0 0	7,912 11 0	8,439 18 9

The above Return is exclusive of one application which has been withdrawn.

NUMBER of dealings registered under the Real Property Act during the year 1879.

Instrument.	No.	Amount of Consideration.
		£
Transfers	3,425	1,422,547
Mortgages	1,860	3,414,000
Encumbrances	24	158,777
Discharge of Mortgages and Encumbrances	737	848,987
Caveats	191	.....
Withdrawals of Caveat... ..	89	.....
Transfers of Mortgage... ..	52	.....
Leases	66	.....
Transfers of Lease	15	.....
Surrenders of Lease	22	.....
Notice of Marriage	2	.....
Notice of Death	46	.....
Registered Proprietor by Survivorship	26	.....
Writ	33	.....
Satisfaction of Writ	5	.....
Vesting Order	2	.....
Foreclosure of Mortgage	1	.....
Power of Attorney	38	.....
Transmission by Endorsement	131	.....
Declaration of Trust	23	.....
	6,788	5,844,311

RETURN of the number of Crown Grants registered under the Real Property Act, from 1st January to 31st December, 1879.

Month.	No. of Grants.	Area.		Value.	Assurance.
		Town and Suburban.	Country.		
		a. r. p.	a. r. p.	£ s. d.	£ s. d.
January	1,084	68 1 17	197,969 0 27	200,029 7 10	416 17 0
February	4,880	307 3 18 ³ / ₄	747,741 1 32 ¹ / ₂	769,802 12 5	1,605 0 2
March	4,138	179 3 37 ¹ / ₂	612,980 0 15 ¹ / ₂	629,669 1 0 ¹ / ₂	1,312 14 2
April	504	307 1 1 ¹ / ₂	26,182 0 23	35,577 16 4	74 4 4
May	528	91 1 5	58,715 2 15	72,454 8 2	151 0 7
June	672	32 0 0 ¹ / ₂	118,376 0 13	136,301 11 5	284 2 0
July	589	51 2 0 ¹ / ₄	94,420 2 34	119,687 6 11	249 10 10
August... ..	2,783	346 3 26 ¹ / ₂	395,676 1 8 ¹ / ₂	488,157 8 6	1,017 9 2
September	1,066	807 2 31	50,140 3 28 ¹ / ₂	53,071 1 3	110 12 0
October	1,252	269 2 17 ¹ / ₂	182,774 0 18 ¹ / ₂	212,435 19 7	442 16 8
November	1,778	213 1 37	261,376 2 31 ¹ / ₂	308,201 4 8	644 9 7
December	381	55 3 16	35,435 0 22 ¹ / ₂	38,461 5 7	80 4 4
TOTALS... ..	19,655	2,731 3 7 ¹ / ₂	2,781,788 1 29 ¹ / ₂	3,063,849 3 8 ¹ / ₂	6,389 0 10

NOTE.—Amount of consideration money for transfers under the Act for the year 1879 £ s. d.
 Amount secured by mortgage under the Act for the year 1879 1,422,547 0 0
 Total area under the Act to end of the year 1879—9,837,516 acres 2 roods 22 perches. Total value 3,414,000 0 0
 of land under the Act to end of the year 1879 14,197,182 19 9

E. G. WARD,
 Registrar General.

1879.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

COLONIAL ARCHITECT.

(ESTIMATES PREPARED BY.)

Ordered by the Legislative Assembly to be printed, 18 December, 1879.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated the 20th day of June, 1879, That there be laid upon the Table of this House,—

“The number of Estimates prepared during the last three years by the
“Colonial Architect for which further sums have had to be voted by
“Parliament, showing the original amount and the further sums so required
“in each case.”

(*Mr. Cameron.*)

COLONIAL ARCHITECT.

RETURN showing number of Estimates prepared during the last three years by the Colonial Architect for which further sums have had to be voted by Parliament, showing the original amount and the further sums so required in each case. [Mr. Cameron's motion, 20th June, 1879.]

Building.	Work.	Amount of Estimate.			Year.	Original amount of Vote.			Further sum required.			Remarks.
		£	s.	d.		£	s.	d.	£	s.	d.	
Parramatta Lunatic Asylum ...	Additions, &c. ...	38,000	0	0	1877	25,000	0	0	13,000	0	0	The original amount voted was given as an approximate estimate of the cost of a new wing to this Asylum, asked for by the Inspector of the Insane, and before particulars and requirements were furnished of the accommodation considered necessary.
Bingera Post and Telegraph Office	Erection	1,450	0	0	"	800	0	0	898	0	0	
Coonabarabran Post and Telegraph Office.	do	2,100	0	0	"	1,200	0	0	1,049	0	0	These original amounts were not estimated by Colonial Architect, but were furnished by Postal Department to be placed on Estimates.
Morriwa Post and Telegraph Office.	do	1,575	0	0	"	800	0	0	900	0	0	
Rockley Post and Telegraph Office.	do	1,300	0	0	"	800	0	0	660	0	0	
Walgett Post and Telegraph Office.	do	1,970	0	0	1878	1,500	0	0	815	0	0	
Windsor Post and Telegraph Office.	do	1,600	0	0	"	1,500	0	0	545	0	0	
Moree Post and Telegraph Office	do	1,500	0	0	"	1,000	0	0	850	0	0	
Gunnedah Post and Telegraph Office.	do	1,800	0	0	1877	1,000	0	0	1,450	0	0	These original amounts were placed on Estimates at the request of the Postal Department by Colonial Architect before particulars were furnished of the accommodation required.
Tumut Post and Telegraph Office	do	2,300	0	0	"	1,200	0	0	1,407	0	0	
Victoria Park	Dwarf-wall, &c. ...	3,250	0	0	"	2,000	0	0	1,250	0	0	The further amount is required for additional wall and railing not originally asked for.
Gundagai Post and Telegraph Office.	Erection	2,600	0	0	"	1,500	0	0	1,875	0	0	This original amount was not estimated by Colonial Architect, but was furnished by Postal Department to be placed on Estimates. £775 of the further sum is required for extra foundations, rendered necessary by the irregularity of the site, description of which had not been received when estimate was prepared.
Tenterfield Court-house and Lockup.	do	4,000	0	0	"	4,000	0	0	432	0	0	The further sum was required in consequence of having to provide accommodation for holding Courts of Petty Sessions not asked for when original estimate was submitted.
Gracemell Lockup	do	1,200	0	0	"	1,200	0	0	100	0	0	The original amount was not placed on the Estimates by Colonial Architect.
Custom House, Sydney.....	Additions, &c. ...	2,700	0	0	"	1,750	0	0	950	0	0	This further sum was required to provide accommodation for Government Analyst, &c., which was not asked for when original estimate was prepared.
Liverpool Benevolent Asylum ...	Repairs, &c.	1,370	0	0	1878	1,000	0	0	416	0	0	The original amount was not estimated by Colonial Architect, but was placed on Estimates at the request of the Colonial Secretary.
Inverell Police Quarters	Erection	1,000	0	0	"	800	0	0	400	0	0	These original amounts were not estimated by the Colonial Architect, but were furnished by the Inspector General of Police to be placed on Estimates.
Walgett Police Barracks	do	1,800	0	0	"	1,200	0	0	970	0	0	
Yass Court-house	do	8,000	0	0	1877	6,000	0	0	2,000	0	0	£6,000 were placed on Estimates as the approximate value of the work, but when particulars of accommodation were furnished and the site determined upon, the building was estimated to cost £8,000; a contract however has been taken amounting to £7,300.
Parramatta Protestant Orphan School.	Additions	800	0	0	"	800	0	0	191	0	0	These further sums were required to make up the amounts of the tenders accepted for the various works.
Parramatta Hospital.....	Repairs, &c.	1,955	0	0	"	1,955	0	0	41	0	0	
Newcastle Custom-house	Dwarf-wall, &c. ...	630	0	0	"	630	0	0	244	0	0	
Wentworth Court-house	Erection	2,800	0	0	"	2,750	0	0	430	0	0	
South Head Road	Erection of dwarf wall, &c.	2,600	0	0	"	2,600	0	0	193	0	0	
Blayney Court-house and Lockup	Erection	3,000	0	0	"	3,000	0	0	250	0	0	
Albury Land and Survey Office	do	2,000	0	0	"	2,000	0	0	221	0	0	
Darlinghurst Lunatic Receiving House.	Additions	3,600	0	0	"	2,800	0	0	1,068	0	0	
Tamworth Police Station	Additions, &c. ...	1,042	0	0	1878	1,042	0	0	138	0	0	
Cooma Lunatic Asylum	do	1,300	0	0	"	1,300	0	0	375	0	0	

Building.	Work.	Amount of Estimate.	Year.	Original amount of Vote.	Further sum required.	Remarks.
		£ s. d.		£ s. d.	£ s. d.	
Montague Island Light-house ...	Erection	15,000 0 0	1877	15,000 0 0	1,900 0 0	£3,000 of the amount voted for this work was required for lantern, and a contract taken for £13,900, or £1,900 more than the balance of the vote; the contract however has been cancelled.
Murrumburrah Court-house ...	do	2,000 0 0	„	1,200 0 0	800 0 0	This estimate was the approximate value of the work, no particulars having been furnished when the amount was placed on Estimates. On the plan being prepared providing the accommodation asked for, the building was estimated to cost £2,000.
Euston Court-house, Lockup, &c.	do	2,400 0 0	„	1,500 0 0	900 0 0	£1,500 was placed on Estimates as the approximate value of the work, but when particulars of accommodation were furnished it was found that the cost would be increased by the further sum named.
Victoria Barracks	Drainage	5,000 0 0	„	3,000 0 0	2,000 0 0	The further sum is required in consequence of the line of drainage being altered and increased, necessitating a larger outlay.
Morpeth Post and Telegraph Office.	Erection (including purchase of site).	2,200 0 0	1879	2,000 0 0	200 0 0	The original sum included in Colonial Architect's draft estimates was £2,200, but as only £2,000 was placed on printed Estimates the further sum was asked for.

Colonial Architect's Office,
Sydney, 4 December, 1879.

JAMES BARNET,
Colonial Architect.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REMOVAL OF CAMPBELL'S WALL.

(CORRESPONDENCE, &c.)

Ordered by the Legislative Assembly to be printed, 3 February, 1880.

RETURN to an Order made by the Honorable the Legislative Assembly of New South Wales, dated 1st November, 1878, That there be laid upon the Table of this House,—

“ Copies of all Correspondence, Letters, &c., between the Municipal Council, Australasian Steam Navigation Company, and the Government, with reference to the removal of Campbell's Wall, Lower George-street.”

(Mr. J. Davies.)

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REMOVAL OF CAMPBELL'S WALL.

No. 1.

Memorandum by Mr. F. W. Unwin.

MR. UNWIN proposes to form an opening through the ridge of rock intersecting Argyle-street, and to continue that street to its junction with Kent-street. The opening to be 30 feet wide, and the sides of the rock to be cut down even and left with a fair face, and to be protected by a firm railing on each side for its whole length. The width of Argyle-street being 60 feet, and the central opening 30 feet, there will remain two causeways for foot-passengers over the rock of, 15 feet in width between the opening and the line of the buildings, which are to be ascended by a flight of steps at each end of the ridge. The levels to be taken from the top of the culvert crossing Argyle-street, agreeably to a plan of the ground made in contemplation of a tunnel, in the Office of Works. The communication in Prince's-street and Cumberland-street to be preserved by means of two bridges of wood of a structure and form to be approved of by Government. The entire work to be completed in eight months, and to be carried on and finished to the approbation of the Director of Public Works or other officer to be appointed by His Excellency the Governor.

In compensation, Mr. Unwin to receive a grant of so much of the Crown Land abutting on the line of street as is marked red in the annexed *plan, and to have assigned to him four mechanics (viz., two quarrymen, one carpenter, and one smith) and eight labourers.

Sydney, 20 May, 1831.

F. W. UNWIN.

* Not with the papers.

No. 2.

Memorandum by Mr. Unwin.

MR. UNWIN has the honor to present his compliments to Colonel Dumaresq, and requests to be informed whether the Governor has come to any determination with respect to his proposal to form a communication through Argyle-street to Darling Harbour.

Mr. Unwin applied yesterday at the Colonial Secretary's Office, and was referred by Mr. Macleay to Colonel Dumaresq.

Sydney, 20 June, 1831.

Minute on No. 2.

* It will be better to tell him I am not prepared to enter into this matter at present, the Government having so many pressing matters in hand at this moment.—June 27.

* This minute has evidently been written by His Excellency Gov. Darling, although no initials are attached thereto.

No. 3.

The Colonial Secretary to Mr. Unwin.

Sir,

Colonial Secretary's Office, Sydney, 29 June, 1831.

Referring to the proposal made by you on the 20th ultimo, to form an opening through the ridge of rock intersecting Argyle-street, and to continue that street to its junction with Kent-street, I am directed by His Excellency the Governor to inform you that he is not prepared to enter into the object in question at present, the Government having many pressing matters on hand at this moment.

I am, &c.,

ALEX. MCLEAY.

No. 4.

Memorial by Messrs. Aspinall, Brown & Co., and others.

To His Excellency Lieutenant-General RALPH DARLING, Governor of the Colony of New South Wales and its dependencies.

The Memorial of the undersigned proprietors and occupiers of land and premises in the Town of Sydney,—

SHOWETH:—

That from the rapid increase of the town of Sydney and the extension of its trade, the Cove does not afford sufficient space for the convenient mooring of the shipping, whilst the small extent of its shore applicable to such a purpose prevents the formation of additional wharfs and warehouses which have become absolutely necessary to carry on the traffic of the place, and that in consequence many of the larger mercantile establishments have been carried round into Darling Harbour.

That the very general success of the whale-fishery has caused that to be the channel in which a great part of the capital of the Colony is now employed, and it may reasonably be expected that branch of trade will continue to be a main object with the colonial merchants, whilst the obvious advantages attached to this port as an entrepôt for the fishery render it highly probable that the English ship-owners will fit out their fishing-vessels from hence. The insufficient accommodation of Sydney Cove will of course cause the new establishments to be made in Darling Harbour.

That the communication from the shore of Sydney Cove to that of Darling Harbour is extremely inconvenient from the natural position of the town, the eastern side of which is divided from the western by an abrupt ridge of rock, and the only present access from one shore to the other by any description of cart or carriage is by the steep and difficult road over the Church Hill, or the circuitous track by Dawes' Battery

Battery—a disadvantage seriously felt by the present occupiers of premises on the shore of Darling Harbour, and operating strongly against further improvements on that side of the town; some merchants connected with the whale fishery having preferred carrying their establishments altogether over to the North Shore to encountering this difficulty of access.

That a short and easy communication between these two parts of the town would be effected by cutting through the dividing ridge at Argyle-street, and either forming a tunnel (the distance being but 280 feet) or cutting down the rock, and throwing a bridge over the hollow so as to preserve the line of communication in Princes-street.

That your memorialists believe that this subject has already occupied your Excellency's attention, and that a plan for the formation of a tunnel has been submitted to and received the approbation of Government.

Your memorialists, lastly, beg to call your Excellency's attention to the fact that the expense of this work would be almost defrayed by the increased value it would confer upon the Crown Land on the western side of the town, whilst the advantage and convenience of it to the public mark it as one of the most important as well as necessary works that can engage the attention of Government.

But should the public works now in progress fully occupy the means at the disposal of Government, your memorialists do not doubt that individuals will readily be found willing to undertake the work on receiving as a remuneration such of the Crown Lands as abut on the line of the proposed opening.

Your memorialists, therefore, humbly pray your Excellency to take the subject into your Excellency's early consideration, and afford them such relief and assistance as to your Excellency shall seem proper.

And your memorialists shall ever pray, &c.

ASPINALL, BROWN, & CO.,
And twenty others.

Minute on No. 4.

Mr. Unwin has been informed by the Colonial Secretary that this proposition cannot be entertained at present.—R.D., 28 July, 1831.

No. 5.

Mr. C. Wilson to The Colonial Secretary.

Sir,

Office of Public Works, Sydney, 22 November, 1831.

Enclosed.
*Letter-book not obtainable.

I have the honor to return you Mr. Campbell's letter, dated 17 September last, transmitted with you letter of the *21st October, directing my report thereon. In attention I have to acquaint you, for the information of His Excellency the Acting-Governor, that the Town Surveyor, on examining the books in the Surveyor General's Office, states that he can find only two leases to Mr. Campbell, containing 2 acres 2 roods 16 perches, and 2 roods, dated 11th August, 1804, for fourteen years. On comparing them with his present land the difference is so great that he is at a loss to know how the descriptions were made out, as they contain more than double the above quantity, and encroach considerably on the adjoining allotments.

* Not with papers.

Under these circumstances, I conceive it will be necessary that Mr. Campbell should be required to furnish an extract from the deed or leases upon which he claims the land he occupies in this part of Sydney, unless the letter he refers to, dated *3rd April, 1830, addressed to His Excellency, contains the information required, which letter or copy does not appear in this office.

I have, &c.,
CHAS. WILSON, C.E.

Minute on No. 5.

The Town Surveyor should apply to Mr. Campbell for information, to enable him to report satisfactorily.

[No initials to this minute; supposed to have been written by Acting-Governor Colonel Lindsay.]

[*Enclosure to No. 5.*]

Mr. R. Campbell to The Colonial Secretary.

Sir,

Sydney, 17 September, 1831.

Perceiving that the Government gangs are widening and repairing the street in front of the residences of the Venerable Archdeacon and the Collector of the Customs, which runs through my property, I have the honor to request that you will be pleased to submit to His Excellency the Governor the reasonableness of making me some remuneration, on the part of the Government, in consideration of the same, on the ground that the street in question is of public utility, and that in the original leases of the land, which I purchased in 1799, as stated in my *letter to His Excellency, 3rd April, 1830, provision was made for only one road through it 66 feet wide, leading to Dawes' Battery.

* Not with papers.

I have, &c.,
ROBT. CAMPBELL.

Minute on above.

Not initialed by the writer.

Refer, as usual, to the Director of Works.

No. 6.

Mr. C. Wilson to The Colonial Secretary.

Sir,

Office of Public Works, Sydney, 21 December, 1831.

21 October.
29 November.
20 December.
Book containing letters not obtainable.

With reference to the instructions contained in your letters, as per margin, I have now the honor to submit the Town Surveyor's report upon Mr. Robert Campbell's allotment in Sydney.

I have, &c.,
CHAS. WILSON, C.E.

Minutes on No. 6.

Mr. Campbell, senior, states that a road is being conducted through his land, and claims compensation for it, the original leases having only reserved one road 66 feet wide.

The

The Town Surveyor reports that the original leases expired in 1818; that the road left by Mr. Campbell is only 30 feet wide, instead of 66; that the land now held by Mr. Campbell differs altogether, as to the boundaries, from that described in those leases; and that while a *grant* (of which Mr. Campbell seems to be unaware) reserving what may be required for the streets has been executed for one-half of the land, he has no title whatever beyond possession of the other half.

In addition to this, it may be observed that the conducting streets through town property, especially property so rugged as that in question, confers a very considerable benefit upon the proprietor, whether more or less than is equivalent to the land they occupy is of course open to determination in every separate case.

These papers should be transmitted to the Surveyor General, desiring him to report whether Mr. R. Campbell occupies any of the Crown Lands in Sydney for which occupation there is no title recorded in the Surveyor General's books.

Where is the deed of grant of which Mr. C. seems unaware?

R. B., 2 April, 1832.

Surveyor General written to, 4 April, 1832. Write again.

[Enclosure to No. 6.]

Mr. A. Hallen to The Director of Public Works.

Sir,

Town Surveyor's Office, Sydney, 20 December, 1831.

In answer to the Colonial Secretary's letters* of the 21st of October and 29th of November, directing a report to be made on the application of Mr. Robert Campbell requesting that some remuneration might be given him for the road running through his property in front of the Archdeacon's residence, and for which no reservation was made in the leases he became the purchaser of in the year 1799, the only leases I can find in favour of Mr. Robert Campbell are two dated the 11th of August, 1804, for fourteen years, in which a road is reserved leading to Dawes' Battery, (66) sixty-six feet wide—Mr. Campbell has not left it (30) thirty feet—and the descriptions are altogether erroneous. However, they appear to be included in a subsequent grant correctly surveyed, dated 29th June, 1814, in which is a clause giving the Governor for the time being the power of taking any part of the land for the purpose of making and improving the streets. Of this grant Mr. Campbell does not appear to be aware, by his letter stating "no provision being made." The land in the possession of Mr. Campbell on the west side of the road leading to the Battery, "it appears" he has no other title to than possession, the above grant only describing the land on the east side of the road.

* The letter-book containing these letters cannot be found.

I have, &c.,

AMBROSE HALLEN.

No. 7.

Mr. F. W. Unwin to The Director of Public Works.

Sir,

Sydney, Pitt-street, 8 February, 1832.

Several of the subscribers of the memorial to the late Governor respecting the formation of the tunnel in Argyle-street having applied to me to ascertain the decision of Government on the subject, I have the honor to request that as the business falls within your department, you will bring it under His Excellency's notice at your early convenience. Fearing from the length of time that has elapsed since the memorial was presented that it may have been mislaid, I have enclosed a copy*. Should His Excellency think favourably of the object of the memorialists, I shall feel much flattered by his permission to wait upon him to explain more fully their views, and the means they have of carrying this great improvement into effect.

* Not necessary for original see No. 4.

I have, &c.,

F. W. UNWIN.

Minute on No. 7.

To see Mr. Unwin on Monday next at $\frac{1}{2}$ past 10.—R. B., March 2.

No. 8.

Mr. F. W. Unwin to The Colonial Secretary.

Sir,

Sydney, 13 March, 1832.

I have the honor to acquaint you, for the information of His Excellency the Governor, that a public meeting of the proprietors of lands in Sydney interested in the formation of an opening from George-street through Argyle-street to Darling Harbour, was held at the Custom House yesterday, when it was agreed to form a Joint Stock Company, and raise the sum of £2,000 in 100 shares of £20 each, which sum, it was considered, would exceed the necessary expense of the undertaking.

These shares were immediately subscribed for, and no difficulty is apprehended in the accomplishment of the work, provided the Government would afford the Company the facilities of drawing such powder from the public stores as may be required for the purpose of blasting at cost price, assign to them such number of mechanics and labourers as may be necessary, and empower them to levy such a toll as will afford an interest of 10 per cent. on the amount of capital actually paid up.

The present calculation and estimate are made upon the plan of cutting through the ridge of rock to a depth sufficient to preserve the level of Argyle-street and forming a new street 30 feet wide, with bridges in Cumberland and Princes Streets, to maintain the communication, and carrying a footpath guarded by a parapet wall over the rock on each side of the opening, with a flight of steps at both ends.

It is estimated that with the assistance of fifteen mechanics and thirty labourers the whole work will be completed within eight months from the day of commencement.

I am requested by the subscribers who attended the meeting to solicit His Excellency's assistance to the extent above mentioned, and, in the event of the proposed plan meeting with His Excellency's approbation, the favour of his initiating a Bill in the Legislative Council granting them such authority as will enable them to carry it into effect.

I have, &c.,

F. W. UNWIN,

Hon. Secretary.

Minutes

Minutes on No. 8.

Mr. Unwin is requested to attend at Government House on Tuesday, at 3 o'clock in the afternoon, with any plans or drawings of the projected new street. The Colonial Secretary is requested to procure the attendance of Surveyor General and Mr. Hallen at the same time.—R.B., 17 March, 1832.

Inform Mr. Unwin that, having seen a section of the proposed lot and heard his explanation of it, I accede to the proposal of the Company, and will lay before the Council the Bill to enable them to execute their design. I also consent that the Company shall be furnished with gunpowder at the cost price, namely, the actual expense of the powder delivered here, in which the freight and charges are included, to be paid for as issued from the magazine; and further, with the mechanics and labourers demanded for the space of eight months, the Company paying monthly to the Dy. Commissary General the cost of the rations with which the persons will be supplied. The plans, drawings, and descriptions of the proposed work as explained this day by Mr. Unwin are to be lodged with the Surveyor General, and there is to be a clause in the proposed Bill prohibiting the collection of toll before the work has been approved of by the Surveyor General on behalf of the Government. The draft of the Bill is to be submitted for approval of Government when drawn up by the Company's agent.—R.B., April 5, 1832.

If the Bill does not interfere with any private property further than the responsibility incurred by the Company, it may be made a public Act.

No. 9.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 19 March, 1832.

I have the honor, by direction of His Excellency the Governor, to request that you will be pleased to attend at Government House on Tuesday next (to-morrow), at 3 o'clock in the afternoon, for the purpose of meeting Mr. F. W. Unwin, who has been requested to attend with plans explanatory of a proposal submitted through him by a public meeting of landed proprietors in Sydney, who are desirous of making an opening from George-street through Argyle-street to Darling Harbour.

I have, &c.,

ALEX. McLEAY.

No. 10.

The Colonial Secretary to Mr. F. W. Unwin.

Sir,

Colonial Secretary's Office, Sydney, 19 March, 1832.

With reference to your letter of the 13th instant, submitting the result of a public meeting of the proprietors of lands in Sydney interested in the formation of an opening from George-street through Argyle-street to Darling Harbour, I have the honor, by direction of His Excellency the Governor, to request that you will be pleased to attend at Government House on Tuesday next (to-morrow), at 3 o'clock in the afternoon, with any plans or drawings of the projected opening—where the Surveyor General and the Town Surveyor have been instructed to attend also.

I have, &c.

ALEX. McLEAY.

No. 11.

The Colonial Secretary to A. Hallen, Esq.

Sir,

Colonial Secretary's Office, Sydney, 19 March, 1832.

I have the honor, by direction of His Excellency the Governor, to request that you will be pleased to attend at Government House on Tuesday next (to-morrow), at 3 o'clock in the afternoon, for the purpose of meeting Mr. F. W. Unwin, who has been requested to attend there with plans explanatory of a proposal submitted through him by a public meeting of landed proprietors in Sydney, who are desirous of making an opening from George-street through Argyle-street to Darling Harbour.

I have, &c.,

ALEX. McLEAY.

No. 12.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 4 April, 1832.

In transmitting to you the accompanying papers connected with the application of Mr. Robert Campbell to be allowed remuneration in consideration of the road being conducted through his property in front of the Archdeacon's residence, I am directed by His Excellency the Governor to request that you will report to me for his information whether Mr. Campbell occupies any of the Crown Lands in Sydney for which occupation there is no title recorded in your office.

I have, &c.,

ALEX. McLEAY.

List alluded to.

List of papers transmitted to the Surveyor General for his report, connected with Mr. Robert Campbell's application to be allowed some remuneration in consideration of the road being conducted through his property in front of the Archdeacon's residence.

Mr. Campbell's application to the Colonial Secretary for remuneration, dated 17 September, 1831.
Director of Public Works to the Colonial Secretary, enclosing a report of the Town Surveyor, dated 21 December, 1831.

No. 13.

No. 13.

The Colonial Secretary to Mr. F. W. Unwin.

Sir,

Colonial Secretary's Office, Sydney, 13 April, 1832.

I duly received and submitted to the Governor your letter of the 13th March, representing See No. 8. that at a public meeting of the proprietors of lands in Sydney, interested in the formation of an opening from George-street through Argyle-street to Darling Harbour, it was agreed to form a Joint Stock Company, and to raise £2,000 in £20 shares, that no difficulty is apprehended in the accomplishment of the work, provided that Government will at the cost price dispose of such powder as may be required for blasting, assign the Company fifteen mechanics and thirty labourers, with whose assistance it is calculated the work will be completed within eight months, and pass a Bill upon the subject authorizing the levying of a toll to afford 10 per cent. interest on the capital to be expended.

In reply, I am directed by the Governor to inform you that, having seen a section of the cut and heard your explanation of it, His Excellency accedes to the proposal of the Company, and will lay before the Council the Bill to enable them to execute their design, which Bill you will have the goodness to have prepared accordingly.

His Excellency also consents to furnish the Company with gunpowder at the cost price, namely, the actual expense of the powder delivered here, in which the freight and charges are included to be paid for as issued from the magazine. And further, with the mechanics and labourers demanded for the space of eight months, the Company paying monthly to the Deputy Commissary General the cost of the rations.

The plans, drawings, and descriptions of the proposed work as explained by you to His Excellency are to be lodged with the Surveyor General, and there is to be a clause in the proposed Bill prohibiting the collection of toll before the work has been approved of by the Surveyor General on behalf of the Government.

I have, &c.,

ALEX. McLEAY.

No. 14.

Descriptions.

DESCRIPTIONS of lands in Sydney, leased and granted to Mr. Robert Campbell, as extracted from the Registers in the Colonial Secretary's Office.

1. Register β , page 160, lease, dated 11 August, 1804, for fourteen years.

2 ac. 2 r. 16 p. An allotment of ground now in the occupation of Mr. Robert Campbell, in the township of Sydney, and situate as follows:—South-west corner, west 37° south 4; west side, north 46 west $7^{\circ}20'$, and north $37\frac{1}{2}^{\circ}$ west 250; north side, east 37 north $6^{\circ}50'$ to water, including a road through of 66 feet wide, bearing north 37 west to Dawes' Point; the whole containing 2 acres 2 roods and 16 poles, with a recommendatory clause for a renewal for fourteen years at the expiration of this lease, on account of his present expensive erections, &c.

2. Register β , page 160, lease, dated 11 August, 1804, for fourteen years.

$\frac{1}{2}$ an acre. An allotment of ground now in the occupation of Mr. Robert Campbell, in the township of Sydney, and situate as follows:—South side, west 3 chains to the corner of his above lease; west side north 2 chains; north side east to water, the whole containing half an acre, with a recommendatory clause for a renewal for fourteen years at the expiration of this lease, on account of his present expensive erections, &c.

3. Register No. 2, page 15, grant, dated 29 June, 1804.

3 acres 3 roods of land lying and situate in the town of Sydney: Bounded on the south side by premises in the occupation of the naval officer; on the south-west side by the road leading to Dawes' Point, bearing north $36\frac{1}{2}$ degrees west, 629 feet; on the north-west side by a line east, $31\frac{1}{2}$ degrees north, 200 feet; and on the east side by the water of Sydney Cove (in consequence of his having erected thereon several large and expensive buildings). Reserving at all times the right to the Governor for the time being of appropriating such part thereof as may be deemed necessary for the making and improving the streets.

No. 15.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 13 July, 1832.

In returning to you the accompanying papers, transmitted by your letter of the 4th April last, for my report, whether Mr. Campbell occupies any of the Crown Lands in Sydney for which occupation there is no title recorded in this office, I have the honor to report to you, for the information of His Excellency the Governor, that the land which Mr. Campbell claims as his property in front of the residences of the Archdeacon and the Collector of Customs appears to have been originally held by Captain Waterhouse and Mr. Boughan, and afterwards leased to Mr. Robert Campbell by Governor King for fourteen years, commencing from the 11th August, 1804. It also appears that in consideration of certain expensive buildings and improvements Governor Macquarie, on the 29th June, 1814, executed a deed of grant in favour of Mr. Robert Campbell for (3 a. 3 r.) three acres three roods, *being a portion of the said lease, subject to a reservation of right, on the part of the Government, for the improvement of the streets; and as no mention is made of the portion then remaining on lease, the conclusion is that it was not intended to renew it after the expiration of the term of fourteen years from the date above referred to.

Originals returned.
See No. 12.

In two leases.

* Mr. Campbell states that this is not correct.
† Leases.

It is moreover evident that no renewal could have taken place, because the quantity was altered by Governor Macquarie's grant, and consequently a fresh lease of the portion so remaining after the deed of grant had issued would have been requisite, and in point of fact there is no trace of occupation of the ground between the continuation of George-street and the street for the widening of which Mr. Campbell claims compensation.

I have, &c.,

S. A. PERRY,

Deputy Surveyor General.

Minutes

Minutes on No. 15.

MEMO.—The Surveyor General states that the land claimed by Mr. Campbell was originally held by Captain Waterhouse and Mr. Boughan, and afterwards leased to Mr. Campbell, who subsequently obtained a grant of three acres and three roods, being a portion of the said lease.

On looking over the registers I find a lease to Henry Waterhouse of 1 acre 3 roods 6 perches (part of the land in question) in Sydney, dated 1795, for fourteen years.

This is, however, noted as cancelled by another lease to Waterhouse, being the one mentioned below.*

I do not find a record of any leased grant to Boughan, although the above lease refers to an adjoining one of 2 roods to that person (John Boughan).

In 1797 there is a record of a lease to Mr. Waterhouse for fourteen years "of the piece of ground now in the occupation of Captain Henry Waterhouse, being 60 feet in breadth and 100 feet in depth, situated on the west side of Sydney Cove; on 11th August, 1804, is the lease to Mr. Campbell of the precise quantity as contained in the last to Mr. Waterhouse, and also another of land adjoining containing half-an-acre (this last is the quantity leased to Boughan), both for fourteen years; and in 1814 is the grant to Mr. Campbell of 3 acres and 3 roods, which instead of being a *portion* of the two former leases contains a greater extent of ground.

By the register it would appear that there is no compensation reserved for land taken to improve streets.

Probably it might prevent correspondence if Mr. Campbell was called on to produce the particulars of his claim; it is not unlikely but that he may have purchased the remainder of the land of which he is in possession.

Mr. Campbell informed Mr. Macleay that the ground included in the leases is quite distinct from that in the deed of grant, and as the supposition to the contrary arose originally with Mr. Hallen, I was desired to speak to him on the subject.

I have done so, and Mr. Hallen states that such was his idea on looking at the descriptions and the land, and that he still considers that impression correct.

* In 1799 is recorded a lease for fourteen years to Mr. Waterhouse of land on the west side of Sydney Cove, containing 2 acres 2 roods 16 perches, divided by a road of 60 feet leading to Dawes' Point.

Let me see the leases and the grant. See leases, 3 register, page 160; grant, 2 register, page 15. No date or signature to the foregoing minutes.—T. P. BANKS, Examiner.

See enclosure to No. 5.

Inform Mr. R. Campbell, in reply to his letter of the 17th September, 1831, that it appears in the grant made to him by Governor Macquarie on the 29th June, 1814, of 3 acres 3 roods of the land in question, the usual reservation for the improvement of streets is inserted; and that it does not appear that Mr. C. is entitled to any other portion of the land held by him under a lease which expired in 1818 than the 3 acres 3 roods above mentioned.—R.B., July 18, 1832.

No. 16.

The Colonial Secretary to R. Campbell, sen., Esq.

Sir,

Colonial Secretary's Office, 27 July, 1832.

See enclosure to No. 5.

I had the honor to receive and submit to the Governor, together with the reports of the Surveyor General and Town Surveyor thereon, your letter of the 17th September, 1831, stating that the road in front of the residences of the Archdeacon and Comptroller of the Customs passes through your property, and therefore claiming compensation for the ground recently taken in widening it.

In reply, I am directed by his Excellency to inform you that, from the reports abovementioned, it appears that your claim to the ground in question rests upon two leases, each for fourteen years, commencing on the 11th August, 1804, executed in your favour by Governor King; but as these leases have expired, and as Governor Macquarie, on 29th June, 1814, executed a grant in your favour of a part of the same land, to the extent of 3 acres 3 roods, it appears to His Excellency that there was no intention of granting the remainder or of renewing the lease of it. I am therefore directed by His Excellency to inform you that it does not appear that you are entitled to any portion of the land in question beyond the 3 acres and 3 roods described in the grant of 29th June, 1814, and to add that, as this grant contains the usual reservation for the improvement of the streets, it is not in His Excellency's power to admit your claim for compensation.

I have, &c.,

ALEX. McLEAY.

No. 17.

R. Campbell, Esq., to The Colonial Secretary.

Sir,

George-street, Sydney, 3 August, 1832.

No. 16

I have the honor to acknowledge your letter of 27th ult., communicating the Governor's decision on the subject of my claim to compensation for the ground taken by the Government for the purpose of making a street through my property, in front of the residences of the Archdeacon and the Comptroller of the Customs.

In reply, I beg to observe that the "leases upon which my claim to the ground in question rests" have not, as "His Excellency has directed you to state, expired"; but that, before I answer the concluding part of your letter at such length as its strange import in regard to my interests demands, I must request the favour of being furnished with copies of the reports of the Surveyor General and Town Surveyor to which you allude, in order that I may ascertain correctly the grounds on which His Excellency has been led to cast on me the extraordinary imputation "that I am in possession of land" to any portion of which "it does not appear that I am entitled."

I have, &c.,

ROBT. CAMPBELL.

Minutes

Minutes on No. 17.

1st lease, 1804, containing 5 acres.

2nd lease, 1804, not to be identified.

The grant, 1814, containing 2 acres 3 roods 21 perches.

Land actually occupied at present, containing 7 acres.

Mr. Campbell, senior, requests that he may be furnished with copies of the reports of the Surveyor General and Town Surveyor, upon which the Governor has been induced to cast on him the imputation of his being in possession of land to which he is not entitled.

A *sketch is enclosed, obtained from the Town Surveyor, by which it appears that the first lease of 1804, containing nominally 2 ac. 2r. 16p., comprises actually 5 acres. *Sketch appended.
AEEG in sketch.

That the second lease of 1804, containing half an acre, cannot now be identified.

That the grant of 1814, containing nominally 3 a. 3 r., comprises actually only 2 a. 3r. 21p. ABCD.

That the total quantity of land occupied by Mr. Campbell is 7 acres. AHIKLD.

No signature or date to above minutes.—T. P. BANKS, Examiner.

No. 18.**Memo. by Surveyor General.**

Memorandum respecting the accompanying letter (No. 32-354.)

See No. 16

THE report is correct, with one trifling exception, namely, that the lands of Waterhouse and Boughan were leased in two portions, not in one, as may indeed be inferred from what is stated. The report and sketch agree exactly with all the old maps and with the descriptions contained in the deeds. The grant of 3 acres 3 roods *does* form part of the original lease.

No blame can attach to the Surveyor General if Mr. Campbell's claim to his property has been thus brought in question. A direct question came from the Secretary as to whether or not Mr. Campbell occupies lands in Sydney for which there is no recorded title, and the answer is that he does, the circumstances being explained.

Surveyor General's Office, 20th Sept., 1832.

Minutes on No. 18.

It appears to me that Mr. Campbell has been informed correctly when it was stated that there is no evidence in the Secretary's office of his being entitled to hold more land in Sydney than 3 acres 3 roods, granted by Governor Macquarie.—R.B.

I have seen Mr. Campbell, who is to furnish some other papers on this subject. I am inclined to think he should receive some formal confirmation of the title to the land he now holds in Sydney, *i.e.*, his wharf and the land adjoining.—R.B.

No. 19.**R. Campbell, Esq., to His Excellency the Governor.**

Sir,

George-street, 19 October, 1832.

I beg leave to address your Excellency on the subject of my leasehold property on Bunker's Hill.

In 1798 and 1799 I purchased the ground in question, together with that on which my dwelling-house and warehouses, &c., have been erected, from the original lessees, Captain Waterhouse and Mrs. Boughan.

Our Governor, at that early period, did not possess the power of granting land to individuals in the townships, but Governor King renewed the leases in my favour, and in consideration of the sum of money I had expended in improvements recommended an extension of them. These leases expired on the 12th August last.

I received a promise from General Macquarie, on his arrival, that the leases should be converted into a permanent grant. This promise, your Excellency may observe noticed in his despatch to the Secretary of State, No. 22 in the appendix to the printed Report of the Select Committee of the House of Commons on Transportation in 1812. Upon my return from England, however, in 1815, I found that His Excellency, in my absence, had only given my agent a grant for such of the ground as was occupied by my garden and dwelling-house, &c. Had I been in the Colony I should have refused this grant, as no reason could possibly have been assigned for depriving me of any portion of the land which I had bought, and not received as a gift from the Crown. Subsequently I was informed by the Governor that I should have a grant of the rest of the ground when I had erected suitable buildings thereon. This I have done. Enclosed.

I have not hitherto availed myself of General Darling's proclamation of 8th June, 1829, respecting town allotments, because I conceive that I ought not to be compelled to pay the high quit-rent fixed by that proclamation, on land which I have been in possession of upwards of thirty years, and which I have enclosed and built upon. Under the old leases, both the allotments were subject only to a quit-rent of 10s. each per annum. Governor Macquarie was pleased to impose a quit-rent of £2 10s. on the part which he made freehold, but in so doing I have always thought that he acted unfairly towards me.

Under these circumstances, therefore, I beg to submit to your Excellency that I am entitled, in justice to a grant of my hill ground, subject only to the rate of quit-rent specified in the original leases.

I have, &c.,

ROBT. CAMPBELL.

Minutes on No. 19.

If there is any evidence of the second promise of Governor Macquarie, Mr. Campbell ought to have the land at the low quit-rent. If not, he should pay that fixed by General Darling upon the part not made into a grant by Governor Macquarie.

No date or signature to above minute.—T. P. BANKS, Examiner.

[Enclosure to No. 19.]

Appendix to Report from Select Committee on Transportation.

No. 22.

COPY of the 78th paragraph of letter from Governor Macquarie, dated 30th April, 1810.

"78 par. : As there are now a considerable number of opulent merchants and others residing in the town of Sydney who would build handsome and permanent houses if they could obtain grants instead of leases of the grounds, I respectfully submit that I may be permitted to use my discretion in giving persons of this description permanent grants to build on, both here and in the other parts of the territory. Mr. Robert Campbell and Mr. Simeon Lord, both opulent and respectable merchants, having already built very spacious and elegant houses and warehouses in the town of Sydney at a very great expense, I have taken the responsibility on myself of promising to convert their leases into permanent grants, and I conceive it would be good policy to extend the same indulgence to all such other persons as are able and willing to erect substantial and handsome buildings within the town."

No. 20.

Extract from Summary of Council, No. 33-2, of 14th January, 1833.

4. His Excellency the Governor then submitted an application from Robert Campbell, senior, Esq., requesting that grants may be made out to him of certain lands in the town of Sydney (of which he has held leases from the Crown for many years back), subject only to the rate of quit-rent specified in the original leases; and the Council were of opinion that Mr. Campbell's application could not be complied with, but that grants should be made out to him of the land in question under the proclamation of the 8th June, 1829, and consequently subject to the quit-rent of sixpence per square rod per annum from the 30th June, 1823, as therein specified, or from the period to which rent has been paid, as stipulated in the leases in question, if subsequent to that date.

E. DEAS THOMSON,
Clerk of the Council.

Minute on No. 20.

Mr. Campbell to be informed of the substance of this minute, in reply to his letter of the 19th October, 1832.—R.B.

No. 21.

Memorandum by His Excellency the Governor.

MEMO.—I shall request the opinion of Council upon the application of Mr. R. Campbell, contained in his letter of the 19th October last. The Surveyor General will attend to give what information may be required from the records in his office.

The exemption from quit-rent is the principal subject for consideration.

R. B.

See No. 19.

No. 22.

The Colonial Secretary to R. Campbell, Esq.

Sir,

Colonial Secretary's Office, Sydney, 26 January, 1833.

I have the honor by direction of the Governor to inform you that His Excellency submitted to the Executive Council your letter of 19th October last, soliciting grants, subject to a lower rate of quit-rent than that prescribed by the proclamation of 8 June, 1829, on certain ground in the town of Sydney held by you under lease, and that the Council were of opinion that your request could not be complied with, but that grants of the ground in question should be made out under the proclamation mentioned, and consequently subject to the quit-rent of sixpence per square perch per annum from 30 June, 1823, as therein specified, or from the period to which rent has been paid, as stipulated in the leases in question if subsequent to that date.

I have, &c.,

ALEX. McLEAY.

See No. 21.

No. 23.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 30 January, 1833.

With reference to your letter of the 13th July, 1832, I am directed by the Governor to inform you that it has been decided in Council that grants agreeably to the proclamation of 8th June, 1829, shall be given of the allotments at Bunker's Hill, in the town of Sydney, held by Mr. Robert Campbell, senior, under old leases from the Crown, and to request therefore that you will furnish the necessary descriptions for the deeds.

I have, &c.,

T. C. HARRINGTON,

(For the Colonial Secretary.)

See No. 15.

No. 24.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, 23 November, 1833.

With reference to the correspondence relative to the plans of various improvements proposed in the alignment of streets in the neighbourhood of Church Hill and the northern part of George-street, I have the honor to submit two plans (Nos. 1 and 2), which have been completed by the Town Surveyor, and which appear to combine the various advantages afforded by the ground; and I would have the honor to suggest that these or some similar plans when approved of by Government should be laid down and adhered to, as partial alterations and adaptations become practicable by the laying out and improvement of property by individuals, where streets become indispensable and when they become essential, on bringing into operation the powerful means afforded by the iron gangs which His Excellency has been pleased to employ with the prospect of so much benefit to the inhabitants.

It

Plans transmitted.
See Appendix.

It will appear by plan No. 1 (intended to show what might be effected on Church Hill), that by removing the Government windmill and small mound on which it is situated, Clarence-street may be united with Princes-street, and the ground on this elevated plateau laid out in building allotments forming a crescent, through the centre of which an archway would lead into Kent-street. Were the buildings erected on a uniform plan they would not only command the finest scenery on each side, but they would together give a grandness of effect to the general appearance of the town. Clarence-street is one of the most level and extensive in Sydney, and if improvements of this kind were made on Church Hill, it is probable that a better description of buildings would sooner replace those now in it. If the vista from Clarence-street terminated in an obelisk or statue, which might in time ornament such a crescent, the street scenery might become of the finest description. It will appear also to His Excellency by the plan, that when a street may be brought across the present barrack ground in prolongation of York-street, it would lead direct towards Cumberland and Gloucester Streets, both of which would fall into it with scarcely any turn, while the line thus continued across the present shapeless space on Church Hill would square it so as to compensate in some degree for the irregularity of the sites of the two churches, especially if an enlargement of the Infant-school or an additional building were built parallel to the proposed line; * another communication might cross Church Hill from York-street to Princes-street, the intervening spaces being filled up with shrubbery, and railed in for the benefit of the neighbouring families, as in some squares of London. The proposed new buildings in Bridge-street appear to be in keeping with this plan, and I would submit that the measure is likely to promote the more speedy improvement of that part of Sydney, so good in point of situation, which is now disfigured by the buildings known as "The Rocks." But this object is still more likely to be accomplished by the adoption of plan No. 2, showing a continuation of George-street in the line of the new Custom-house. This is supposing the street to be opened diagonally across the site of the present gaol, so as to fall into what is called Cambridge-street, leaving a space of the width of a street quite round the new Custom-house, and cutting down the rock in extending further on the same level so as to leave a line of allotments on the lower level along the west side, and a line of allotments backing to these along the higher level with frontage on Cumberland-street. The whole of that property belongs to Mr. Campbell, who is now about to dispose of it in allotments for building; and having had some communication with the parties on the subject, I believe they are willing to adopt the proposed plan, and that uncertainty as to its final adoption at present retards the arrangement for sale. For this reason also, I consider it advisable to submit these plans for the consideration of Government; and respecting this, I would also beg further to observe that by the extension of George-street on this line a nearly level communication would be established quite round the hill of Sydney, embracing Dawes' Battery, Miller's Point, and leading into Kent-street, the crescent proposed, Clarence-street.

I have, &c.,

T. L. MITCHELL,

Surveyor General.

* With deference, I think it would be a better plan to build a church on the crest of the hill, and appropriate to the parsonage, Public School, &c., the land bounded on the east by the continuation of York-street, and on the west by Kent-street, afterwards pulling down the old church and throwing Charlotte Place into one open space.

Minute on No. 24.

The proposal for laying out Church Hill is judicious, and I will lay it before the Executive Council the next opportunity. The improvement of George-street can only be effected under the provisions of the Road Act (4 Gul. IV. No. 11), and upon giving up the old gaol by the Government. I have no doubt that the latter measure will be accomplished before long, but I am not at present enabled to assure the proprietors of land on the Rocks of the intentions of His Majesty's Government in this respect; but the Surveyor General may be informed that I approve of the plan he has proposed, and that I have no doubt but that the improvement he suggests may be carried into effect, with great convenience to the public and advantage to the proprietors of allotments through which the new line is intended to be carried. Upon obtaining authority to build a new gaol and dispose of the old one, I will lose no time in taking the steps required by the Act for opening the line of street.—R.B., Dec. 11, 1833.

No. 25.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, 4 January, 1834.

I duly received and submitted to the Governor your letter of the 23rd November, enclosing See No. 24. two plans for the improvement of the streets in the neighbourhood of Church Hill and the northern part of George-street.

In reply, I have the honor, by the direction of His Excellency, to inform you that he approves of the plan you have proposed, and that His Excellency has no doubt but that the improvements you suggest may be carried into effect with great convenience to the public, and advantage to the proprietors of allotments through which the new line is intended to be carried. Upon obtaining authority to erect a new gaol and dispose of the present one, His Excellency will lose no time in taking the steps required by the Act of Council for opening the line of street.

I have, &c.,

ALEX. McLEAY.

No. 26.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, 6 August, 1834.

Accompanying I have the honor to transmit to you measured descriptions of four allotments belonging to Mr. Robert Campbell at Bunker's Hill, as called for by your letter, for the purpose of preparing deeds of grant; and with reference to the stipulations contained in the original lease of this ground, dated 11th August, 1804, I have to observe that there is a reservation for one road only to Dawes' Battery of 60 feet wide, in lieu of which there are now two roads or streets, viz., that in continuation of George-street, See No. 23.

12'

street, and the other the prolongation of Cumberland-street, both to Dawes' Battery, the former being 37 and the latter 30 feet wide; and as Mr. Campbell has agreed to open the northern communication between George-street and the Battery, as recommended in my report of the 23rd November last, the necessity for increasing the width of the old street, except at the junction of the two streets, no longer exists.

See No 21

I have, &c.,
T. L. MITCHELL,
Surveyor General.

Minutes on No. 26.

Description not enclosed. See No. 1.

The land required for extending George-street through the site of the old gaol to the Custom-house appears to be excluded from the accompanying descriptions, and I am not aware, therefore, of any objection to the preparation of the deeds after the usual advertisement. Let this be done.

No. 27.

The Deputy Surveyor General to Mr. W. Redmond.

Sir,

Surveyor General's Office, 29 October, 1841.

The Board appointed to make arrangements for opening the new line of George-street request the favour of your attendance at this office at 2 o'clock to-morrow.

(For the Board),
S. A. PERRY,
Deputy Surveyor General.

No. 28.

Mr. M. Charlton to The Committee for valuing land.

Gentlemen,

Sydney, 1 November, 1841.

Being informed that it is proposed to carry the line of George-street through my premises, situated near the old gaol, and it being necessary for me to furnish an estimate of the value of them to me, I beg leave to state that the yearly rent of these premises is £195, and that amount at 10 per cent. is £1,950, which sum I claim, together with the same quantity of land.

I have, &c.,
MATTHEW CHARLTON.

No. 29.

A. B. Spark, Esq., to The Committee for valuing land.

Gentlemen,

Sydney, 2 November, 1841.

As I am permitted to select one portion of land in preference to another in compensation for the land required in opening the new line of George-street, subject to the approbation of His Excellency the Governor, I have the honor to acquaint you that my decision is in favour of that portion of the old gaol attached to my store in the present line of George-street.

With regard to the quantity to be allowed, I would beg to claim an extension of frontage, on four grounds, viz. :—

1. That the dwelling-house, in which a clerk of mine with his wife and family resides, will have to be removed, and which, although of no great intrinsic value, will occasion an expenso of at least £50 a year.
2. That a workshop rented by me to Mr. Richard Dawson must also be removed.
3. That the remnant of my ground to the west of the new line is so narrowed at the point of intersection as to become of little value.
4. Should the Government require any part of the land to widen the present street, I submit that this also should be taken into consideration.

I have, &c.,
A. B. SPARK.

No. 30.

Mr. W. Redmond to The Deputy Surveyor General.

Sir,

George-street, Sydney, 3 November, 1841.

In reply to your letter to me of the 29th ultimo, I beg to inform you that, as sole executor and legatee of the late Edward Redmond, the grantee of the premises in Cumberland-street, Sydney, conveyed by grant dated 23rd September, 1839, I am now and always was ready to comply with the terms made by Government in said deed, and am ready to name my arbitrator when required, in conformity with the terms of said grant. For further communication on the subject I beg leave to refer you to Messrs. Chambers and Thurlow.

I am, &c.,
W. REDMOND.

No. 31.

Mr. G. Thornton to The Deputy Surveyor General.

Sir,

Elizabeth-street, Sydney, 5 November, 1841.

I do myself the honor (according to promise) to offer you my proposition with regard to my premises in George-street. I have fully considered your offer of giving me a piece of land in lieu of the piece you take from me, and beg to say that I must decline that offer.

The only proposition I can make is (so that I shall not be a loser by the circumstance), that the Government should take the whole of the property, paying me the value of the ground and the buildings thereon,

thereon, which I estimate at lowest to be £5,000. I am receiving a rental of nearly £500 per annum, which will give you an idea of the value of the property. I shall be most happy to meet the Board at any time to make arrangements.

I have, &c.,
GEORGE THORNTON,
 (For SAMUEL THORNTON).

No. 32.

Abstract of loss of premises in Harrington and Globe Streets.

Loss of premises situated in Harrington-street.

Nos. 1, 2, 3.	£ s. d.	No. 1.	£ s. d.	£ s. d.
Rental of two cottages, house and stores, stable, workshop, &c., at a yearly rent of £45.		Two cottages let at a rent of £50 per annum	50 0 0	
Lease of the above, held for 19 years, at £45 per annum, will cost at the expiration	855 0 0	No. 2.		
		A workshop and shed, saw-pits, with a yard 50 feet by 30 feet, with back entrance, two-stall stable, and gig-house, at a rent of	75 0 0	
		No. 3.		
		House and stores containing eight rooms, at a yearly rent of	150 0 0	
			275 0 0	
		19 years' lease	19 0 0	
		Producing a profit in 19 years	2,475 0 0	
			275 0 0	
			5,225 0 0	
		Deduct the sum of £855, being the amount of 19 years' rent	855 0 0	
	£ 855 0 0	The loss sustained, exclusive of interest	4,370 0 0	4,370 0 0

Loss of premises situated in Globe-street.

Nos. 4, 5, and 6.	£ s. d.	No. 4.	£ s. d.	£ s. d.
Dwelling-house containing ten rooms, workshop, and stores, at a lease of 10 years, £120 per annum.		Dwelling-house (built partly at my own expense), per annum	200 0 0	
Lease of 10 years, £10.		No. 5.		
Cost in 10 years, £1,200	1,200 0 0	Stores under ground, 60 feet by 18 feet	40 0 0	
	£ 1,200 0 0	No. 6.		
		Two workshops, each containing 100 feet by 18 feet, with yard and stores above	160 0 0	
			400 0 0	
		10 years	10 0 0	
			4,000 0 0	
		Deduct 10 years' rent	1,200 0 0	
			2,800 0 0	2,800 0 0
		The loss sustained, exclusive of interest	.....	7,170 0 0
		Loss in removal, taking down and re-fixing machinery, refitting up premises, stores, and loss of business.		

No. 33.

Mrs. E. Underwood to The Deputy Surveyor General.

Sir,

Ashfield Park, 17 November, 1841.

In reply to your *letter of the 16th instant, on the subject of opening the new line of George-street, I have the honor to state that it will not be convenient to me to visit town for the purpose of meeting the Board on Friday next, but that I have no intention whatever of deviating from what I have demanded in the shape of compensation for my property in Essex-lane, and which I now beg to repeat, viz., £500 cash for the two cottages, and an equal quantity of land with frontage to the new line of George-street.

I have, &c.,
E. UNDERWOOD.

No. 34.

The Colonial Secretary to Mr. F. Wilkinson.

Sir,

Colonial Secretary's Office, Sydney, 7 February, 1842.

Referring to your letter of the 27th July last, requesting to be allowed to purchase the piece of ground which intervenes between your premises in Gloucester-street and the proposed new line of George-street, I do myself the honor to inform you that no positive answer can be given to your request until the line of George-street shall have been set out; but the Surveyor General has been instructed to bring the matter under notice as soon as a line of street has been so set out.

I have, &c.,
E. DEAS THOMSON.

No. 35.

No. 35.

The Colonial Secretary to Mr. James Ewen.

Sir,

Colonial Secretary's Office, Sydney, 7 February, 1842.

In respect to your communication of the 24th September last, addressed to His Excellency the Governor, and requesting to be informed of the proper building-line of Harrington-street, I am now directed to acquaint you that the building-line of the above street cannot be determined until the arrangements in contemplation for the prolongation of George-street have been completed.

The Surveyor General has, however, been requested to bring your application under notice as soon as these arrangements have been perfected.

I have, &c.,

E. DEAS THOMSON.

No. 36.

A. B. Spark, Esq., to The Colonial Secretary.

Sir,

Sydney, 15 February, 1842.

I have to apologize for again troubling you on the subject of the extension of George-street, but the value of the property now lying at waste will plead my excuse. It has been suggested to me that an assessment of the damages sustained by each individual, done by a commission to which all must submit, would be a ready method of bringing matters to a close. At the sale of the adjoining land, each might be permitted to purchase to the amount of his assessment; or should he decline purchasing, be paid from the proceeds of the sale. I have every reason to think, from the calculation made in your office, that the Government would have nothing to disburse.

I have, &c.,

A. B. SPARK.

Minutes on No. 36.

This still seems to proceed on the assumption that every proprietor is to be indemnified by the Government for the whole of his loss, and to receive all the benefit that will accrue to him by the opening of the street without cost to himself. The business is in the hands of Colonel Barney, to whom this should be referred.—G.G., Feb. 19.

See No. 38.

By letter dated 2nd May, 1842, addressed by the Board to the Colonial Secretary, it is recommended that the site of the old gaol be put up to sale by auction in building allotments, leaving the full breadth of New George-street from Essex-street to Mr. Spark's wall.—S. A. PERRY, 3rd May, 1842.

For the Board.

No. 37.

Memoranda.

Has the report of the Board been received respecting the prolongation of George-street through the site of the old gaol? April 18.—Immediate.

I have not seen any reports. Herewith appears to have been the original proposal for continuing George-street through the site of the old gaol. 19.

Some of the parties are very pressing for a decision in this case, as they are prevented in the meantime from improving their property lest their operations should interfere with the intended new street.—April 19.

I have directed that the papers were to be returned by Col. Barney, and the land on which the old gaol stood be sold.—G.G.

I have frequently declined to do more than to allow the street to be opened. They ask me to give up the whole of the land on which the old gaol stood, as well as some other portions in or near Harrington-street, also to make the question of compensation a Government one. I have declined to do more than give up, the land actually required for the street.—G.G., 20 Apl.

No. 38.

The Board for opening George-street to The Colonial Secretary.

Sir,

Colonial Engineer's Office, 2 May, 1842.

Having had under consideration the several communications from the Government, as well as numerous applications from individuals interested in the arrangements proposed for opening the new line of George-street, we have the honor to report that, notwithstanding frequent and long conferences with the proprietors and principal tenants on the proposed new line of street, we have been unable to arrive at any satisfactory conclusion, in consequence of the high rate of valuation put on the premises by the parties themselves.

We therefore recommend that the site of the old gaol be divided into building allotments and sold by public auction, leaving the full breadth of the new line of George-street from Essex-street to Mr. Spark's wall.

We have, &c.,

GEO. BARNEY, Lt.-Col., R.E.

S. A. PERRY, Dy. Survr. General.

WM. MACPHERSON, Reg. Sup. Court.

Minutes on No. 38.

Approved, and the parties to be informed.—G.G., May 5. Inform the Surveyor General, and request him to have the land divided for sale, in the manner recommended.—G.G., May 5th.

15

No. 39.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 9 May, 1842.

The Board appointed to report on the proposed continuation of Lower George-street having stated that they were unable to arrive at any satisfactory conclusion in consequence of the high rate of valuation put on the premises that would thus be affected by the parties interested, I do myself the honor to request that you will cause the site of the old gaol to be divided into allotments for sale, leaving the full breadth of the new line of George-street from Essex-street to Mr. Spark's.

I have, &c.,

E. DEAS THOMSON.

No. 40.

The Colonial Secretary to Mr. M. Charlton.

Sir,

Colonial Secretary's Office, Sydney, 9 May, 1842.

Referring to your letter of the 1st November, 1841, stating the terms on which you are No. 29. willing to give the portion of land near the old gaol required for the proposed continuation of Lower George-street, I do myself the honor to inform you that the Board appointed to report on this matter having stated that, in consequence of the high rate of valuation put on the premises by the parties themselves, they were unable to arrive at any satisfactory conclusion, the Government have been compelled to forego the intended improvements.

I have, &c.,

E. DEAS THOMSON.

No. 41.

The Colonial Secretary to A. B. Spark, Esq.

Sir,

Colonial Secretary's Office, Sydney, 9 May, 1842.

Referring to your letter of the 2nd November, 1841, stating the terms on which you are No. 29. willing to give the portion of land in George-street required for the proposed continuation of Lower George-street, I do myself the honor to inform you that the Board appointed to report on this matter having stated that, in consequence of the high rate of valuation put on the premises by the parties themselves, they were unable to arrive at any satisfactory conclusion, the Government have been compelled to forego the intended improvements.

I have, &c.,

E. DEAS THOMSON.

No. 42.

The Colonial Secretary to Mr. W. Redmond.

Sir,

Colonial Secretary's Office, Sydney, 9 May, 1842.

Referring to your letter of the 3rd November, 1841, stating the terms on which you are No. 30. willing to give the portion of land in Cumberland-street required for the proposed continuation of George-street, I do myself the honor to inform you that the Board appointed to report on this matter having stated that, in consequence of the high rate of valuation put on the premises by the parties themselves, they were unable to arrive at any satisfactory conclusion, the Government have been compelled to forego the intended improvements.

I have, &c.,

E. DEAS THOMSON.

No. 43.

The Colonial Secretary to George Thornton, Esq.

Sir,

Colonial Secretary's Office, Sydney, 9 May, 1842.

Referring to your letter of the 5th November last, stating the terms on which you are No. 31. willing to give the portion of land near the old gaol required for the proposed continuation of Lower George-street, I do myself the honor to inform you that the Board appointed to report on this matter having stated that, in consequence of the high rate of valuation put on the premises by the parties themselves, they were unable to arrive at any satisfactory conclusion, the Government have been compelled to forego the intended improvements.

I have, &c.,

E. DEAS THOMSON.

No. 44.

The Colonial Secretary to Mrs. E. Underwood.

Madam,

Colonial Secretary's Office, Sydney, 9 May, 1842.

Referring to your letter of 17th November, 1841, stating the terms on which you are No. 33. willing to give the portion of land in Essex-lane required for the proposed continuation of Lower George-street, I do myself the honor to inform you that the Board appointed to report on this matter having stated that, in consequence of the high rate of valuation put on the premises by the parties themselves, they are unable to arrive at any satisfactory conclusion, the Government have been compelled to forego the intended improvements.

I have, &c.,

E. DEAS THOMSON.

No. 45.

The Colonial Secretary to Mr. James Ewen.

Sir,

Colonial Secretary's Office, Sydney, 9 May, 1842.

With reference to my letter of the 7th February last, informing you that no definite answer No. 35. could be given to your inquiries respecting the proper building-line of Harrington-street until the arrangements

arrangements then in contemplation for the prolongation of George-street should be completed, I now have to inform you that the Government have abandoned the arrangements alluded to, in consequence of the high rate of valuation put on the premises that would be thus affected, by the parties interested, and that you should apply to Mr. Surveyor Rannley for the new line.

I have, &c.,
E. DEAS THOMSON.

No. 46.

The Colonial Secretary to Mr. F. Wilkinson.

Sir, Colonial Secretary's Office, Sydney, 9 May, 1842.

No. 34. With reference to my letter of 7th February last, informing you that no positive answer could be given to your application to purchase a piece of land in Gloucester-street until the arrangements then in contemplation for continuing the new line of George-street would be completed, I now beg to inform you that the Government have abandoned the arrangements alluded to, in consequence of the high rate of valuation put on the premises by the parties interested.

I have, &c.,
E. DEAS THOMSON.

No. 47.

Colonel Barney to The Colonial Secretary.

Sir, Colonial Engineer's Office, Sydney, 15 July, 1842.

In consequence of an application from Mr. Isaacs to use the building-line upon his allotment in Argyle-street to be marked out, I viewed the ground and found that in building as he proposed (see sketch herewith) the width of the street would be reduced to 22 feet; I therefore cautioned him as to the necessity for obtaining the views of the Surveyor General on the subject, there not being any plan of this line in my office.

On examination of the sketch, it will be observed that a great portion of the building called the "Royal Oak" is apparently an encroachment, and that the building-line of Argyle-street is as marked on the sketch, making the width of the street about 58 feet. This line, however, will embrace nearly the whole of Mr. Isaacs' allotment, as well as one between that and the "Royal Oak," and if adopted will, it is presumed, entitle the parties to compensation; on the other hand, it would be very improper to reduce this thoroughfare to 22 feet or even 28 feet (see dotted line AB). This being a subject of some importance to the inhabitants of Miller's Point, and not being in possession of any official information respecting this portion of the town, I beg to recommend that the question be referred to the Surveyor General.

Mr. Isaacs is anxious for a decision as early as possible, having made arrangements for building.

I have, &c.,
GEO. BARNEY, Lt.-Col., R.E.

Minutes on No. 47.

The Surveyor General is requested to report.—B.C., 18 July, 1842, E.D.T. Urgent.

Colonel Barney's sketch is nearly correct. The "Royal Oak" inn is an encroachment. I annex a tracing showing the true line as proclaimed on 31st December, 1834. The question of compensation is another matter, and is to be dealt with as follows, in Isaacs' case, who must give way (I presume at least under the circumstances). The land was granted on the 15th January, 1834, the Crown reserving the right to resume any portion required for the improvement of the street, on giving twelve months notice and paying the fee-simple.—T.L.M., 23 July, 1842.

I cannot hold out the expectation of any compensation being given by the Government. I cannot, therefore, resume any land that has been granted, but on the other hand, Mr. Isaacs must be restrained, as far as the law permits, from encroaching on the public street, or on what ought to be the public street.—G.G., July 27.

No. 48.

The Colonial Secretary to The Surveyor General.

Sir, Colonial Secretary's Office, Sydney, 30 July, 1842.

See No. 47. With reference to your report of 23rd instant, on a letter from Colonel Barney, relative to a supposed encroachment on the line of Argyle-street, at Miller's Point, made by Mr. Isaacs, in which you state that the house known as the "Royal Oak" is an encroachment on the street, and recommend that the land required to carry out the line of street, as proclaimed on the 15th January, 1834, should be resumed and Isaacs compensated for it, I do myself the honor to inform you that the Governor cannot hold out the expectation of any compensation being given by the Government. His Excellency cannot therefore resume any land that has been granted; but that on the other hand Mr. Isaacs must be restrained, as far as the law permits, from encroaching on the public streets, of which Colonel Barney has been apprised and requested to acquaint Isaacs.

I have, &c.,
E. DEAS THOMSON.

No. 49.

The Colonial Secretary to The Colonial Engineer.

Sir, Colonial Secretary's Office, Sydney, 30 July, 1842.

No. 47. With reference to your letter of the 15th instant, relative to an enclosed encroachment on the line of Argyle-street, at Miller's Point, made by Mr. Isaacs, I do myself the honor to inform you that, having referred the subject to the Surveyor General, that officer reports that the house known as the "Royal Oak" is an encroachment on the street, and recommends that the land required to carry out the line

line of street, as proclaimed on the 15th January, 1834, should be resumed, and Isaacs compensated for it; but, as the Governor cannot hold out the expectation of any compensation being given by the Government, His Excellency cannot resume any land that has been granted; but on the other hand, Mr. Isaacs must be restrained as far as the law permits from encroaching on the public streets, or on what ought to be the public streets, and I am to request that you will acquaint Isaacs accordingly.

I have, &c.,
E. DEAS THOMSON.

No. 50.

Mr. M. G. Golden to The Colonial Secretary.

Sir,

15 November, 1842.

I take the liberty of writing to you about four houses I have entered into an agreement with Mr. John Isaacs to build on his allotment, situated at the corner of Argyle-street and Unwin-street, Miller's Point, Sydney, for which you refused permission to allow two of the houses to be built on a line with the frontage of the "Royal Oak" tavern. The Governor then being written to about it, and receiving no answer (it being now six weeks since the letter was written to him), I, having made preparations and arrangements for building the houses, do not wish to be at a loss by them. I require, if it is pleasing to you, to give a decided answer about the building of them, that I may come to some conclusion with Mr. Isaacs, and you will much oblige—

Your humble servant,

MICHL. G. GOLDEN,
Architect and Builder.

Minutes on No. 50.

Probably the reply may be in the Col. Secretary's Office.—GEO. BARNEY, Lt.-Col., R.E., 16 Nov.
Refer the Colonial Engineer to my letter to him of the 30th July, 1842.—Nov. 19.

No. 51.

The Colonial Secretary to The Colonial Engineer.

Sir,

Colonial Secretary's Office, Sydney, 22 November, 1842.

In reference to your memorandum of the 16th instant, covering a communication from one Michael Golden, relative to the line of building at the corner of Argyle-street, I do myself the honor to refer you to my letter of the 30th July last, in which, in reply to your communication on this subject, you were apprised that the Governor could not hold out the expectation of any compensation being given to Mr. Isaacs (the proprietor of the allotment which encroaches on the line of Argyle-street), that His Excellency could not therefore resume any land that had been granted; but that on the other hand, Mr. Isaacs must be restrained as far as the law permits from encroaching on the public street, or what ought to be the public street, of which you were requested to acquaint Mr. Isaacs.

I have, &c.,
E. DEAS THOMSON.

No. 52.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 30 January, 1843.

In attention to your letter of the 9th May last, in which you informed me that the Board appointed to report on the proposed continuation of Lower George-street, having stated that they were unable to arrive at any satisfactory conclusion in consequence of the high rate of valuation put on the premises, that would be thus expected by the parties interested, and requested that I would cause the site of the old gaol to be divided into allotments for sale, leaving the full breadth of the new line of George-street from Essex-street to Mr. Spark's wall, I have now the honor to transmit a plan showing the proposed division of the land in question into allotments for sale, for the approval of His Excellency the Governor.

I have, &c.,
T. L. MITCHELL.

No. 53.

Memorandum.

Old Gaol allotments, George-street.

THE accompanying case was returned with other papers by the late Governor, shortly prior to his departure from the Colony. I have referred to our books, but do not find that anything further has been done in the matter. The Surveyor General should perhaps be requested to report.

7 July.

J. T.

For Mr. Newcombe's remarks.—7 July.

No. 54.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 19 July, 1847.

I have the honor to state, for the information of His Excellency the Governor, that the site of the old gaol is improperly occupied by timber-dealers and others, and that in its present state it is rather a nuisance than otherwise, and unless it be levelled and fenced round, so as to form a small square, with a view to its being appropriated eventually as sites for public buildings or any other purpose, the most advisable

See No. 52.
See No. 39.

course will be to bring it to sale. By my letter of 30th January, in attention to yours, a design for the laying out of this space into building allotments was submitted for approval, but I have not yet been favoured with any decision on the matter; and I have therefore to request that the subject may be brought under His Excellency's notice, and that I may be furnished with instructions accordingly and the plan returned.

I have, &c.,

S. A. PERRY,
Deputy Surveyor General.

Minutes on No. 54.

Let this space be laid out in building allotments, as proposed by the Deputy Surveyor General.—C.A.F., 22 July. To be expedited.—1 October. Yes.—4. Re-submitted.—12 November. To be expedited. Yes.—13. To be expedited at end of the year.—27. Yes.—27. Re-submitted.—1 March. Again.—2 March.

No. 55.

The Colonial Secretary to The Surveyor General.

Sir, Colonial Secretary's Office, Sydney, 29 July, 1847.

No. 54. In acknowledging the receipt of your letter of the 19th instant, I do myself the honor, by the direction of the Governor, to convey His Excellency's approval to your causing to be laid out into building allotments for sale the site of the old gaol in George-street.

See No. 52. The plan forwarded in your letter of the 30th January, 1843, is herewith returned as requested.

I have, &c.,

W. ELYARD, JUN.

No. 56.

The Colonial Secretary to The Surveyor General.

Sir, Colonial Secretary's Office, Sydney, 11 October, 1847.

No. 55. Referring to my letter of the 29th July, I now do myself the honor to request that you will have the goodness to expedite the laying out of the allotments on the site of the old gaol in George-street.

I have, &c.,

W. ELYARD, JUN.

No. 57.

The Colonial Secretary to The Surveyor General.

Sir, Colonial Secretary's Office, Sydney, 13 November, 1847.

No. 56. In referring to my letter of the 11th October, I now do myself the honor to request that you will have the goodness to expedite the laying out of the site of the old gaol into allotments for sale.

I have, &c.,

W. ELYARD, JUN.

No. 58.

The Colonial Secretary to The Surveyor General.

Sir, Colonial Secretary's Office, Sydney, 13 January, 1848.

29 July, 1847. In referring to my letters of the dates mentioned in the margin, I now do myself the honor
11 Oct., " to request that you will have the goodness to expedite the laying out for sale of the site of the old gaol
13 Nov., " in George-street.

I have, &c.,

WM. ELYARD, JUN.

No. 59.

The Colonial Secretary to The Deputy Surveyor General.

Sir, Colonial Secretary's Office, Sydney, 3 March, 1848.

29 July, 1847. Not having received a reply to my several letters, as noted in the margin, requesting that the
11 Oct., " laying out for sale of the site of the old gaol in George-street into allotments for sale might be expedited,
13 Nov., " I am directed by His Excellency the Governor to draw your attention thereto, and request the favour of
13 Jan., 1848. an early answer.

I have, &c.,

E. DEAS THOMSON.

No. 60.

The Surveyor General to The Colonial Secretary.

Sir, Surveyor General's Office, Sydney, 7 March, 1848.

No. 59. I have the honor to inform you, in reply to your letter of the 3rd instant, referring to your several letters noted in the margin of your letter, requesting that the laying out for sale of the site of the old gaol in George-street might be expedited, that the requisite survey has now been made, and that a plan showing the division of the land into allotments shall be forwarded to you without further delay.

I have, &c.,

S. A. PERRY,

Deputy Surveyor General.

Minutes on No. 60.

Read. In one month. Re-submitted.—20 April. To be expedited.—20. Yes.—20.

No. 61.

19

No. 61.

The Colonial Secretary to The Surveyor General.

Sir, Colonial Secretary's Office, Sydney, 1 May, 1848.
 In reference to your letter of the 7th March last, I do myself the honor to invite your attention to my previous letters noted in the margin, on the subject of the site of the old gaol in George-street being laid out for sale, and to request the favour of an early reply thereto.

I have, &c.,
 E. DEAS THOMSON.

See No. 60.
 29 July, 1847.
 11 Oct., "
 13 Nov., "
 13 Jan., 1848.
 3 March, "

No. 62.

The Colonial Secretary to The Town Clerk.

Sir, Colonial Secretary's Office, Sydney 2, May, 1848.
 In acknowledging the receipt of your letter of the 28th ultimo,* I do myself the honor to apprise you, for the information of the Right Worshipful the Mayor of Sydney, that the Surveyor General has been instructed to point out to the City Surveyor the building-line and cart-line of all streets proclaimed in the city which have not hitherto been marked out with posts.

I have, &c.,
 W. ELYARD, JUN.

No. 63.

The Surveyor General to The Colonial Secretary.

Sir, Surveyor General's Office, Sydney, 11 May, 1848.
 With reference to your letter of the 1st instant, I have the honor to state that the arrangements for laying out the site of the old gaol in George-street are now completed, and that some of the allotments will be brought forward in my next schedule of lands for proclamation for sale.

I have, &c.,
 S. A. PERRY,
 Deputy Surveyor General.

Minutes on No. 63.

Read. Allotments 1 to 5 and 13 to 17. Proclaimed 2 June. For sale on 13 July, 1848.

No. 64.

Gazette Notice.—Proclamation.

By His Excellency Sir CHARLES AUGUSTUS FITZ ROY, Knight Companion of the Royal Hanoverian Guelphic Order, Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c., &c.

In pursuance of the authority in me vested by a certain Act of the Imperial Parliament of Great Britain and Ireland, passed in the 5th and 6th years of Her Majesty's reign, intituled, "*An Act for regulating the sale of Waste Land belonging to the Crown in the Australian Colonies.*" I do hereby notify and proclaim that at 11 o'clock of Thursday, the 13th day of July next, the following town allotments will be offered for sale by public auction at the Colonial Treasury, in Sydney, at the upset price affixed to each lot respectively, on the terms and conditions, and under the provisions of the above recited Act. (Deposit 10 per cent.)

* * * * *

Town Lots.

4. Sydney, 4½ p. Four and three-quarter perches, county of Cumberland, parish of St. Philip, allotment No. 1 of the site of the old gaol; bounded on the south by the building-line of Essex-street easterly 34 feet; on the east by a line at right angles northerly 41 feet 8 inches, dividing it from No. 2 allotment; on the north by a westerly line of 28 feet 4 inches, dividing it from part of No. 3 allotment to Anvil-lane; and on the west by that lane 45 feet 10 inches southerly to Essex-street aforesaid. Upset price, £10 per foot.

5. Sydney, 6½ p. Six and a quarter perches, county of Cumberland, parish of St. Philip, allotment No. 2 of the site of the old gaol; bounded on the west by a southerly line of 41 feet 8 inches, dividing it from allotment No. 1, at right angles to Essex-street; on the south by the building-line of Essex-street easterly 43 feet 2 inches; on the east by the building-line of George-street northerly 36 feet 4 inches; and on the north by a westerly line of 47 feet 8 inches, dividing it from part of allotment No. 3 to the north-east corner of No. 1 allotment aforesaid. Upset price, £15 per foot.

6. Sydney, 6½ p. Six and a quarter perches, county of Cumberland, parish of St. Philip, allotment No. 3 of the site of the old gaol; bounded on the east by the building-line of George-street northerly 22 feet 10 inches, on the north by a line at right angles westerly 76 feet to Anvil-lane; on the west by that lane southerly 22 feet 10 inches; and on the south by an easterly line of 76 feet, dividing it from Nos. 1 and 2 allotments, to George-street aforesaid. Upset price, £15 per foot.

7. Sydney 6½ p. Six and a quarter perches, county of Cumberland, parish of St. Philip, allotment No. 4 of the site of the old gaol; bounded on the east by the building-line of George-street northerly 22 feet 10 inches; on the north by a line at right angles westerly 76 feet to Anvil-lane; on the west by that lane 22 feet 10 inches; and on the south by an easterly line of 76 feet, dividing it from No. 3 allotment, to George-street aforesaid. Upset price, £15 per foot.

8. Sydney, 6½ perches. Six and a quarter perches, county of Cumberland, parish of St. Philip, allotment No. 5 of the site of the old gaol; bounded on the east by the building-line of George-street northerly 22 feet 10 inches; on the north by a line at right angles westerly 76 feet to Anvil-lane; on the west by that lane southerly 22 feet 10 inches; and on the south by an easterly line of 76 feet, dividing it from No. 4 allotment, to George-street aforesaid. Upset price, £15 per foot.

9.

9. Sydney, $6\frac{1}{4}$ p. Six and a quarter perches, county of Cumberland, parish of St. Philip, allotment No. 13 of the site of the old gaol; bounded on the north by an easterly line of 77 feet 1 inch dividing it from No. 12 allotment to Anvil-lane; on the east by that lane at right angles southerly 22 feet 10 inches; on the south by a line at right angles westerly 75 feet 11 inches to Harrington-street; and on the west by the building-line of that street northerly 23 feet to the south-west corner of No. 12 allotment aforesaid. Upset price, £7 per foot.

10. Sydney, $6\frac{1}{4}$ perches. Six and a quarter perches, county of Cumberland, parish of St. Philip, allotment No. 14 of the site of the old gaol; bounded on the north by an easterly line of 75 feet 11 inches dividing it from No. 13 allotment to Anvil-lane; on the east by that lane at right angles southerly 22 feet 10 inches; on the south by a line at right angles westerly 74 feet 9 inches to Harrington-street; and on the west by the building-line of that street northerly 23 feet to the south-west corner of No. 13 allotment. Upset price, £7 per foot.

11. Sydney, $4\frac{1}{2}$ perches. Four and a half perches, county of Cumberland, parish of St. Philip, allotment No. 15 of the site of the old gaol; bounded on the west by the building-line of Harrington-street southerly 57 feet; on the south by the building-line of Essex-street easterly 24 feet 7 inches; on the east by a line at right angles northerly 54 feet 7 inches; and on the north by a westerly line of 20 feet 10 inches dividing it from part of No. 14 allotment to Harrington-street aforesaid. Upset price, £10 per foot.

12. Sydney, $4\frac{1}{2}$ p. Four and a half perches, county of Cumberland, parish of St. Philip, allotment No. 16 of the site of the old gaol; bounded on the south by the building-line of Essex-street easterly 24 feet 5 inches; on the east by a line at right angles northerly 51 feet 7 inches; on the north by a westerly line of 24 feet 11 inches, dividing it from part of No. 14 allotment; and on the west by a southerly line of 54 feet 7 inches, dividing it from No. 15 allotment to Essex-street aforesaid. Upset price, £10 per foot.

13. Sydney, $4\frac{1}{4}$ p. Four and three-quarter perches, county of Cumberland, parish of St. Philip, allotment No. 17 of the site of the old gaol; bounded on the south by the building-line of Essex-street, 24 feet 5 inches easterly; on the east by Anvil-lane northerly 48 feet; on the north by a line at right angles westerly 29 feet dividing it from part of No. 14 allotment; and on the west by a line at right angles to Essex-street southerly 51 feet 7 inches, dividing it from No. 16 allotment, to Essex-street aforesaid. Upset price, £10 per foot.

* * * * *

Given under my hand and Seal of the Colony, at Government House, Sydney, this second day of June, in the year of our Lord one thousand eight hundred and forty-eight and in the eleventh year of Her Majesty's reign.

CHAS. A. FITZ ROY,
By His Excellency's command.
E. DEAS THOMSON.

God save the Queen!

No. 65.

The Town Clerk to The Colonial Secretary.

Sir,

Town Clerk's Office, Sydney, 15 December, 1848.

*Not with papers.

I am directed by the Right Worshipful the Mayor, with reference to my letter to you of date* 20th November, 1847, on the subject of the proclamation of certain streets therein mentioned, to request that His Excellency the Governor will be pleased to issue the necessary instructions for expediting the proclamation of the said streets, and also of George-street North from Charlotte-place to Fort-street.

I have, &c.,

JOHN RAE,
Town Clerk.

Minute on No. 65.

Transmitted for the report of the Surveyor General.—B.C., 20 December, 1848.—W. ELYARD, JUN., for the Colonial Secretary. To be returned.

No. 66.

Mr. J. Armstrong to The Surveyor General.

Sir,

No. 7, Macquarie-street, 8 January, 1849.

Having had the honor to receive an intimation that I might send in a tender for the survey of George-street, from Charlotte-place to Fort-street, and furnish a plan on a scale of 2 inches to 1 chain, representing thereon the required "curb and building lines," I beg to inform you that I shall be happy to undertake that service (with the mode of performing which I am familiar), including the pointing out to the City Corporation the proper spots for the posts, and conferring with the various proprietors along both sides of the line, for the sum of £30—including all expenses.

I beg to add that this part of the town being very irregular and intricate is the reason for my naming the above sum.

I have, &c.,

JNO. ARMSTRONG.

No. 67.

Memo. by Surveyor General.

THE survey of the streets formerly mentioned as in progress, and the copy of a tender made by Mr. John Armstrong to survey the portion of George-street, from Charlotte-place to Fort-street, alluded to, for the sum of £30 (which I consider a fair and reasonable tender), is enclosed herewith.

Surveyor General's Office, B.C., 29 January, 1849.

Approved.—C.A.F., 4 Feb.

T.L.M.

No. 68.

No. 68.

The Colonial Secretary to The Surveyor General.

Sir, Colonial Secretary's Office, Sydney, 6 February, 1849.
 In reference to your blank cover report of the 29th ultimo, I do myself the honor to inform ^{No. 67.} you that His Excellency the Governor has been pleased to approve of the tender made by Mr. John Armstrong, to survey the portion of George-street from Charlotte-place to Fort-street, for the sum of thirty pounds (£30), the same being considered by you as a fair and reasonable tender.

I have, &c.,
 W. ELYARD, JUN.,
 (For the Colonial Secretary).

No. 69.

The Colonial Secretary to The Town Clerk.

Sir, Colonial Secretary's Office, Sydney, 6 February, 1849.
 Referring to your letter of the 15th of December last, I have the honor to state to you, for the ^{No. 66.} information of the Right Worshipful the Mayor, that it appeared by the report of the Surveyor General that the survey of the streets alluded to in your former communication is in progress, and that instructions have now been given for the survey of the portion of George-street from Charlotte-place to Fort-street.

I have, &c.,
 W. ELYARD, JUN.

No. 70.

Mr. Surveyor Armstrong to The Surveyor General.

Sir, No. 7, Macquarie-street, Sydney, 12 April, 1849.
 In accordance with your instructions of the 10th February last,* I have surveyed Lower ^{* Not with papers} George-street, from Charlotte-place to Fort-street, and have now the honor to forward you a plan of the same, showing the proposed building and curb lines.

I have, &c.,
 JNO. ARMSTRONG.

No. 71.

The Surveyor General to The Colonial Secretary.

Sir, Surveyor General's Office, Sydney, 21 May, 1849.
 With reference to the letter of the Town Clerk, applying for the proclamation of George-street, ^{See No. 65.} between Charlotte-place and Fort-street, referred to me under blank cover of the 20th December last, and returned by me on the 9th January, 1849, under blank cover,—with reference also to your letter of the ^{See No. 68.} 6th of February last, wherein you conveyed to me His Excellency the Governor's approval of Mr. John Armstrong's tender to perform the survey required for the proclamation for the sum of thirty pounds,—
 2nd. I have now the honor to forward, enclosed, a plan* of the portion of George-street alluded to, ^{*Plan not with papers.} with a schedule of the width of the carriage and foot ways, in order that they may be submitted to His Excellency the Governor in Council.

I have, &c.,
 T. L. MITCHELL,
 S. G.

Minutes on No. 71.

Schedule and plan of streets in the city of Sydney sent to Executive Council.—31 March, 1849.
 Executive Council.—B.C., 23 May, 1849. Laid before the Executive Council, 2 June, 1849.

[Enclosure to No. 71.]

SCHEDULE accompanying letter to the Surveyor General, with plan of Lower George-street.

	Carriage-way.	Each footway.	Total width.
Lower George-street, from Charlotte-place to an angle near the centre of allotment 7 in section 82	36	12	60
From that point to the south end of the Commissariat Stores, the increased intermediate widths (including wall) being	103	12	127
And	99	12	111
At the south end of the Commissariat Stores	36	12	60
From that point to Argyle-street	each footway.		
From do. to the north end of the wall of the enclosure appropriated to the Water Police Office, turning off to the new Government landing place	36	12	60
From do. to the junction of Lower George-street with Fort-street	36	12	60

No. 72.

Summary of Proceedings of Executive Council.

SUMMARY of Proceedings of the Executive Council on 2nd June, 1849, relative to the breadth of the carriage and foot ways in Lower George-street.
 Minute No. 49/23.

Executive Council Office, Sydney, 19 June, 1849.
 His Excellency the Governor lays before the Council a letter from the Surveyor General, submitting a plan showing the breadth of the carriage and foot ways which he proposes to establish in Lower George-street, with a view to their proclamation.

2. As it appears from this plan that the exterior edge of a portion of the proposed footway on the eastern side of Lower George-street is placed upon land not hitherto forming part of the street or footway, the Council recommend that the Surveyor General should be requested to report whether the consent of the proprietors of this land has been obtained in accordance with the provisions of the 3rd clause of the Act 5 William IV. No. 20, and if not, that he should be instructed to communicate with the proprietors for the purpose of ascertaining whether or not they will assent to the alignment proposed.

FRANCIS L. S. MEREWETHER,

Clerk of the Council.

Approved.—C.A.F., 20th.

No. 73.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 27 June, 1849.

No. 71.

In acknowledging the receipt of your letter of the 21st ultimo, enclosing for approval a plan of a portion of George-street, between Charlotte Place and Fort-street, with a schedule of the width of the carriage and foot ways, I do myself the honor, by the direction of the Governor, to inform you that the same was duly laid before the Executive Council.

2. As it appears from the plan that the exterior edge of a portion of the proposed footway on the eastern side of Lower George-street is placed upon land not hitherto forming part of the street or footway, I am directed by His Excellency, at the recommendation of the Council, to request that you will have the goodness to report whether the consent of the proprietors of this land has been obtained in accordance with the provisions of the 3rd clause of the Act 5 William IV. No. 20, and if not, that you will have the goodness to communicate with the parties for the purpose of ascertaining whether or not they will assent to the alignment proposed therein.

I have, &c.,

W. ELYARD, JUN.

No. 74.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 10 July, 1849.

No. 73.

1st. In attention to your letter of the 27th June, 1849, in which, in reference to the design for the alignment of the part of George-street, you allude to the circumstance of the exterior edge of the proposed footpath on the east side of Lower George-street being placed upon land hitherto not forming part of the street or footway, and inform me that you are directed by His Excellency the Governor, at the recommendation of the Council, to request me to report whether the consent of the proprietors of the land has been obtained in accordance with the provisions of the 3rd clause of the Act 5th William IV. No. 20,—

2nd. I have the honor to state, for the information of His Excellency the Governor, that the arrangement was made with the privity and at the desire of the Messrs. Campbell, the proprietors of the land on which nearly the whole of the curb-line encroaches; but at the extremity of George-street are some premises formerly belonging to Mr. Cunningham, now the property of Mr. Hanson; the curb will take from these premises a small triangle to which Mr. Hanson does not object.

I have, &c.,

T. L. MITCHELL.

Minutes on No. 74.

For the Executive Council.—C.A.F., 13th. B.C., 14th July, 1849.—E.D.T. Laid before the Executive Council, 23rd July, 1849. Minute No. 49/34.

No. 75.

Summary of Proceedings of Executive Council.

SUMMARY of Proceedings of the Executive Council on the 23rd July, 1849, relative to a letter from the Surveyor General respecting alignment of George-street North.

Minute No. 49/34.—Confirmed 30th July, 1849.

Executive Council Office, Sydney, 13 November, 1849.

WITH reference to the Proceedings on the 2nd June last, His Excellency the Governor lays before the Council a letter from the Surveyor General, reporting that the owners of the private property upon which the alignment of George-street (proposed in his letter of the 21st May last) would encroach had consented to the arrangement.

See No. 71.

2. The Council thereupon advise the issue of a notice, under the 2nd clause of the Act 5 William IV. No. 20, declaring the distances from the curb-stone or exterior edge of the footways in Lower George-street within which it shall not be lawful to erect any building to be those shown in the plan and schedule laid before them on the 2nd June last.

FRANCIS L. S. MEREWETHER,

Clerk of the Council.

Approved.—C.A.F., 13 Nov.

No. 76.

Gazette Notice.

Executive Council Office, Sydney, 13 November, 1849.

Sydney Streets.

His Excellency the Governor, with the advice of the Executive Council, has directed it to be notified, in conformity with the provisions of the Act of the Governor and the Legislative Council, 5 Will. IV. No. 20, that the breadth of the footways in the undermentioned street shall be 12 feet each, and consequently that

that it will not be lawful for any person to erect any building within 12 feet of the curbstone or exterior edge of the said footways, as delineated on the plan submitted to His Excellency and the Executive Council, in conformity with the said Act, which said plan lies at the office of the Surveyor General, for the inspection of the public.

Name of Street.	Carringe-way.	Each Footway.	Total.
	feet.	feet.	feet.
Lower George-street, from Charlotte Place to an angle near the centre of allotment 7, in section 82	36	12	60
From that point to the south end of the Commissariat Stores, the increased intermediate widths (including wall) being	103	12	127
and	99	*12	111
And at the south end of the Commissariat Stores	36	12	60
From that point to Argyle-street	36	12	60
From that point to the north end of the wall of the enclosure appropriated to the Water Police Office, turning off to the new Government Landing-place	36	12	60
From that point to the junction of Lower George-street with Fort-street	36	12	60

* Footway at one side only.

By Command,
FRANCIS L. S. MEREWETHER,
Clerk of the Council.

No. 77.

The Colonial Secretary to The Surveyor General.

Sir, Colonial Secretary's Office, Sydney, 27 November, 1849.
In reference to your letter of the 10th July last, I now do myself the honor to draw your No. 74. attention to the notice in the Government Gazette of the 16th instant, respecting the breadth of the foot- See No. 74. ways in Lower George-street, Sydney. I have, &c.,

W. ELYARD, JUNR.

No. 78.

Messrs. Campbell & Co. to The Colonial Secretary.

Sir, Campbell's Wharf, 10 December, 1849.
Agreeably to your public notice, and with reference to the plan exhibited at the Surveyor General's Office for widening George-street, upon which our premises abut on the eastern side, we beg to submit a claim for taking 24 feet of the same, the value to be determined by disinterested parties. We have, &c.,

CAMPBELL & CO.

Minutes on No. 78.

Transmitted for the report of the Surveyor General.—B.C. 12 Dec., /49. W. ELYARD, JUN. (for the Colonial Secretary). To be returned.

The Government will not, I apprehend, make compensation under any circumstances; and if the Messrs. Campbell be not content to devote the 24 feet to the public for the benefit of their own property the only alternative seems to be to alter the plan.—T.L.M.

Surveyor General's Office, 17th December, 1849. Executive Council, B.C., 28th Dec., /49.
Laid before the Executive Council the 31st December, 1849. Minute No. 49/64.

No. 79.

The Surveyor General to Messrs. Campbell & Co.

Gentlemen, Colonial Secretary's Office, Sydney, 12 December, 1849.
I do myself the honor to inform you that it has been found necessary to refer to the Surveyor General your letter of the 10th instant, claiming compensation for land required for widening See No. 78. George-street. I have, &c.,

W. ELYARD, JUN.

No. 80.

Proceedings of the Executive Council.

PROCEEDINGS of the Executive Council on the 31st December, 1849, relative to Messrs. Campbell's claim to compensation for the widening of George-street.

Minute No. 49/64.—Confirmed 8th January, 1850.

Executive Council Office, Sydney, 16 January, 1850.

WITH reference to the proceedings on the 23rd July last, His Excellency the Governor lays before the Council a *letter from Messrs. Campbell & Co., referring to the plan for widening George-street, upon See No. 75. which their premises abut on the eastern side, and submitting a claim for taking 24 feet of the same, the See No. 78. value to be determined by disinterested parties.

2. When the plan referred to was laid before them on the 2nd June last, the Council observed that the exterior edge of a portion of the proposed footway on the eastern side of Lower George-street was placed upon land not hitherto forming part of the street or footway, and they called upon the Surveyor General in consequence for a report as to whether the consent of the proprietors of this land had been obtained in accordance with the provision of the 3rd clause of the Act 5 William IV. No. 20; and if not,

not, they recommended that he should be instructed to communicate with the proprietors for the purpose of ascertaining whether or not they would consent to the alignment proposed. The Surveyor General then reported that "the arrangement was made with the privity and at the desire of the Messrs. Campbell, the proprietors of the land on which nearly the whole of the curb-line encroaches." On this understanding the alignment was approved by the Council, and they cannot entertain the claim for compensation which the Messrs. Campbell now prefer. The Council therefore advise that the Messrs. Campbell should be so informed, and that the above explanations as to the course taken by the Council in the matter should at the same time be communicated to them.

FRANCIS L. S. MEREWETHER,
Clerk of the Council.

Approved—C.A.F., 16th.

No. 81.

The Colonial Secretary to Messrs. Campbell & Co.

Gentlemen,

Colonial Secretary's Office, Sydney, 4 February, 1850.

No. 79. Referring to my letter to you of the 12th December last, I have now the honor to inform you that your communication of the 10th of that month, claiming compensation for land proposed to be taken from your premises for the purpose of widening Lower George-street, together with the Surveyor General's report thereon, has been brought under the consideration of the Executive Council.

2. When the plan for widening Lower George-street was first laid before the Council, it was observed that the exterior edge of a portion of the proposed footway on the eastern side was placed on land not hitherto forming part of the street or footway, and the Surveyor General was called upon in consequence to report whether the consent of the proprietors of this land had been obtained, in accordance with the provision of the 3rd section of the Act 5 William IV. No 20, and if not he was recommended to communicate with them for the purpose of ascertaining whether or not they would consent to the alignment proposed.

3. The Surveyor General then reported that the arrangement was made with the privity and at the desire of the Messrs. Campbell, the proprietors of the land on which nearly the whole of the curb-line encroaches.

4. On this understanding the alignment was approved by the Governor and Council; and His Excellency has directed me to inform you that he regrets that, under these circumstances, the claim preferred by you for compensation could not be entertained by the Council.

I have, &c.,
W. ELYARD, JUN.

No. 82.

Messrs. Campbell & Co. to The Colonial Secretary.

Sir,

Campbell's Wharf, 9 February, 1850.

No. 81. We have the honor to acknowledge your letter of 4th instant.

In reply we beg to state, for the information of His Excellency the Governor, that there must be some mistake in the report from the Surveyor General's Department that we had consented to the arrangement, as this is the first intimation we have received of such a proposal having been made.

See No 79.

We beg further to state that when we received your communication of 12 December last, that you had referred our claim to the Surveyor General, we thought it unnecessary to call that officer's attention to his *letter in 1841 to the late Mr. Robert Campbell, wherein due notice was taken of the width of New George-street having been given up for the improvement of the city, and that the width of 60 feet now claimed by the Crown and abutting on our eastern boundary should be given up. We now suppose that this communication has been overlooked,—but upon it we rested our claim made to you in our letter of 10 December last.

• Not with papers.

Independent of the foregoing we have further to state that, as no consent was given by us in terms of the respective Acts of Council 4 William IV. No. 11 and 5 William IV. No. 20, Her Majesty's Government cannot continue the proposed improvement without compensation.

We respectfully suggest that, as we do not look for any great remuneration, the amount awarded to us might be allowed to us out of the portion of the vacant Crown Land adjoining our south boundary when put up for sale.

We have, &c.,
CAMPBELL & CO.

Minutes on No. 82.

Before this is laid before the Executive Council let it be referred to the Surveyor General for explanation as to this mistake which Messrs. Campbell state must have occurred, and also for his report on their present proposal.—C.A.F., 14th. The Surveyor General, B.C., 15 February, 1850, W. ELYARD, Jun. (for the Colonial Secretary). To be returned.

No. 83.

The Colonial Secretary to Messrs. Campbell & Co.

Gentlemen,

Colonial Secretary's Office, Sydney, 15 February, 1850.

See No. 82

I do myself the honor to inform you that it has been found necessary to refer to the Surveyor General your further letter of the 9th instant, respecting your application for compensation for ground required for the purpose of widening George-street.

I have, &c.,
W. ELYARD, JUN.

No. 84.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 23 February, 1850.

See No. 82.

I have the honor to acknowledge the receipt under your blank cover of the 15th instant, of a letter from Campbell and Company, dated 9th instant, and other papers relative to the proposed intrusion of the eastern side of Lower George-street into their property, and on which is indorsed a minute of His Excellency the Governor, as follows:—

"Before

"Before this is laid before the Executive Council let it be referred to the Surveyor General for explanation as to the mistake which Messrs. Campbell state must have occurred, and also for his report on the present proposal."

2. I have accordingly the honor to state, for the information of His Excellency the Governor, that it does now appear from this letter of Messrs. Campbell that the statement in my letter of the 10th July, See No. 74. as to the arrangement having been made with the privity and at the desire of the Messrs. Campbell was written under an erroneous impression. The private surveyor, Mr. Armstrong, who made the survey of the street, was known to be the professional adviser of the Messrs. Campbell in matters of survey and subdivision, and it was concluded, hastily perhaps, that this bold arrangement was desired by them. As however it appears that this is not the case, and as I see no great objection to narrow streets, and consider that except in very peculiar cases the granting of compensation by the Crown for questionable public convenience may be regarded as a bad precedent, I beg to repeat what is stated in my blank cover of the 17th December, 1849, on the previous demand of the Messrs. Campbell for compensation, that the only alternative seems to be to alter the plan; that is, provided the Government consider themselves bound by the letter of 1841* (but which does not appear to be recorded in this office) not to insist upon the width of 60 feet, in pursuance, I suppose, of the reservation in the deed of the right of improving the streets with such part of the land as the Government may think proper.

I have, &c.,
T. L. MITCHELL.

* What is this? This is the letter referred to by Mr. C. in his of 9th Feb., 1850, but of which the Surveyor General can find no trace, and Mr. C. has not furnished him with a copy as requested. Inform Mr. Campbell that the letter referred to does not appear to have been recorded in the Surveyor General's Office, and request him to furnish a copy of it. It is probable there may be some error in the date which has prevented it from being traced among the records of the Survey Office. 2 March.

No. 85.

The Colonial Secretary to R. Campbell, Esq.

Sir,

Colonial Secretary's Office, Sydney, 7 March, 1850.

I do myself the honor to inform you that the letter referred to in yours of the 9th February See No. 82. last, as having been addressed by the Surveyor General to the late Mr. Robert Campbell, of date 1841, respecting the line of Lower George-street, does not appear to have been recorded in the Survey Office, and to request that you will therefore have the goodness to furnish me with a copy of it.

I have, &c.,
W. ELYARD, JUN.

No. 86.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 19 March, 1850.

With reference to your letter of the 27th November last, wherein you directed my attention to No. 77. the notice in the Government Gazette of the 16th of the same month, respecting George-street North, See No. 76. from Charlotte-place to Fort-street, I have the honor to forward herewith the copy of a letter which I have received from the City Surveyor, applying to me that I may cause the alignment of that portion of George-street to be set out; and I have to request to be informed whether I may consider, pending the application of Mr. Campbell on the subject, the alignment as finally approved of and authorized.

I have, &c.,
T. L. MITCHELL.

Minutes on No. 86.

Have Messrs. Campbell answered the letter written to them on 7th instant?—22 March, 1850. Apparently not.—23. The matter cannot be finally decided until Messrs. Campbell's answer is received. If it is not forwarded within a few days they should be reminded.—C.A.F., 23rd March, 1850. Surveyor General apprised.—30 March, 1850. Write again to Messrs. Campbell.—27 April.

[Enclosure to No. 86.]

The City Surveyor to The Surveyor General.

Sir,

Town Hall, 5 March.

The City Council being desirous of immediately proceeding with the repairs of George-street North, from Charlotte Place to Fort-street, I have the honor to request you will please to direct that the alignment of that portion of the street be set out as early as your convenience will permit.

The posts are ready, and men will be in attendance upon the surveyor upon an application being made.

I have, &c.,
FRANCIS CLARKE,
City Surveyor.

No. 87.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 30 March, 1850.

With reference to your letter of the 19th instant, respecting the alignment of Lower George-No. 80. street, from Charlotte Place to Fort-street, I do myself the honor, by the direction of His Excellency the Governor, to inform you that this matter cannot be finally decided until an answer is received from Mr. R. Campbell to a communication made to him, respecting his letter to you, which is referred to in yours See No. 84. of the 23rd ultimo.

I have, &c.,
W. ELYARD, JUN.,
(For the Colonial Secretary).

No. 88.

The Town Clerk to The Colonial Secretary.

Sir, Town Clerk's Office, Sydney, 13 April, 1850.

With reference to your letter to me of date 8th ultimo, on the subject of opening and aligning certain streets in Sydney, I am directed by the Right Worshipful the Mayor to request that His Excellency the Governor will be pleased to cause the necessary steps to be taken for the aligning of George-street from Charlotte Place to Fort-street without delay, to enable the City Council to make the necessary improvements on that portion of George-street.

I am to add that when the Surveyor General is prepared to point out to the City Surveyor the building and curb lines of the street, in accordance with your letter of date 2 May, 1848, the Corporation will provide the alignment posts.

I have, &c.,
JOHN RAE.

Minutes on No. 88.

It appears that this matter awaits the reply to letter written to Mr. Campbell on *27 April. He is reminded. I conclude that the Town Clerk may be apprised of the cause of the delay in the matter.—1st May. Yes.—3.

* 7 May.
See No. 89.

No. 89.

The Town Clerk to The Colonial Secretary.

Sir, Town Clerk's Office, Sydney, 7 May, 1850.

I am directed by the Right Worshipful the Mayor to request your attention to my letter to you of date 13th ult., on the subject of the alignment of George-street, from Charlotte Place to Fort-street, to which no answer has been received, as the City Council are unable, until the alignment has been effected, to commence the improvements which are so urgently required in that portion of the street.

I have, &c.,
JOHN RAE,
Town Clerk.

Minutes on No. 89.

Has the letter written on minute of 1st instant been sent?—9. Sent to-day.—9th. Refer him thereto.—10 May.

See No. 88.

No. 90.

The Colonial Secretary to R. Campbell, Esq.

Sir, Colonial Secretary's Office, Sydney, 7 May, 1850.

With reference to my letter of the 7th March last, I beg to remind you that you have not yet favoured me with a copy of the letter from the Surveyor General to the late Mr. Campbell, respecting the line of George-street, and to request that you will have the goodness to forward it as early as convenient.

I have, &c.,
W. ELYARD, JUN.

No. 85.

No. 91.

The Colonial Secretary to The Town Clerk.

Sir, Colonial Secretary's Office, Sydney, 9 May, 1850.

I have the honor to acknowledge the receipt of your letter of the 13th ultimo, respecting the alignment of George-street from Charlotte Place to Fort-street, and to inform you that the cause of the delay in this matter is a complaint of encroachment on the part of Messrs. Campbell & Co., which has not yet been adjusted.

I have, &c.,
W. ELYARD, JUN.

No. 88.

No. 92.

The Colonial Secretary to The Town Clerk.

Sir, Colonial Secretary's Office, Sydney, 10 May, 1850.

In acknowledging the receipt of your letter of the 7th instant, respecting the alignment of George-street, from Charlotte Place to Fort-street, I do myself the honor to refer you to my communication of yesterday's date, apprising you of the cause of delay in the matter.

I have, &c.,
W. ELYARD, JUN.

No. 89.

No. 93.

Messrs. Campbell & Co. to The Colonial Secretary.

Sir, Campbell's Wharf, Sydney, 20 May, 1850.

We have the honor to acknowledge your letters of 7 March and 7th instant, addressed to Mr. R. Campbell, and in reply beg to say we find we erroneously stated the communication to be in the year 1841, and that the letter alluded to as having been received by our late father, Mr. Campbell, from the Surveyor General is, we regret to say, mislaid; but in support of our assertion that such a letter was written, we respectfully beg reference to the Surveyor General's letter to your predecessor, dated 6th August, 1834, stating that in consequence of the line of New George-street it was unnecessary that 60 feet should now be retained from our grant.

Upon the faith of this arrangement, roads were given up by our late Mr. Campbell, and grants for the separate quantities issued.

We have, &c.,
CAMPBELL & CO.

Minutes

See Nos. 85 & 90.

See No. 28.

Minutes on No. 93.

Mr. N.—*Précis*, 1 June.

On looking to the correspondence herein referred to, particularly my letter of the 6th August, See No. 26. 1834, it does appear that the Government cannot equitably insist upon the retention of 60 feet for this street, as provided for by the deed of grant. The only course, therefore will be, as was previously suggested, to allow the street to remain at its present width, or at any width that may suit the convenience and interests of Mr. Campbell, as it is a matter in which the public have no great concern.—T.L.M.

Surveyor General's Office, Sydney, 10 July, 1850. Mr. N.—13.

If the Government should, under the circumstances, hesitate to carry out its original intention, as notified, perhaps the Surveyor General should communicate with Mr. Campbell respecting the width of the street, as well as with Mr. Hanson, the other proprietor of land here, who, I am aware, has only consented to such arrangements as may be entered into with Mr. Campbell.—15.

Approved.—17th, C.A.F. End of September. Re-submitted.—10 Oct. To be expedited.
The Surveyor General to report.—2 July, 1851. Yes.—4 Aug. Re-submitted.—6 Oct. A report
should be requested from the Surveyor General.—8 Dec., 1851. Yes.—8. End of year.

No. 94.

Précis on the case.

IN 1848-9 it was proposed to proclaim the carriage and foot ways of Lower George-street, between Charlotte Place and Fort-street, but, before doing so, the Governor, under the advice of the Executive Council, directed that as the exterior edge of a portion of the proposed footway on the eastern side appeared to be placed upon land not hitherto forming part of the street and foot way, the Surveyor General should state whether the consent of the proprietors had been obtained in accordance with the 3rd clause of the Act 5th William IV. No. 23.

To this inquiry the Surveyor General reported in the affirmative, stating that the arrangement was made with the privity and at the desire of the Messrs. Campbell, the proprietors of the land on which nearly the whole of the curb-line would encroach. Under this report the proposed alignment was approved of by the Executive Council and duly notified.

In pursuance of that notice, the Messrs. Campbell claimed compensation for 24 feet taken from their land; but the Council declined to entertain the application, it appearing that the Messrs. Campbell had, as reported by the Surveyor General, consented to the alignment, to which effect those gentlemen were apprised.

Messrs. Campbell, in their communication, deny the alleged consent, and refer to a letter stated to have been addressed by the Surveyor General, in 1841, to the late Mr. Campbell, wherein the proposed width of the street where their property would be affected, of 60 feet, now claimed by the Crown, was stated to be given up; and they further stated that independently of the above circumstances, that as no consent was given by them under the Act of Council 4th William IV. No. 11, and 5th William IV. No. 20, the proposed improvements could not be made without compensation. They added that they were willing to take compensation out of land adjoining their south boundary when put up to sale.

Upon this representation the Surveyor General states that he now finds his former report, as to the consent of the Messrs. Campbell, was erroneous. He considers compensation for public convenience objectionable, and proposes to alter the plan, provided the Government consider themselves bound by the letter of the Surveyor General, alluded to by the Messrs. Campbell, of which however he cannot find any record in his office. The Messrs. Campbell were requested to forward a copy of that letter. They now state that the original is mislaid; but, in support of their assertion, refer to a letter addressed by the *Surveyor General* to the *Colonial Secretary*, of date the 6th August, 1834, in which is contained the following remark:— See No. 26.

"That in continuation of *George-street*, and the other the prolongation of *Cumberland-street*, both to *Dawes' Battery*, the former being 37 and the latter 30 feet wide, and as Mr. Campbell has agreed to open the northern communication between *George-street* and the *Battery*, as recommended in my report See No. 24. of the 23rd November* last, the necessity for increasing the width of the old street, except at the junction of * *Qy.* 1833. the two streets, no longer exists."

How far this and the other correspondence on the subject, in 1832 and 1833, bears out Messrs. Campbell I do not clearly understand, and perhaps the Surveyor General has overlooked it, and it may therefore be as well for him to see the papers before anything further is done in the matter.—8th June.

Minutes on No. 94.

Let this be sent to the Surveyor General, and request his attention to the concluding remarks.—C.A.F., 18th. Forwarded to the Surveyor General accordingly.—W. ELYARD, JUN. (for the Colonial Secretary), B.C., 26 June, 1850. To be returned.

No. 95.

The Town Clerk to The Colonial Secretary.

Sir.

Town Clerk's Office, Sydney, 8 June, 1850.

With reference to your letter to me, of date 9th ultimo, respecting the alignment of *George-street* from *Charlotte Place* to *Fort-street*, stating that the cause of delay is a complaint of encroachment No. 91. on the part of Messrs. Campbell and Company, I am directed by the Right Worshipful the Mayor respectfully to represent to His Excellency the Governor that the street in question is now almost impassable, and to request that His Excellency will be pleased to give instructions for the alignment of the street from *Charlotte Place* northwards as far as possible, without encroaching on the premises of Messrs. Campbell and Company.

I have, &c.,

JOHN RAE,
Town Clerk.

Minutes

Minutes on No. 95.

This matter seems only to await a decision on Messrs. Campbell's claim to compensation; but I am aware that the other proprietor, Mr. Hanson, has only acquiesced to the arrangement on the same terms as the former gentlemen. The Town Clerk has been apprised of the state of the case.

Inform him that the matter is still under consideration—that the Mayor will be made acquainted with the result when it is decided.—C.A.F., 18th.

No. 96.

The Colonial Secretary to The Town Clerk.

Sir,

Colonial Secretary's Office, Sydney, 24 June, 1850.

With reference to your letter of the 8th instant, respecting the alignment of George-street from Charlotte Place to Fort-street, I do myself the honor, by the direction of His Excellency the Governor, to inform you that the matter with respect to the encroachment on the premises of Messrs. Campbell and Company is still under consideration, and that the Right Worshipful the Mayor will be duly made acquainted with the result when it is decided.

I have, &c.,

W. ELYARD, JUN.

No. 97.

The Colonial Secretary to Messrs. Campbell & Co.

Gentlemen,

Colonial Secretary's Office, Sydney, 24 July, 1850.

In reply to your letter of the 20th May last, relative to the proposed line of Lower George-street, I do myself the honor, by direction of the Governor, to inform you that in looking into the correspondence referred to by you in the above communication the Surveyor General has reported that it does appear to him that the Government cannot equitably insist upon the retention of 60 feet for the street, as provided for by the deed of grant, and he has consequently recommended, as the only course to be adopted, that the street be allowed to remain at its present width, or at any width (not less than its present) that may suit your convenience and interests.

2. His Excellency, concurring in this view, has, however, instructed the Surveyor General to communicate with you, and the other proprietors of land in the locality who may be similarly circumstanced, in order to ascertain and fix what width may be agreeable and generally convenient to them and you.

I have, &c.,

E. DEAS THOMSON.

No. 98.

The Colonial Secretary to Messrs. Campbell & Co.

Colonial Secretary's Office, Sydney, 24 July, 1850.

Copy of a letter dated 24th July, 1850, addressed to Messrs. Campbell & Co., Campbell's Wharf, respecting the proposed line of Lower George-street, transmitted to the Surveyor General, with reference to his report of 10th July, 1850, on Messrs. Campbell & Co.'s letter under blank cover, 27th July, 1850.

W. ELYARD, JUN.

No. 99.

The Surveyor General to Messrs. Campbell & Co.

Gentlemen,

Surveyor General's Office, Sydney, 16 August, 1850.

The Colonial Secretary having forwarded to me a copy of the letter which he addressed to you on the 24th ultimo, relative to the width of that part of George-street North which borders upon your property, I have the honor to request that you will favour me with your determination as to the width, in order that the plan may be altered, and submitted to the Executive Council for approval.

I have, &c.,

T. L. MITCHELL.

No. 100.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 17 February, 1851.

Not having received a reply to my blank cover letter of the 24th July last, respecting the width of Lower George-street, Sydney, I am directed by His Excellency the Governor to draw your attention thereto, and to request the favour of your early report as to what has since been done in this matter.

I have, &c.,

W. ELYARD, JUN.,

(For the Colonial Secretary).

No. 101.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 7 August, 1851.

With reference to my letter of 17th February last, on the subject of the width of Lower George-street, I am &c., &c., your early report.

W. ELYARD, JUN.

The above is a printed letter of which a copy is not obtainable.—T. P. BANKS, Examiner.

No. 102.

No. 102.

Memorial from the City Council to His Excellency the Governor.

To His Excellency SIR CHARLES AUGUSTUS FITZ ROY, Knight Companion of the Royal Hanoverian Guelphic Order, Governor-General of all Her Majesty's Australian Possessions, and Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c., &c.

WE, the Mayor, Aldermen, and Councillors of the City of Sydney, in Council assembled, beg most respectfully but most earnestly to represent to your Excellency the urgent necessity which exists for a general and efficient drainage of the city, to provide for its cleanliness, and the consequent health and comfort of its inhabitants; and would venture to suggest that the necessity which has hitherto existed for an efficient system of drainage in the city has been rendered more apparent by the late discovery of the gold-fields of the Colony, and the vast increase to the population of the city which that discovery is certain to produce.

In a memorial which they had the honor to present to your Excellency, soon after your Excellency's arrival in the Colony, your memorialists stated that, by an estimate prepared by the City Surveyor, it appeared that for the construction of underground drains (exclusive of surface drainage, curbing, forming, and metalling the streets) the large sum of £380,528 would be required,—a sum far beyond the present or prospective means of the Corporation to undertake without some Government assistance.

That the same difficulty in grappling with this great work was experienced by the Government before the incorporation of the city; for tenders were invited by them and one accepted for the drainage, but the undertaking was subsequently abandoned on the great expense which it involved.

That by the Act for the better sewerage, cleansing, and draining of the City of Sydney and to promote the health of the inhabitants thereof, your memorialists are empowered to borrow on mortgage of the rates or rent to be derived from the contemplated sewers, any sum not exceeding £20,000; but your memorialists are so satisfied with the insignificance of this amount for a work of such magnitude that they consider it useless to commence an undertaking which, without assistance from the Government, they have no means of completing. The first portion of the principal sewer to be completed would necessarily be at its embouchure into the waters of the Cove in the line of the Tank Stream, and the £20,000 might soon be swallowed up in sewers in this locality without yielding sufficient revenue to pay the interest of the loan, much less to afford additional capital to proceed with the work.

That the Corporation of Sydney was called into existence, not as in towns and cities of the Mother Country, when the population was small and their wants proportionately few, but when the city covered a large surface and contained many miles of streets and many thousands of inhabitants. By the incorporation of Sydney, accordingly, the Government was relieved of a large annual expenditure, which was cast upon the citizens without any equivalent worthy of notice; and they were called upon by direct taxation, not only to keep in repair the streets and alleys already imperfectly formed and others that might thereafter be formed at their expense, but are also expected to incur an expenditure of nearly £400,000 for the sewerage of the city, a work which your memorialists submit ought to have grown with the growth of the town, and to have been performed by the Government before the incorporation of Sydney.

That the citizens of Sydney were induced to consent to the introduction of the Corporation Act by the promises held out by your Excellency's predecessors in the Government of the Colony; for in the minute of His Excellency Sir R. Bourke, of date 7th July, 1835, it was proposed to hand over to the City Commissioners, to be appointed by the inhabitants, the licenses to retail spirits in the town, markets, water and quit-rents,—revenues which would at first amount to £13,000 a year and were likely to increase annually; while the Police establishment was to continue a charge upon the public Treasury. And His Excellency the late Sir G. Gipps, the parent of the Corporation, while the Act was under discussion, expressly stated that as the Government proposed to give to the Corporation £14,000 a year, it was no longer an economical measure.

That instead of £14,000 per annum, however, it appears from the published records of the Corporation that the value of the endowments which have been handed over to the Corporation by the Government has averaged during the eight years of its existence only £5,000 per annum, and after deducting the expense of corporate machinery, salaries, and commission for collecting, about £3,000 per annum, leaving a clear annual endowment for city improvements of £2,000 per annum; on the other hand, the Corporation have raised by direct taxes and paid for the support of the Police £8,208 19s. 5d., although no other portion of the Colony except Melbourne was subject to direct taxation for the same service.

Your memorialists venture to reiterate the opinion which they formerly expressed to your Excellency that every portion of the Colony is entitled to the benefit and disposal of its own local revenues. Among these they submit are included publicans' licenses and the licenses of hawkers, peddlers, auctioneers, carters, and porters, confectioners and watermen, quit-rents, wharfage dues, and a portion of the revenue derived from sales of land by the Government within the limits of Sydney. The reasonableness of your memorialists' claim for the publicans' licenses was distinctly recognized by His Excellency Sir R. Bourke; and His Excellency the late Sir G. Gipps, allowing their right but questioning the expediency of granting it, had no doubt that if these licenses were withheld from the Corporation the Legislative Council, would give an annual money grant of £5,000 to the Corporation as an equivalent; and such a sum was in fact paid out of the General Revenue to the Corporation under the Appropriation Act 6 Vict. No. 5, until the expiration of twelve months after the first meeting of the Legislative Council, when it entirely ceased without any adequate cause being assigned, and without any equivalent or compensation being given to the Corporation.

That the large proportion which the citizens of Sydney (numbering upwards of a fifth of the whole population of the Colony) contribute to the general revenue appears to your memorialists to establish a claim to have a portion of that revenue expended in permanent improvements in the city. In this opinion they are borne out by that of His Excellency the late Sir George Gipps. While the Corporation Act was under discussion, His Excellency, in reply to some objections to the Bill, is reported to have said:—"He never asserted that nothing in the shape of additional pecuniary assistance should be granted to the Corporation in aid of its expenses in the construction of sewers, the repairs of streets, and other public works of a similar nature; on the contrary, he thought it not only equitable but desirable that some such aid should be granted to them, more especially as a great portion of these works might be said to apply as much to the benefit of the Colony at large as of Sydney individually, which was in itself a sufficient fact to give the Corporation a claim for assistance from the general revenue." But

But these views of your memorialists are further corroborated by even higher and later authority. In the despatch from the Right Honorable Earl Grey to your Excellency transmitting the Act for the better Government of Her Majesty's Australian Colonies, His Lordship, in expressing his views on the subject of Crown Land Revenue, expressly states that, after providing for the protection and civilization of the aboriginal natives of New South Wales, and the expenses incurred on account of surveys and the cost of collection, such proportion of the revenue derived from the sale or leasing of Crown Lands as is not required for emigration ought, as far as possible, to be applied in local improvements in the districts in which it arises; and in the despatch to His Excellency Sir William Denison on the same subject, His Lordship says more pointedly:—"The Committee of Privy Council on the proposed constitution of the Australian Colonies has advised that whenever local bodies are constituted representing the inhabitants of different districts, the application of half the land fund to objects of this kind (public works, roads, bridges, and buildings) should take place under their superintendence. I am strongly impressed with the importance of adopting this recommendation, and I should anxiously desire to see the establishment of such municipal bodies at the earliest possible period; and whenever they are established it would be highly expedient that the expenditure of a portion of the land fund in the manner I have described should take place under their direction, subject to the approval of the Lieutenant-Governor." If this just principle of appropriating the Crown Land Revenue be applicable to municipal bodies hereafter to be established, your memorialists submit that the same principle ought in fairness to be applied to those at present in existence, nor can any just reason be assigned why Sydney, the metropolis, should be placed on a less advantageous footing than the other districts of the Colony. In direct contradiction, however, to this principle of His Lordship, the Government here, instead of handing over to the Corporation any portion of the revenue derived from the sale of Crown Lands in Sydney, have appropriated the whole of this revenue for other purposes, and called upon the Corporation to tax the citizens directly for making and repairing the streets which have been opened through their lands, and thus increasing their value for the sole benefit of the Government.

Your memorialists therefore most respectfully pray that your Excellency will be pleased to introduce into the Legislative Council, at an early period of its first Session, a Bill for securing to your memorialists the licenses from publicans, hawkers, paddlers, carters, porters, confectioners, wharfage dues, and other local revenues, or such pecuniary aid from the general revenue as will enable them to undertake and complete the underground sewerage so necessary to provide for the cleanliness and the consequent health and comfort of the citizens.

And your memorialists, as in duty bound, will ever pray, &c., &c.

WILLIAM THURLOW,
Mayor of Sydney.

Passed the Council of the City of Sydney, 13th Oct., 1851,—
JOHN RAE, Town Clerk.

No. 103.

Memo. by His Excellency the Governor.

City Council Memorial for Endowment.

I VERBALLY informed the deputation which presented this memorial, that I was not in a position to give an answer to it at present, more especially as the proposed financial arrangements for the ensuing year had already been submitted to the Legislative Council; but that as I was aware it was intended to present a similar memorial to the Legislative Council, I deem it desirable to await the result, and when the views of the Legislative Council on the subject were ascertained, I would bring it before the Executive Council for consideration.—C.A.F. 28 Oct., 1851.

The above had better be forwarded to the City Council officially.

No. 104.

The Colonial Secretary to The Town Clerk.

Sir, Colonial Secretary's Office, Sydney, 4 November, 1851.

With reference to the petition from the Mayor, Aldermen, and Councillors of the City of Sydney, praying for the introduction into the Legislative Council during the present session of a Bill to provide for the endowment of the Council, I am instructed to apprise you that the Governor-General has informed the deputation which presented the petition that he was not in a position to give an answer to it at present, more especially as the proposed financial arrangements for the ensuing year had already been submitted to the Council; but that, as His Excellency was aware, it was intended to present a similar memorial to the Legislative Council, he deemed it desirable to await the result; and when the views of the Council on the subject were ascertained, he would bring the matter before the Executive Council for consideration.

I have, &c.,

E. DEAS THOMSON.

No. 105.

Extract from Votes and Proceedings of the Legislative Council.

Notice of Motion.—Thursday, 13 November, 1851.

CONTINGENT—Mr. Lamb to move, on the order of the day being called on for the third reading of the Sewerage Bill, that an address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852 a sum not exceeding £10,000, in aid of the City Fund, to be applied by the Corporation of the City of Sydney towards the formation of sewers and making other public improvements in the city.

31

No. 106.

The Colonial Secretary to The Surveyor General.

Colonial Secretary's Office, 10 December, 1851.

PRINTED letter referring to mine of 7th August last and former correspondence on the subject of the No. 101. width of Lower George-street, &c.

W. ELYARD, JUN.

No. 107.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 12 December, 1851.

In attention to your letter of the 9th instant, wherein with reference to your letter of the 7th August last and former correspondence on the subject of the width of Lower George-street, you request by direction of the Governor General that I will report what has since been done in the matter, I have the honor to state for His Excellency's information that my letter of the 16th August, 1850, to the Messrs. Campbell, requesting their decision as to the width of that part of the street which borders their property still awaits a reply from those gentlemen, but that I have forwarded to them a duplicate of my communication on the subject.

I have, &c.,

T. L. MITCHELL.

Minutes on No. 107.

Read. In three months.—17. Re-submitted.—3 April. Put by.

No. 108.

Copy from Register.

COPY from Register of Blank Cover Letters from Colonial Secretary, from 1848 to 1851.

No.	Date.	Name.	Referring to.	Date of Answer.	No. of Answer.	Subject.
49/11,757	Dec. 12.	Campbell & Co.	.....	Dec. 7, 1849.	49/290, folio 117	S. G. to report on their application for compensation for the land of which they will be deprived by the alignment of George-street (Lower).
50/1,885 M. 8,949 49/11,757 M. 8,795 49/6,578 M. 8,443 49/4,927 50/5,039	Feb. 15.	Campbell & Co., Campbell's Wharf.	.....	Returned in S. G. letter of 23 Feb., 1850.	50/109	S. G. to report on the representation of Messrs. Campbell, that they have not consented to the widening of George-street, and to their application for compensation.
	June 29.	Campbell & Co., Lower George-st.	.....	July 10.	50/182, folio 185	S. G. to report on letter of Messrs. Campbell claiming compensation for opening to a greater width the line of Lower George-street.
50/5,039	July 24.	Campbell, Messrs. and Co., Lower George-street.	50-182.—B.C.	Aug. 16.	50/514	Transmitting copy of letter to Messrs. Campbell stating that, as the Government cannot equitably insist on 60 feet as the width of Lower George-street near their property, it will be made of such width as they and the other proprietors will consent to, &c.,

From 1852 to No. 73 of 1854, names under letter C are missing.

No. 109.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 28 February, 1852.

With reference to your letter of 11th May, 1848, on the subject of the site of the old Sydney Gaol in Lower George-street, I am directed by His Excellency the Governor-General to request that you will at your earliest convenience cause to be brought forward for sale the land above referred to, which it is presumed has been measured in conformity with the instructions which I had the honor to convey to you by my letter of the 9th May, 1842, and may be sold without impeding the proposed ultimate alignment of Lower George-street.

I have, &c.,

E. DEAS THOMSON.

No. 110.

The Town Clerk to The Colonial Secretary.

Sir,

Town Clerk's Office, Sydney, 24 March, 1852.

I am directed by the Right Worshipful the Mayor, in accordance with a resolution of the City Council of date the 15th instant, to request that in consequence of the refusal of the Government to grant the site of the old gaol in George-street to the Corporation, and the nuisance being still unabated, the property be immediately disposed of by public auction, to remove the nuisance and increase the revenue of the Corporation from the buildings to be erected thereon.

I have, &c.,

JOHN RAE,
Town Clerk.*Minutes*

Minutes on No. 110.

Refer for the report of the Surveyor General.—21st. Transmitted to the Surveyor General for his report. Blank cover.—24th April, 1852, W. ELYARD, JUN. (for Colonial Secretary). To be returned. The allotments herein alluded to have now been sold, and this letter is returned as a record of the Colonial Secretary's Office.—JOHN THOMPSON, Surveyor General's Office, 12th April, 1853. I conclude the Town Clerk may be informed to this effect.—14th, M.F. Yes.—C.A.F., 16th.

No. 111.

The Colonial Secretary to The Town Clerk.

Colonial Secretary's Office, Sydney, 24 April, 1852.

No. 110. PRINTED letter informing that it has been found necessary to refer to the Surveyor General your letter of the 24th ultimo on the subject of the site of the old gaol in George-street.

W. ELYARD, JUN.

No. 112.

The Surveyor General to The Colonial Secretary.

Sir, Surveyor General's Office, Sydney, 26 May, 1852.

See No. 109.

In attention to your letter of the 28th February last, wherein, with reference to your letter of the 11th May, 1848, respecting the site of the old gaol in Lower George-street, you request, by direction of His Excellency the Governor-General, that I will cause the land referred to be brought forward for sale, which it is presumed has been measured in conformity with the instructions conveyed to me in your letter of the 9th May, 1842, and may be sold without impeding the proposed ultimate alignment of Lower George-street, I have the honor (before bringing the allotments forward for sale as directed) to state for His Excellency's information that on the receipt of your letter of the 29th July, 1847, a design for the division of the site of the old gaol (without including new George-street, by which it was crossed diagonally, and its area limited and impaired) was prepared, and allotments laid out in accordance therewith, and descriptions of some of the allotments fronting Harrington-street submitted for sale in my letter of the 22nd May, 1848, and to inquire whether it is not intended that the sale should proceed according to this latter arrangement, rather than according to the arrangement shown on the plan including new George-street (returned to me in your letter of the 29th July, 1847).

I have, &c.,

T. L. MITCHELL.

Minutes on No. 112.

According to this arrangement, I presume? Yes. This arrangement appears to have been abandoned in consequence of the high rate of valuation put upon the land required for the new line of George-street by the proprietors.—M.F. Yes.—3.

No. 113.

The Colonial Secretary to The Surveyor General.

Sir, Colonial Secretary's Office, Sydney, 7 June, 1852.

No. 12.

• 11th May.

See No. 55.

In acknowledging your letter of the 26th ultimo, I have the honor, by direction of His Excellency the Governor-General, to inform you that the sale of the land comprising the site of the old Sydney Gaol in George-street is to proceed according to the arrangement under which some of the allotments were brought forward for sale in your communication of the *22nd May, 1848, the original arrangement as shown on the plan enclosed to you in my letter of the 29th July, 1847, having it appears been abandoned in consequence of the high rate of valuation put upon the land required for the new line of George-street by the proprietors.

I have, &c.,

W. ELYARD, JUN.

No. 114.

The Colonial Secretary to The Surveyor General.

Sir, Colonial Secretary's Office, Sydney, 7 June, 1852.

See No. 112.

• 11th May.

See No. 63.

See No. 55.

In acknowledging the receipt of your letter of the 26th ultimo, I have the honor, by the direction of His Excellency the Governor General, to inform you that the sale of the land comprising the site of the old gaol in George-street is to proceed according to the arrangement under which some of the allotments were brought forward for sale in your communication of the *22nd May, 1848, the original arrangement as shown on the plan enclosed to you in my letter of the 29th July, 1847, having it appears been abandoned in consequence of the high rate of valuation put upon the land required for the new line of George-street by the proprietors.

I have, &c.,

W. ELYARD, JUN.

No. 115.

The Colonial Secretary to The Town Clerk.

Sir, Colonial Secretary's Office, Sydney, 20 April, 1853.

No. 111.

No. 110.

Referring to my letter to you of the 24th April, 1852, on the subject of the site of the old gaol in George-street, I have now the honor to inform you that the land in question has been sold by auction in allotments, in compliance with the request contained in your letter of the 24th of March, 1852.

I have, &c.,

E. DEAS THOMPSON.

No. 116.

No. 116.

The Town Clerk to The Under Secretary for Lands.

Sir,

Town Clerk's Office, Sydney, 19 August, 1864.

I have the honor, by direction of the Right Worshipful the Mayor, to submit herewith for the information of the Honorable the Minister for Lands, a tracing of the proclaimed alignment of George-street, north of Argyle-street, showing the extent to which the wall of the old dockyard over-reached upon the roadway and footway of the street, and am desired by His Worship to solicit from Mr. Secretary Wilson the necessary authority to remove the wall from its present position, and to re-erect it upon the proclaimed line of street, as a similar improvement is now being carried out at the "Sailors' Home," adjoining the dockyard.

I have, &c.,

C. H. WOOLCOTT,
Town Clerk.

Minutes on No. 116.

Surveyor General.—M.F., 23rd August. There is no objection to the proposed arrangement, and it will much improve the street.—P. F. ADAMS (for Surveyor General), 26th August. Under Secretary for Lands. Approved.—J.B.W., 2nd September. For the Surveyor General.—B.C., 6th September, 1864. Inform Treasury.

No. 117.

The Under Secretary for Lands to The Under Secretary for Finance and Trade.

Sir,

Department of Lands, Sydney, 7 September, 1864.

I am directed to state, for the information of the Finance Minister, that application having been made by the Town Clerk for permission to remove the old wall in George-street enclosing the dockyard, and to re-erect the wall upon the proclaimed line of George-street, Mr. Secretary Wilson has approved of the arrangement so proposed.

I have, &c.,

MICHL. FITZPATRICK.

No. 118.

The Under Secretary for Lands to The Town Clerk.

Sir,

Department of Lands, Sydney, 8 September, 1864.

Referring to your letter of the 19th ultimo, applying for permission to remove the old wall in George-street enclosing the dockyard, and to re-erect the wall upon the proclaimed line of George-street, I am directed to state, for the information of the Right Worshipful the Mayor, that Mr. Secretary Wilson has approved of the arrangements so proposed, of which the Surveyor General has been apprised.

I have, &c.,

M. FITZPATRICK.

No. 119.

The Town Clerk to The Under Secretary for Lands.

Sir,

Town Clerk's Office, Sydney, 26 November, 1877.

I have the honor, by direction of the Right Worshipful the Mayor, to respectfully request that the Honorable the Minister for Lands will be pleased to give such instructions as may be necessary for having the portion of George-street, northwards of the Mariners' Church, opened in accordance with the proclamation in the Gazette, of date the 13th November, 1849.

As it is understood that a portion of the property known as Campbell's Wharf, abutting on to George-street, is about to be offered for sale, His Worship would be glad if this matter could receive early attention.

I have, &c.,

C. H. WOOLCOTT,
Town Clerk.

Minutes on No. 119.

Unless it can be ascertained by search in the early records (possibly in the Colonial Secretary's Office) that a consent has been given by Mr. Campbell, or the then owner of the property in question, to the alignment, as notified in the Government Gazette of the 13th November, 1849, I am of opinion that such alignment is void, and that though 12 feet could have been taken without the consent of the owner, it probably is not now within the power of the Government to take even that space. In the absence of the consent of the owner, the direct violation of the terms of the Act 5th William 4th, No. 20, may however be considered as enabling the Surveyor General to act *de novo* in the matter; or it may be possible, under the 34th clause of the Act, 4th William IV, No. 11, to resume the portion of land in question by proclamation, &c., and by appointment of Commissioners, and payment of compensation if such a course be deemed necessary and expedient.—R. D. FITZGERALD, for Surveyor General, 10/12/77.

The Principal Under Secretary will perhaps be good enough to cause a search to be made in the records of his office, with a view to the required information being obtained.—B.C., 14 December, 1877. O.R. W.W.S.

All papers in this case appear to be with 52-2,674. Town Clerk, 24 March, 1852, requesting immediate disposal of site of old Sydney Gaol. Sent to Surveyor General, 24 April, 1852, and returned 14 April, 1853. A very careful search has been made by Mr. Goodman and myself for these papers, but they cannot be traced.—C.W., 22/12/77.

Immediate. Mr. W.—Obtain for me a sight of the register of letters received by the Surveyor General from individuals (as it was called), that is, from private or unofficial persons, in the year 1850.—27 Dec., 1877.

Mr. A.—I find nothing in the register. If you can take the matter in hand, pray do.—12/1/78.

No. 120.

The Town Clerk to The Under Secretary for Lands.

Sir, Town Clerk's Office, Sydney, 10 January, 1878.
Referring to my letter of the 26th November last, respecting the opening of North George-street to its proclaimed width, I have the honor, by direction of the Right Worshipful the Mayor, to inquire whether the matter has received the attention of the Honorable the Minister for Lands, as the Australian Steam Navigation Company have again intimated their intention of offering their land abutting on to the street for early sale.

I have, &c.,
C. H. WOOLCOTT,
Town Clerk.

Minutes on No. 120.

This matter has already been reported on by me on the previous paper.—ROBT. D. FITZGERALD. (For Surveyor General), 11 Jan., 1878. Forwarded to the Principal Under Secretary with reference to previous papers sent to his office on the 15th ultimo.—W. W. STEPHEN, B.C., 25 Jan., 1878. To be returned. The papers cannot be found here.—The Under Secretary for Lands, B.C., 29 Jan., 1878. M.R.A.

No. 121.

The Town Clerk to The Under Secretary for Lands.

Sir, Town Clerk's Office, Sydney, 28 January, 1878.
Referring to my letter of the 26th November last, respecting the opening of George-street north of the Mariners' Church to its full proclaimed width, I have the honor, by direction of the Right Worshipful the Mayor, to state that the land now encroaching on the line of street has been advertised for sale by the Australian Steam Navigation Company, and His Worship therefore begs to urge immediate attention to the matter.

I have, &c.,
C. H. WOOLCOTT,
Town Clerk.

Minutes on No. 121.

It is recommended that my minute of the 10th December, 1877, be submitted to the Secretary for Lands, with the information now received from the Colonial Secretary's Office to the effect that former papers relative to any agreement cannot be found. There has, however, been considerable correspondence with reference to the width of this part of George-street, as the enclosed extracts from old record books show, and such extracts may possibly lead to the finding important documents. It is necessary that I should qualify my former report, as, upon careful perusal of the deed of grant, I find that the provision which was considered to amount to one of a power of obtaining material for road-making may possibly be construed into one of resumption.—R. D. FITZGERALD (for Surveyor General), 8th February, 1878.

Approved.—J.S.F., 28 Feb., 1878. Forwarded for the information of the Under Secretary, Colonial Secretary's Office. B.C., 7 March, 1878.—O.R. W.W.S. Former papers now herewith.—19/3/77. The Under Secretary for Lands, B.C., 19/3/78.—M.R.A. Surveyor General.—W.W.S., B.C., 20 March, 1878.

No. 122.

The Town Clerk to The Under Secretary for Lands.

Sir, Town Clerk's Office, Sydney, 2 March, 1878.
I have the honor, by direction of the Right Worshipful the Mayor, to inquire whether the Honorable the Minister for Lands will be pleased to receive a deputation from the City Council upon the subject of the proposed opening of George-street North, through the property known as Campbell's Wharf, and if so, when it will be convenient for him to do so.

I have, &c.,
C. H. WOOLCOTT,
Town Clerk.

Minutes on No. 122.

Will the Minister for Lands name a time for receiving the deputation.—W. W. STEPHEN, 7/3/78. Tuesday next, at 11 o'clock.—J. S. FARNELL, 7/3/78. Obtain papers quickly.—O.R.

No. 123.

The Under Secretary for Lands to The Town Clerk.

Sir, Department of Lands, 8 March, 1878.
With reference to your letter of the 2nd instant, inquiring, by direction of the Right Worshipful the Mayor, when it will be convenient for the Minister for Lands to receive a deputation from the City Council on the subject of the proposed opening of George-street North through the property known as Campbell's Wharf, I am instructed to inform you that Mr. Secretary Farnell has appointed Tuesday next, the 12th instant, at 11 o'clock a.m., to receive the deputation in question.

OSBORNE RICH,
(For the Under Secretary).

No. 124.

Memo. by Deputy Surveyor General.

Alignment of part of Lower George-street.

As there appears to have been no consent from Mr. Campbell, I am of opinion that the alignment of the portion of Lower George-street under consideration, proclaimed in Government Gazette 13th November, 1849,

1849, folio 1,710, was void; and it is now submitted whether, as suggested in my previous minute, the direct violation of the terms of the Act does not enable the Surveyor General to act *de novo* and align the street, resuming a width of 12 feet for footway, and whether it is desired that such action should be taken, or compensation be paid to the present owner for the obtaining of a wider street, or whether the matter should be left as it is.

In connection with the above report, however, I must again draw attention to the wording of the provision contained in the deed, viz., "reserving at all times the right to the Governor for the time being of appropriating such parts thereof as may be deemed necessary for the making and improving the streets," which may be considered either as a power of resumption of land for streets, or for obtaining material for the formation of streets. See copy enclosed.

26 March, 1878.

R. D. FITZGERALD,
(For Surveyor General).

Minutes on No. 124.

The matter to remain as it is for the present.—J.S.F., 13/4/78. The Deputy Surveyor General.—29. May now be put away.—E.G., 8 May, 1878.

[Enclosure to No. 124.]

Sydney. Town Grant.

UNTO Robert Campbell, Esq., his heirs and assigns, to have and to hold for over 3 acres 3 roods of land, lying and situate in the town of Sydney, bounded on the south side by premises in the occupation of the naval officer; on the south-west side by the road leading to Dawes' Point, bearing north 36½ degrees west 629 feet; on the north-west side by a line east 31½ degrees north 200 feet; and on the east side by the water of Sydney Cove (in consequence of his having erected thereon several large and expensive buildings). Reserving at all times the right to the Governor for the time being of appropriating such parts thereof as may be deemed necessary for the making and improving the streets; quit rent, £3.

In testimony, &c., this 29th day of June, 1814.

Witnessed by—

JOHN WATTS.

CHARLES WHALAN.

L. MACQUARIE, L.S.

I certify the above and preceding page to be a true copy of the entry or copy of the original deed of grant from the Crown, kept as of record or for public or official purposes in the office of the Registrar General of the Colony of New South Wales.

Registrar General's Office, Sydney, 2nd February, 1878.

E. G. WARD,
Registrar General.

No. 125.

The Under Secretary for Lands to The Town Clerk.

Sir,

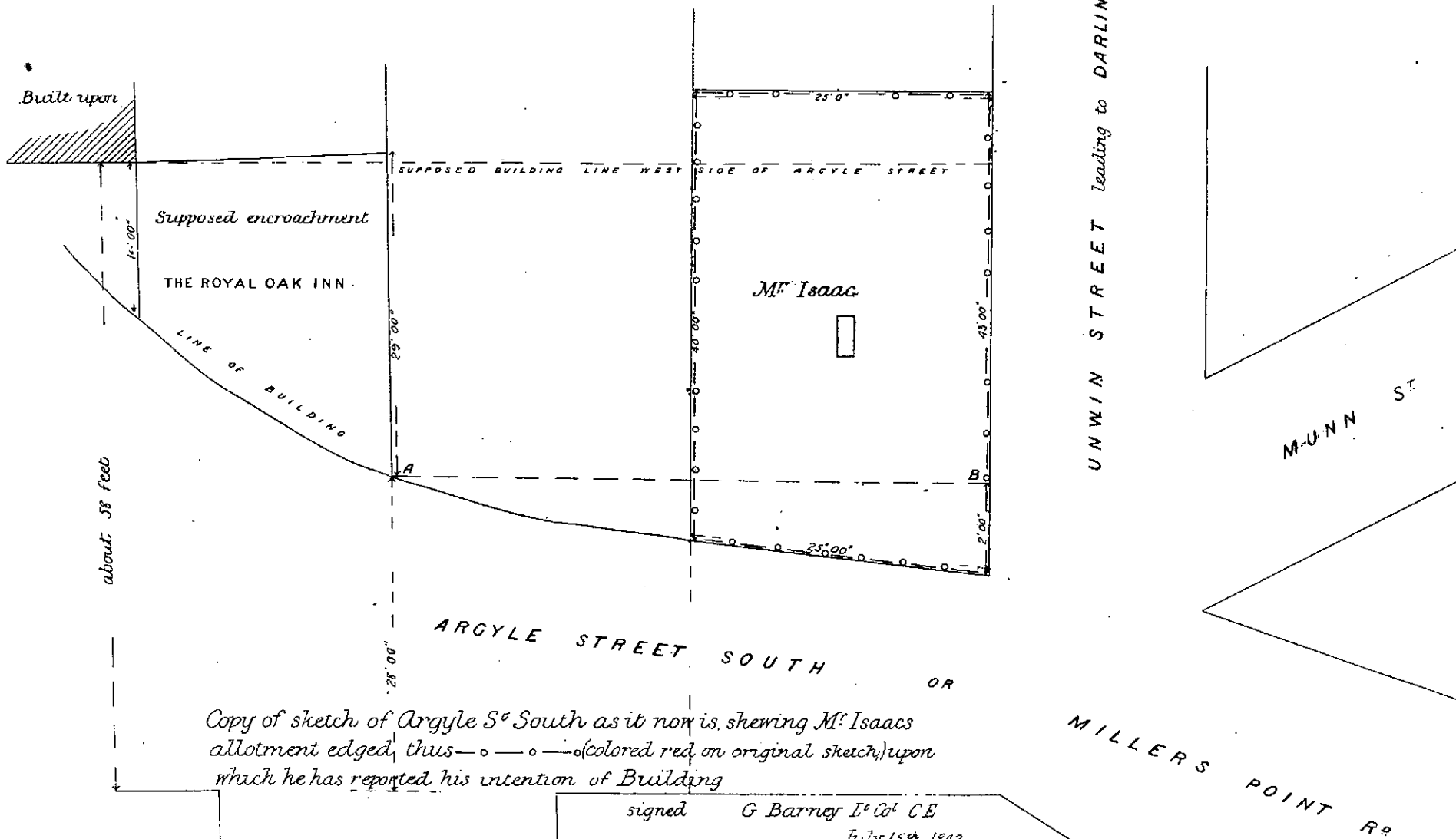
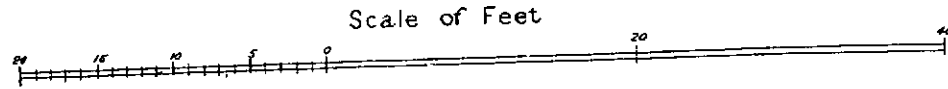
Department of Lands, 26 April, 1878.

I am directed to inform you that, as there appears to have been no consent from Mr. Campbell, the Surveyor General is of opinion that the alignment of the portion of Lower George-street under consideration is void. The Minister for Lands has, therefore, decided that the matter shall remain as it is for the present.

I have, &c.,

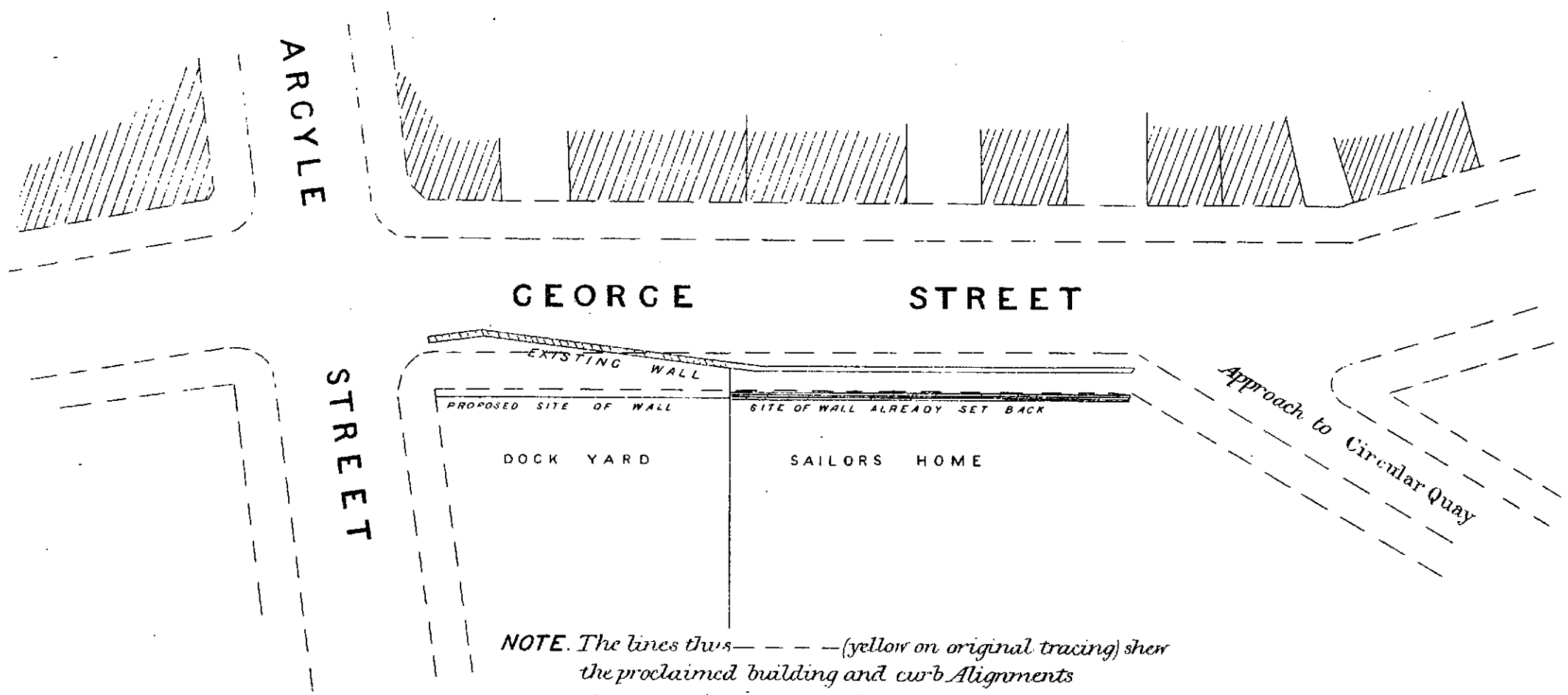
W. W. STEPHEN.

[Seven plans.]



Copy of sketch of Argyle S^c South as it now is, shewing Mr Isaac's allotment edged thus—o—o—o—(colored red on original sketch) upon which he has reported his intention of Building

signed G Barney I^c Co^t CE
July 15th 1842



NOTE. The lines thus — — — (yellow on original tracing) shew the proclaimed building and curb Alignments

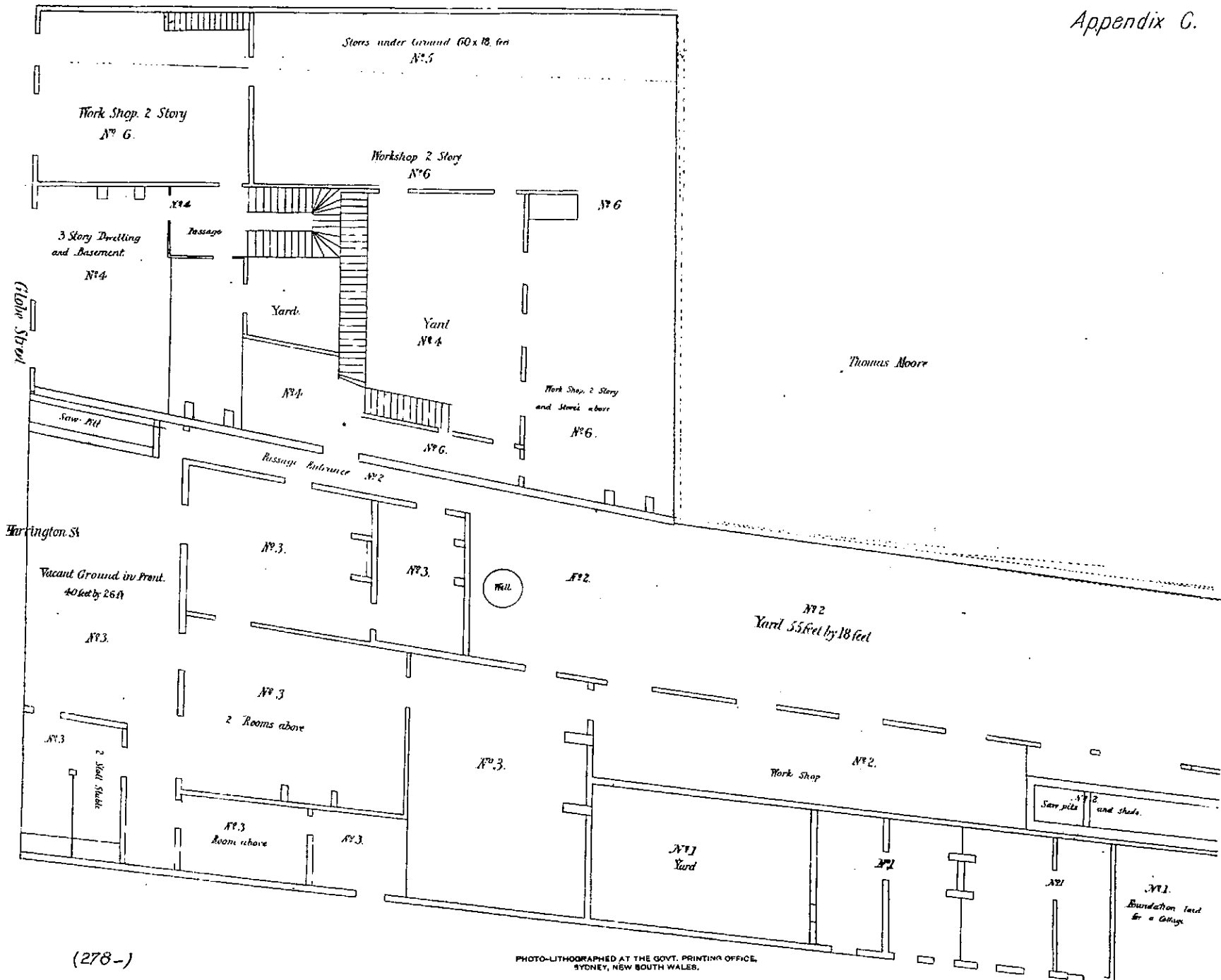
Proposed Site & Site of Wall are shown in Red on original tracing.

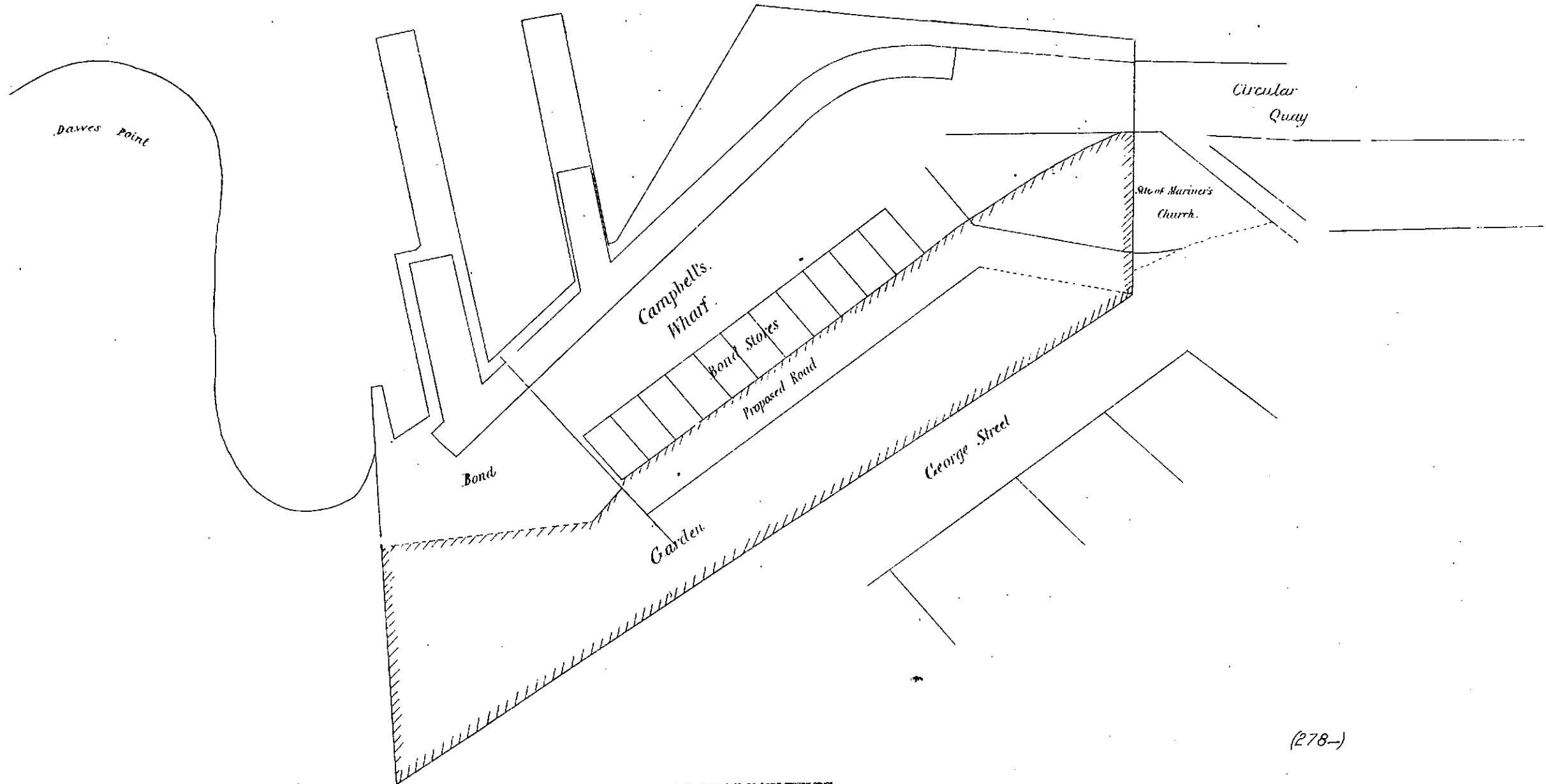
Sydney 17th August 1864

(signed) Edward Bell

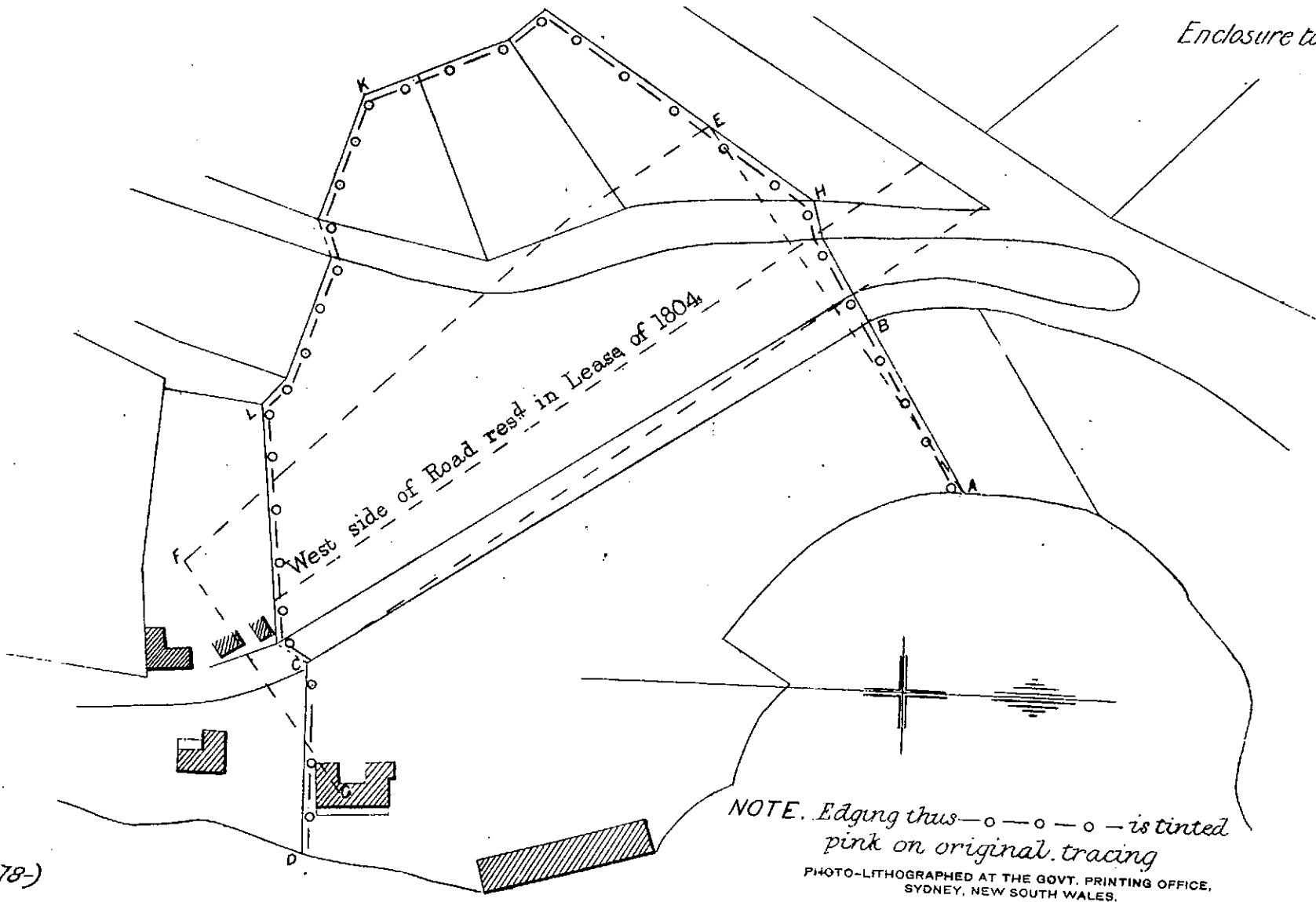
City Engineer

(278-)





Enclosure to N^o 17

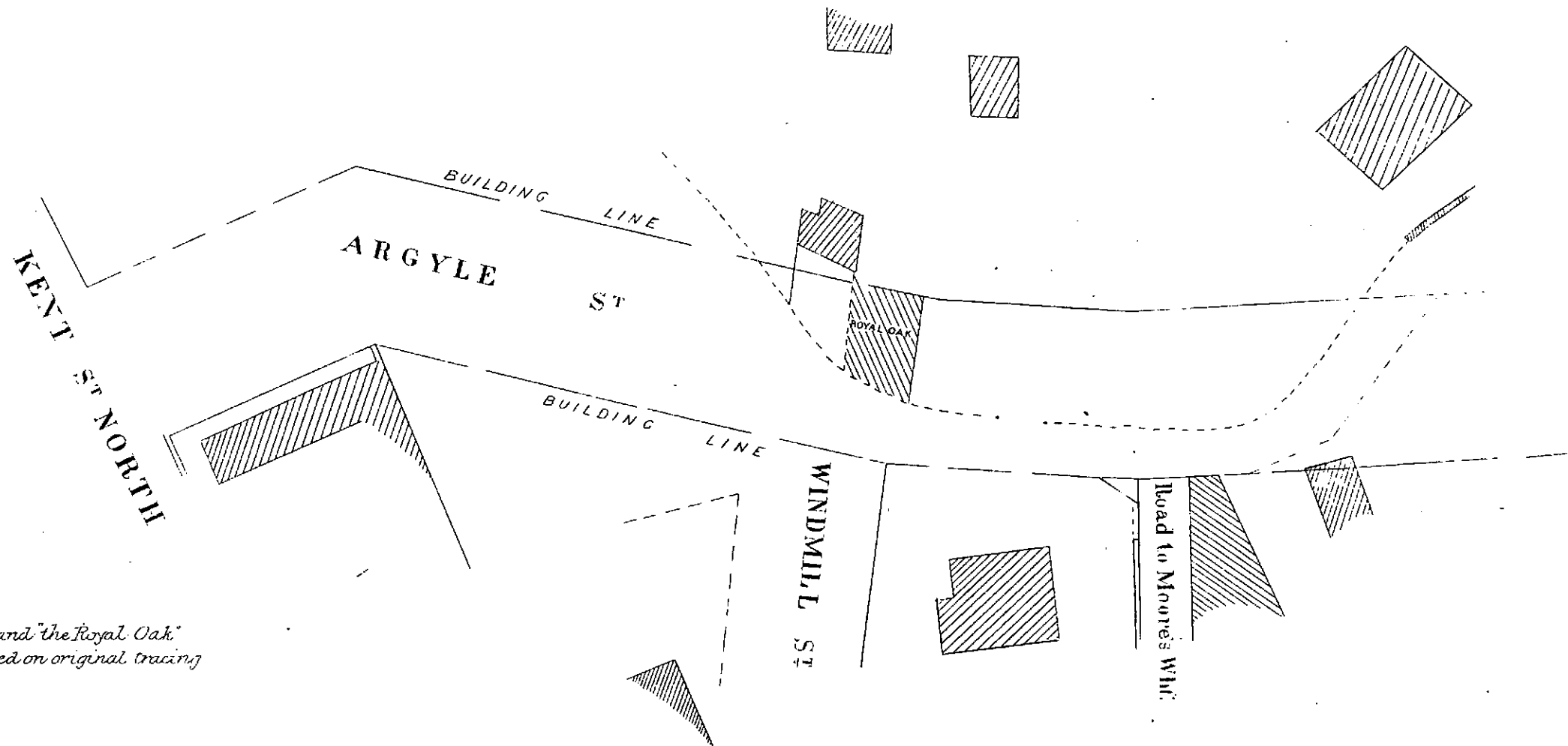


NOTE. Edging thus — o — o — o — is tinted pink on original tracing

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE, SYDNEY, NEW SOUTH WALES.

(Sig. 278)

[Enclosure to N^o 47]



NOTE. "Building line" and "the Royal Oak" are shown in red on original tracing

(Copy of tracing shewing Building Line of Argyle Street
(signed) H.C. Baronsley
Surveyor

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF PROCEEDINGS

OF THE

INTERCOLONIAL METEOROLOGICAL CONFERENCE,

HELD AT SYDNEY

ON THE

11TH, 13TH, 14TH NOVEMBER, 1879.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
27 January, 1880.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1880.

INTERCOLONIAL METEOROLOGICAL CONFERENCE.

TUESDAY, 11 NOVEMBER, 1879.

The Conference met at the Sydney Observatory, at 10 a.m.

PRESENT :—

JAMES HECTOR, Esq., M.D., C.M.G., F.R.S., Inspector of Meteorological Stations, New Zealand.

C. TODD, Esq., C.M.G., F.R.A.S., Government Astronomer, South Australia.

R. L. J. ELLERY, Esq., F.R.S., Government Astronomer, Victoria.

H. C. RUSSELL, Esq., B.A., F.R.A.S., Government Astronomer, New South Wales.

H. C. RUSSELL, Esq., was called to the Chair.

The Chairman read the following letter :—

Sir,

Colonial Secretary's Office, Sydney, 8 November, 1879.

I am directed by the Colonial Secretary, at the instance of the Minister of Justice and Public Instruction, to transmit herewith copies of propositions for the consideration of the scientific men nominated by the several Australian Colonies to consider what means should be adopted to improve the system of intercolonial weather signals.

I have, &c.,

CRITCHETT WALKER.

The Chairman of the meeting of scientific men appointed to

consider what means should be adopted to improve the system of intercolonial weather signals.

Propositions for Meteorological Conference.

1. To consider the meteorology of Australia and New Zealand, with a view to united action in its investigation.
2. To consider whether additional first-class stations shall be established, and if so, in what localities.
3. To consider the desirability of using the same class of instruments at all stations and making the observations at the same local hour.
4. To consider the desirability of securing the co-operation of the meteorologists of New Zealand and Tasmania in the system of weather telegrams, which now embraces the Colonies of South Australia, Victoria, New South Wales, and Queensland.
5. To consider by what means the weather telegrams may be transmitted and published for public information at an earlier hour than they are at present.
6. To consider whether meteorological stations should be established upon the highest available mountains for the special study of winds.

Observatory, 27 October, 1879.

H. C. RUSSELL.

He said the object for which the Conference had met was to devise some system by means of which more united action might be established in respect to meteorological observations, and especially with regard to weather telegrams. He had experienced great difficulty in obtaining telegrams from the different Colonies with sufficient punctuality, and he thought that if the matter were discussed in Conference some suggestions would be made by which the transmission of these telegrams might be greatly facilitated, and earlier information furnished to the public. Holding this opinion, he had suggested the desirability of having a Meteorological Conference, and the Government of New South Wales had sent invitations to the Colonies of South Australia, Victoria, Queensland, Tasmania, and New Zealand. Queensland and Tasmania had not responded to the invitation, or at least they had not sent representatives. He very much regretted the absence of the representatives of the Colonies of Queensland and Tasmania, but thought the Conference should proceed with the business before them.

United investigation of Meteorology.

To consider the meteorology of Australia and New Zealand, with a view to united action in its investigation.

Mr. ELLERY thought it would be well to start by affirming the desirableness of united action, and he would therefore move formally, before entering upon other questions, the following resolution in reference to the first proposition :—

That in view of the great importance which a better knowledge of the movement and origin of strong gales and storms on our coast lines and neighbouring seas is to the shipping and commercial interest generally, it is desirable to secure, as far as possible, co-operation in all the Australasian Colonies for the investigation of storms, as well as for agricultural and general climatological purposes.

It had already been shown that the westerly gales which visit New Zealand and the easterly gales occurring on the coast of Australia were marked by premonitory signs; and some co-operative action in the transmission of information could not fail to lead to profitable results.

The resolution, after discussion, was agreed to.

Dr. HECTOR moved :—

That with the view of giving effect to the foregoing resolution, similar observations and the same form of publication should, as far as possible, be adopted throughout the Colonies.

He explained that he did not mean that no other form of observations should be published, but that the Government of each Colony should be asked to sanction the expense of publishing certain observations taken at the same local hour in the form required by the Conference, so that they could be compared with each other.

The resolution, after discussion, was agreed to.

First-class Stations.

The CHAIRMAN read the second proposition :—

To consider whether additional first class stations shall be established; and if so, in what localities.

He thought the Conference should free themselves from the task of defining what constituted a first class station, as circumstances might arise to alter their opinion on that point.

Mr.

Mr. TODD: There would in reality be only one first class station in each Colony, which would be the Observatory.

Mr. ELLERY did not think it would be desirable to lay down any fixed rule on this point. The different Colonies worked under different circumstances; and all that was required was to secure their co-operation.

Dr. HECTOR thought the number and position of the different stations should be left for each Colony to determine. The Conference should not dictate to the Colonies what expenditure they should incur; nor did he think they should lay down any expensive or elaborate scheme, which might have the effect of preventing cordial co-operation.

The CHAIRMAN said his object in submitting this proposition was to suggest one or two more stations in the western district. It would be seen in the map that there was a scarcity of stations in the interior; and as most of the atmospheric disturbances came from the west, the establishment of additional stations there would supply valuable information.

Mr. TODD moved:—

That in order effectively to carry out the objects of the Conference as affirmed in the foregoing resolutions, it is desirable to establish first class meteorological stations in certain well selected positions in the several Australasian Colonies, including New Zealand, in addition to those now existing.

The resolution, after further discussion, was agreed to.

On the motion of Dr. HECTOR, the Conference adopted the definition of the work of a first-class station given in the preface to the New Zealand Meteorological Report for 1873.

“The observations taken are limited to those for determining atmospheric pressure; maximum and minimum daily temperature of atmosphere, and of insolation and radiation; the average daily amount of moisture, the rainfall and number of rainy days; the force and direction of wind, and amount and character of cloud.”

3rd proposition:—

Similar Instruments.

To consider the desirableness of using the same class of instruments at all stations, and making the observations at the same local hour.

The CHAIRMAN said he was aware that in some cases instruments of different kinds were used, and thus the results were not comparable. He did not think temperature observations could be exact at all stations—a different way of exposing the thermometers made such a difference in the result. With regard to the barometer, it would be sufficient to say that it should be a mercurial barometer and not an aneroid; and with respect to the wet and dry bulb, it should mean an instrument of good class, certified to by a firm of recognized position; and the same with regard to the maximum and minimum thermometers; and the rain-gauges should be used at the same altitude from the ground.

Mr. ELLERY moved:—

That the instruments at each first-class station consist of a mercurial barometer of either the standard or Board of Trade form; thermometers of Kew or approved patterns, compared with standards as frequently as possible; rain-gauges of 8 inches collecting diameter; and wind-gauges of any approved form. The local hours of observation to be 9 a.m., 3 p.m., and 9 p.m. Beaufort's scale of wind to be adopted; the observations to be recorded in equivalents in velocity and pressure.

The resolution, after discussion, was agreed to.

Desirability of co-operation.

4th proposition:—

To consider the desirableness of securing the co-operation of the Governments of New Zealand and Tasmania in the system of weather telegrams, which now embraces the Colonies of South Australia, Victoria, New South Wales, and Queensland.

Mr. ELLERY said, with regard to Tasmania, that for the meteorological knowledge of that Colony they were indebted to the long and valuable gratuitous services of F. ABBOTT, Esquire, of Hobart Town. But in order to provide for carrying out the proposed scheme, which involved a daily expenditure for telegrams, he would move: That it is very desirable to obtain the co-operation of the Government of Tasmania and to persuade them to establish a station at the public expense at Hobart Town. He did not think this would be a difficult matter if the Conference suggested it. At present there was no machinery to co-operate with, and it was very desirable that one or two first-class stations should be established. He thought it would be better not to take Launceston for a second station, which was a long way inland, but rather to take George Town.

The resolution, after discussion, was agreed to.

Dr. HECTOR moved:—

That it is desirable to secure the co-operation of the Governments of Western Australia, New Zealand, and Tasmania, in the system of weather telegrams, which now embraces the Colonies of South Australia, Victoria, New South Wales, and Queensland.

With regard to New Zealand, on account of the greater expense of communication, the great range of latitude, and the consequent complicated phases of weather which occurred simultaneously in the different coastal areas, it was desirable that instead of any definite observations or readings of instruments being transmitted, a daily synoptical report of the general conditions of the weather should be prepared at the Head Office in New Zealand and transmitted, together with immediate telegraphic notice of any important or exceptional phenomenon; and that the return communications to New Zealand should be comprised in a similar synoptical report of the state of the weather in the different coastal areas of Australia, to be prepared and transmitted from the Observatory in Sydney.

The resolution, after discussion, was agreed to.

Mr. ELLERY moved:—

That, in the opinion of this Conference, it is desirable that weather telegrams and forecasts shall in all cases depend upon the observations used for general meteorological and climatological statistics, and be under the direction of the head of the meteorological department in each Colony.

Mr. TODD thought such a resolution was essential to prevent conflicting reports and to ensure public confidence.

The resolution, after discussion, was agreed to.

The Conference adjourned at 1 p.m., until Thursday, 13th instant, at 10 a.m.

THURSDAY,

THURSDAY, 13 NOVEMBER, 1879.

The Conference met at the Observatory at 10 a.m.

PRESENT:—

Dr. HECTOR,
Mr. ELLERY,

Mr. RUSSELL,
Mr. TODD.

H. C. RUSSELL, Esq., in the Chair.

The minutes of the previous meeting were read and confirmed.

The Conference resumed their consideration of the 4th proposition, affirming the desirableness of securing the co-operation of the New Zealand and Tasmanian Governments in the system of weather telegrams.

Mr. TODD moved:—

That this Conference, having been informed that the Eastern Extension Telegraph Company will charge half rates for the transmission of weather reports through the cable connecting Australia and Tasmania, and probably also the cable to New Zealand, recommend that the cost of such reports be defrayed by the participating Colonies in equal proportions; and that, in the opinion of this Conference, such cost need not exceed in the aggregate £350 per annum.

2. That, in the opinion of the Conference, this expenditure is justified by the extreme importance to the shipping interest of early information of the approach of dangerous easterly and westerly gales.

He said that as these reports transmitted through the cable would be merely synoptical reports of the state of the weather in Australia on the one hand, and in New Zealand and Tasmania on the other, they need not be of great length. Messages comprising ten or twelve words would probably, by means of the code adopted, convey all the information that would be required. A message of ten words would cost—to or from New Zealand—at the reduced rate, about five shillings. The amount named in the resolution would therefore, in his opinion, be ample.

The CHAIRMAN said that from the experience in reference to gales which he had obtained during a number of years, it was quite evident that from the observations taken in New Zealand and the southern Colonies valuable warnings might be given. A short warning of the approach of a gale in many instances would be the means of saving a large amount of property, as the vessels could take refuge in the coast harbours. Warnings of dangerous gales might be given several days in advance, and considerable importance was attached to such information by the shipping interest. For instance, in the severe gale in which the "Dandenong" was wrecked, it had subsequently appeared that valuable information might have been given sufficiently in advance to prevent the great loss of property which took place, if that information could have been furnished to the shipping interest at the different ports along the coast.

Mr. TODD entirely concurred with the Chairman as to the importance and value of this information, and especially of the reports from western stations. His observations tended to show a great regularity in the easterly march of disturbances from the westward, and the stations in South Australia, and especially in Western Australia, should be able to give the easterly Colonies timely warning of approaching gales, because they would be able to report the effect of a gale which had already reached one of these stations. The information would therefore not be hypothetical, but an actual fact of which timely notice could be given.

Dr. HECTOR said that from a New Zealand point of view, he thought it would be very advantageous that Queensland should join in this co-operation, as it would be from that quarter they would receive early notice of the origin and progress of the dangerous and suddenly occurring cyclones that crossed the northern part of New Zealand. On the other hand, the southerly gales could not, of course, be directly predicted in Australia for New Zealand, but New Zealand could give early information to Australia of the occurrence of such gales, and probably Queensland would receive the greatest benefit from such predictions.

Mr. ELLERY said that in that view of the case, great advantage would be derived from the establishment of a station at Hobart Town, because if Hobart Town observations were discussed in connection with this movement on the western coast of Australia and the subsequent weather on the east coast, it would be found that those observations would often determine whether that easterly movement had become deflected by any other current. The observations at Hobart Town would indicate a considerable time beforehand whether the disturbance would become a serious one on the eastern coast of Australia. For instance, it was a fact that the gale in which the "Dandenong" was wrecked was indicated at Hobart Town thirty hours before it reached Sydney.

Mr. TODD called the attention of the Conference to the hurricane which struck the Lacedpede Islands and the north-west coast of Australia on the 24th and 25th of December, 1878, as a case in point. The barometer fell to 29.50 and 28.94; at Alice Springs, in the centre of the continent, it began to fall on the 30th, reaching 29.6 on the morning of January 2nd; at Eucla, the barometer fell from 30.2 on December 29th, to 29.50 on January 1st; at Cape Borda, it fell from 30.23 on December 30th, to 29.53 at midnight on January 1st; at Cape Northumberland, it fell from 30.2 on the morning of the 30th December, to 29.35 at 6 p.m. on January 2nd, or six hours after Cape Borda; and the barometer fell to 29.30 at Hobart Town in the afternoon of January 2nd, or about twenty-four hours after passing the Great Bight. The storm between the Great Bight and Hobart Town was probably identical with, or the subsequent effect of, the hurricane on the north-west coast, in which case it must have had a slow progressive motion over the Australian continent, between the north-west coast and the Australian Bight, emerging from the coast at about the Great Bight, and occupying twenty-four hours in passing from the Great Bight to Hobart Town.

The resolution was then agreed to.

Weather Telegrams.

5th proposition:—

To consider by what means the weather telegrams may be transmitted and published for public information at an earlier hour than they are at present.

The CHAIRMAN said the idea which was present to his mind in submitting this proposition was to suggest that weather telegrams should, in Australasia, as in Europe, take precedence of all other telegrams. This arrangement would not add in any appreciable respect to the time occupied in

in transmission, and the delay of five or six minutes caused by sending these messages first could not be any serious detriment to business. He thought it probable that if the matter were represented by the Conference to the several Governments, the general principle would be adopted, and weather telegrams would take precedence of all other messages, Government telegrams of course excepted.

Mr. TODD entirely concurred with the Chairman in thinking it highly desirable that weather telegrams should have the precedence, and he saw no practical difficulty in giving effect to the resolution. No doubt the hour which had been agreed to—9 o'clock—might appear at first sight to clash with the ordinary routine business at the telegraph offices; but as a matter of fact, with the exception of the transmission of messages from the different stations to the central office at 9 o'clock, there would be no reports sent at that hour. It would probably be 11 o'clock before all these messages would be received at the central office. In his case it was generally a quarter-past 10 before he could send any weather reports to the other Colonies. In the case of Western Australia it was still later, on account of the difference in longitude. So that the sending of these weather reports would not really clash with the office reports, and there was no reason why they should not be transmitted immediately, and take precedence of all private messages. He thought it only required to be properly represented to the different Governments, so that the telegraphic departments might be instructed that the weather reports were to take precedence, and the Telegraph Superintendents in the different Colonies be relieved from any responsibility in the matter. It should be borne in mind that by the adoption of the cypher code, the messages were reduced to the minimum in point of length.

He would now move—

That the several Governments be requested to cause precedence to be given to the regular weather telegrams and special storm reports.

Dr. HECTOR said, that in New Zealand they had three kinds of telegrams—*urgent*, *ordinary*, and *delayed*. The public could take advantage of this scale, and by paying two shillings could make a telegram *urgent*. Messages arriving in the evening could be sent as *delayed* telegrams in sufficient time for the morning post.

Mr. ELLERY said the value of weather information was lost in many cases by delay, while it was increased in proportion to the punctuality with which it was furnished. He might state that in his last Annual Report he had made reference to the procedure in America and several European States who had at first to be coaxed into allowing weather telegrams to take precedence, but they now generally accorded it. Weather telegrams were of no value to the shipping and commercial interest unless they were transmitted punctually. In Victoria the Chief Secretary had entered into correspondence with the Telegraph Department of that Colony on the subject, and precedence had always been accorded. He thought it would only be necessary to bring the matter before the several Colonial Governments. The only difficulty would lie with the Telegraph Departments themselves.

The resolution was agreed to.

Mountain Stations.

6th proposition:—

To consider whether meteorological stations should be established upon the highest available mountains, for the special study of winds.

The CHAIRMAN said, his object in putting this proposition before the Conference was to obtain if possible records of the winds that pass over-head, and were therefore lost to the records of the lower stations.

From observations made years ago by Strzelecki, it appeared that at the top of Mount Wellington, he had noticed a hot wind which was not felt at all 3,000 feet lower on the same mountain; and from similar observations in this Colony, it appeared that hot winds were frequently felt at the high stations and not at those which are at a lower level.

Similar facts might be stated with regard to the south-east gales, which frequently appeared first at lofty stations. He thought these facts were a sufficient reason for the establishment of stations on high mountain peaks,—the only means which appeared to him available to secure the desired information.

Mr. ELLERY moved:—

That, in the opinion of this Conference, there should be established in each of the Colonies, upon a high mountain peak, a meteorological observatory for the special study of winds and other meteorological phenomena:

And that the most desirable positions for them would be the following:—

	About
South Australia—Mount Lofty ...	... 2,500 feet above sea level.
New South Wales—Kiandra ...	... 4,600 "
New Zealand—Tauhara Taupo ...	... 4,600 "
Do. Mount Herbert ...	... 4,000 "
Tasmania—Mount Wellington ...	... 4,000 "
Victoria—Mount Macedon ...	... 3,500 "

The resolution, after discussion, was agreed to.

The Conference adjourned at 1:15 p.m., until to-morrow, Friday, 14th instant, at 9 o'clock a.m.

FRIDAY, 14 NOVEMBER, 1879.

The Conference met at the Observatory, at 9 a.m.

PRESENT:—

Dr. HECTOR,	|	Mr. RUSSELL,
Mr. ELLERY,	|	Mr. TODD.

H. C. RUSSELL, Esq., in the Chair.

The minutes of the previous meeting were read and confirmed.

Mr. TODD moved:—

That the revision of the present telegraph weather code be referred to Messrs. Russell and Ellery, with a view to its simplification and extension.

The resolution, after discussion, was agreed to.

Dr.

Dr. HECTOR moved :—

That the interchange of weather statistics, in carrying out the suggestions of this Conference, between the different Australasian stations, should be in the form of a diagram; and that this should not interfere with the printing of statistics by the different Colonies in any way they like.

He would, at the same time, strongly recommend that some uniform system of publication should be gradually approximated. *

The resolution, after discussion, was agreed to.

Mr. ELLERY moved :—

1. That the monthly graphic records for interchange consist of curves, showing—
Barometer,
Velocity and direction of wind,
Temperature,
Humidity,
Rainfall,

with remarks upon weather, especially with reference to storms and atmospheric disturbances and that specific forms be prepared and distributed to the co-operating Colonies.

2. That the mean humidity curve be derived from the means of maximum and minimum of wet and dry bulb thermometers.
3. The barometer curve to be constructed from barographic records, so as to depict the turning points.
4. The temperature curve to represent maximum and minimum and mean for each day.
5. The velocity and direction of the wind to be deduced from the anemometer.

The resolution was, after discussion, agreed to.

Dr. HECTOR moved :—

That, in the transmission of cablegrams, the reports be generalized from the local weather reports.

For New Zealand the following subdivision into districts is recommended for convenience of reporting :—

A.	N.E. aspect	.....	North Cape to East Cape.
B.	N.W. aspect	.....	Cape Maria to West Cape (exclusive of Cook Straits).
C.	S. aspect	.....	West Cape to Moeraki.
D.	S.E. aspect	.....	Moeraki to East Cape (exclusive of Cook Straits).
E.	Cook Straits	.....	Comprising Wanganui, Wellington, Cape Campbell, and Cape Farewell, Nelson.

A code to be framed to express the weather in each of the above aspects in general terms, according to the judgment of the reporter, thus—

Aspect.	Wind and Weather.	Rain.	Sea.
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No remark to indicate absence of marked phenomena.

The resolution, after discussion, was agreed to.

Mr. ELLERY moved :—

That the cablegrams furnished to Melbourne by Tasmania should conform with those between the Australian Colonies.

The resolution was, after discussion, agreed to.

Mr. TODD moved :—

1. That weather telegrams from the Australian Colonies shall comprise—

- (1) Barometer reduced to 32° and sea level,
- (2) Dry bulb,
- (3) Humidity,
- (4) Maximum and minimum,
- (5) Direction and velocity of wind,
- (6) State of weather,
- (7) Rainfall,
- (8) Sea disturbances,

with a synoptical report of the weather generally.

2. And that within New Zealand the same system should be adopted.

The resolution, after discussion, was agreed to.

Mr. ELLERY moved :—

That the extreme importance of the weather system proposed be strongly urged upon the Queensland Government, with a view to obtain their more active co-operation.

The resolution was, after discussion, agreed to.

It was further resolved,—

That Australia be divided into six meteorological areas for transmission of reports to New Zealand, viz., Western Australia, South Australia, Victoria, New South Wales, and Queensland; South Australia being divided into two districts, tropical and extra-tropical.

The Conference adjourned at 11.30 a.m., until half-past 7 o'clock the same day.

The Conference met again at 7:30 p.m.

PRESENT :—

Dr. HECTOR,	|	Mr. TODD,
Mr. ELLERY,	|	Mr. RUSSELL.

H. C. RUSSELL, Esq., in the Chair.

The minutes of the previous meeting were read and confirmed.

It was resolved,—

That weather telegrams be written on paper of a special colour, so as to be readily distinguishable in the offices.

Mr. TODD moved :—

1. That the solar radiation thermometers should be blackened bulb thermometers in vacuo, and should be exposed on an open space at an elevation of 4 feet 6 inches from the surface of the ground, supported by a post carrying two light arms.
2. And that radiation thermometers be placed over grass.

The resolution, after discussion, was agreed to.

Mr. ELLERY moved :—

That the following subjects for experiment be referred to each member of the Conference, for future consideration and report :—

1. Shade temperature.
2. Swinging thermometer and thermometer sheds in use.
3. Standards to be swung with 2 ft. 6 in. string during sunshine and after sunset.
4. Observations to determine the difference in humidity by self-registering maximum and minimum thermometers, and by other methods.
5. The best method of measuring the velocity and pressure of wind.
6. Whether any better method than black bulb thermometers can be devised for measuring the direct effect of the sun.
7. As to the best method of determining spontaneous evaporation.

The resolution was discussed and agreed to.

Mr. ELLERY moved :—

That as investigation of the Newcastle tide-gauges has shown that such instruments give valuable indications of distant earthquakes, gales, and sea disturbances, it is desirable, in the opinion of the Conference, that self-registering tide-gauges be established in as many convenient places as possible on the coast, in connection with the Meteorological Departments of the different Colonies.

The resolution was agreed to, after discussion.

Dr. HECTOR moved :—

That the foregoing minutes be adopted as the Report of this Conference on the various matters referred to it, and that the Chairman be requested to report to the Government of New South Wales.

H. C. RUSSELL.
ROBT. J. ELLERY.
CHARLES TODD.
JAMES HECTOR.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

FLOODS IN THE HUNTER RIVER.

(REPORT AND ESTIMATE.)

Ordered by the Legislative Assembly to be printed, 13 January, 1880.

[Laid upon the Table of the Legislative Assembly, with reference to Question No. 11 of the 19th November, 1879.]

Memo. from Assistant Engineer to The Engineer-in-Chief, Harbours and Rivers.

Harbours and Rivers Office, Newcastle, 3 September, 1879.

Re flood outlet for Hunter River viâ Telligerry Creek, 79-719.

I TRANSMIT herewith a plan and section showing the line of proposed channel to the waters of Port Stephens. From the point marked "A" on the plan I have shown two routes, the first leading to the head of Broadwater Bay in Port Stephens Harbour, the second to a point on Telligerry Creek, about $6\frac{1}{2}$ miles up from its mouth. The distance from water to water by the first above mentioned line would be about $12\frac{3}{4}$ miles, and by the second about $11\frac{1}{2}$ miles; but as Telligerry Creek should be deepened and widened in places, I estimate this would be practically the longer route of the two, besides the former would give a better hydraulic gradient, as the mean fall might be reckoned to high-water in Broadwater Bay; whereas viâ Telligerry Creek the fall should be taken to high-water at the mouth of the creek, thus making the distance for calculating the grade viâ Broadwater $12\frac{3}{4}$ miles, as against 18 viâ Telligerry Creek. I have therefore confined my attention to the first or the Broadwater route.

On the plan I have drawn to an enlarged scale a cross section of the channel, on which I have based my estimate.

It is a most difficult question to ascertain, even approximately, to what extent such an outlet would lower the flood level at Raymond Terrace, owing to the varying circumstances under which floods occur. For instance, when the Hunter is chiefly in flood the waters rise slower and the channel would pass a greater quantity in proportion on account of the greater time, and thus prevent the flood from reaching a great height; but when the heaviest portion of the flood occurs on the Williams, as in 1875, which was the highest flood known at Raymond Terrace for many years—the water came down almost in a wave and reached the maximum height rapidly—in this case the extra outlet would no doubt assist in carrying away the water quicker, but would not keep down the height by very much.

I have calculated the discharging capability of the channel for different heights, and by comparing the results with the discharging area of the Hunter below the Terrace, I estimate that in a flood such as that which occurred in 1870, the maximum height might be reduced by about 4 feet, at which height the water would be just over the wharves, but I do not think the '75 flood would have been lowered more than 2' 6" to 3' 0" at the outside.

The following table shows the discharging capability of the proposed channel, from Eytelwein's formulæ:— $V. = .91 \cdot \sqrt{E \cdot R}$.

Maximum height of 1875 flood.

Height over H.W.M. at R. Terrace.	Fall in feet per mile = $\frac{F}{2}$.	Area of Section.	Wetted Perimeter.	Hydc. Rad. or Mean Depth R.	Mean Velocity = V.	Discharge in cubic feet per second.
9'53	.747	7,061'3	361'4	19'539	4'916	34,712
8'00	.627	6,528'0	351'8	18'556	4'390	28,658
6'00	.470	5,852'0	339'2	17'252	3'664	21,442
4'00	.314	5,200'0	326'5	15'926	2'877	14,960

Upon reference to the sections, it will be seen that the country through which the channel would pass is mostly swampy; and although I have selected the lowest ground throughout, the average height of surface is from 22 to 25 feet over high-water-mark, instead of 8 feet as estimated by the proposers of the scheme.

I believe the cutting would be in sand throughout, excepting through the hill at the back of Raymond Terrace, which is rock; this I have tinted blue on the section.

Estimated cost of opening a channel to connect the Hunter River at Raymond Terrace with the waters of Port Stephens:—

	£	s.	d.
Rock cutting, 1,260,804 cubic yards, @ 5s.	315,201	0	0
Earthwork, 22,201,680 " " @ 1s. 6d.	1,665,176	0	0
Land, 1,275 acres, @ £2	2,550	0	0
Roads—Bridges over channel, four @ £4,000... ..	16,000	0	0
	<hr/>		
	£1,998,927	0	0

or say two millions sterling.

I have estimated the earthwork at a very low figure, but it is assuming that a large quantity would be removed by dredging at a cost not exceeding (say) 8d. per cubic yard; this allows a higher rate for the excavation which should be run to spoil. In estimating the quantity of land, I have allowed sufficient throughout for spoil-banks.

I think it will be seen that the cost puts all idea of such an undertaking quite out of the question, while the amount of relief it would afford is very doubtful. I conclude by reiterating the conclusion arrived at by the Commission in their Report on Floods in the Hunter (see page 26), in which I fully concur.

* 8 miles less.

"The distance from Raymond Terrace to the sea is less* by way of the Hunter than by Telligerry Creek, and therefore nothing could possibly be gained by the proposed cutting which could not be more easily and cheaply accomplished by enlarging the existing channel."

C. W. DARLEY, 3/9/79.

Minute of Engineer-in-Chief on Mr. Darley's report.

I HAVE already shown, in my Report on the Hunter River Floods (herewith), how utterly impracticable it would be to mitigate this injury the floods occasion by any cutting in the direction of Telligerry Creek, even if a channel could be formed for any reasonable amount.

B.C., Under Secretary, Public Works.

E.O.M., 4/9/79.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

ABORIGINES.

(DISTRIBUTION OF BLANKETS TO, DURING 1880.)

Ordered by the Legislative Assembly to be printed, 4 May, 1880.

RETURN showing the distribution of Blankets for the Aborigines during the year 1880, date of dispatch and number sent to each district.

Date of dispatch.	Bench of Magistrates.	No.	Date of dispatch.	Bench of Magistrates.	No.
February 2	Armidale	100	January 19	Macleay River	350
January 15	Bourke	200	February 2	Menendia	50
" 16	Balranald	150	January 19	Mogil Mogil	150
" 16	Brewarina	250	" 17	Moulemain	100
" 19	Baradine	100	February 4	Molong	30
February 4	Burrowa	12	" 5	Moruya	100
" 4	Bathurst	17	" 4	Moama	120
January 22	Bingera	100	January 16	Moree	100
February 2	Ballina	100	February 5	Murrurundi	6
" 2	Bega	50	" 4	Nambucera	120
" 4	Bellinger	120	" 4	Narrendera	47
" 4	Bundarra	35	" 5	Narrabri	86
" 5	Braidwood	80	" 5	Newcastle	10
January 27	Bullahdelah	40	" 5	Nelligen	20
" 17	Cannonbar	150	January 17	Obley	100
February 5	Camden	10	February 4	Paterson	35
" 2	Casino	300	" 5	Penrith	36
" 4	Clarence (Lawrence)	30	" 5	Picton	65
" 2	Cooma	50	" 23	Port Macquarie	100
" 4	Coolah	20	January 19	Pilliga	60
" 4	Corowa	20	February 4	Rylstone	12
January 17	Condobolin	150	" 4	Scone	20
" 19	Coonabarabran	30	" 5	Shoalhaven (Nowra)	125
" 16	Coonamble	100	" 5	Singleton	50
" 19	Cowra	70	" 4	Tenterfield	30
February 2	Cudgen	100	" 5	Ulladulla	50
January 19	Dandaloo	150	" 3	Warrego	400
" 20	Deniliquin	50	January 17	Warren	100
" 17	Drake	100	" 19	Walgett	100
February 2	Dubbo	150	" 16	Walcha	200
January 20	Denison Town	25	" 16	Wentworth	150
February 5	Eden	20	February 5	Wellington	90
January 20	Euston	100	" 5	Windsor	100
" 20	Forbes	150	" 5	Wollongong	20
" 20	Gloucester	25	" 3	Wilcannia	350
" 16	Goodooga	200	" 4	Wolbar	30
February 4	Gundagai	70	" 2	Woodburn	50
March 13	Grafton	500	" 17	Wingham	100
January 20	Hay	300	March 22	Wee Waa	50
February 4	Hartley	30	" 22	Warialda	50
" 4	Inverell	25	February 5	Yass	80
" 5	Kiama	65	" 2	Yarrowa	50
" 5	Liverpool	14			
January 20	Lismore	150			8,400

Stores Department,
Sydney, 17 March, 1880.

L. I. BRENNAND,
Superintendent of Stores.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SWEETMEATS AND HAIR DYES.

(REPORTS OF THE GOVERNMENT ANALYST ON CERTAIN DELETERIOUS INGREDIENTS IN THE MANUFACTURE OF.)

Ordered by the Legislative Assembly to be printed, 28 May, 1880.

No. 1.

The Government Analyst to The Colonial Secretary.

SOME time ago considerable uneasiness was felt and publicly expressed with reference to the composition of the various pigments used by confectioners to give colours to that kind of confectionary which is consumed to a large extent by the younger portion of the community. My attention as Government Analyst was directed to this subject, and from time to time, extending over a considerable period, I obtained samples of these articles as imported through the Collector of Customs. I also obtained similar articles from the various shops in Sydney. I found that almost all the sweetmeats coloured red, yellow, and green were coated with pigments composed of oxide of tin, combined with various vegetable colours. Upon a late occasion I had an opportunity of examining these pigments themselves, as prepared for and sold to the makers of confectionary, many of whom I have reason to believe are quite unaware of the nature of the compounds in question. All the pigments were found to be tin compounds. To prove that this matter rests more with the manufacturers of the pigments than with the makers of the sweetmeats, I should state that an English firm sells these colours to the latter in bottles, upon which, as a portion of the label, a printed copy of a certificate from an English Health Officer and analyst of repute is placed, and which states that the colours are purely vegetable and harmless.

Although the quantity of tin compound upon each sweetmeat may by some be considered as small, nevertheless it has to be borne in mind that these articles are given to very young children and often in liberal quantities; and I think that almost all medical men will state that there is no knowing how small a quantity of a metallic compound frequently and unknowingly administered may cause serious disturbance to the health, especially of the young and delicate. This portion of the subject, however, I leave for their decision.

I think it also my duty to call attention to certain hair washes and lotions which are sold under names given in the margin, and which I have lately seen much advertised about Sydney. These compounds are in reality hair dyes, and contain large and dangerous quantities of lead in solution. Perhaps the following quotation from Dr. Taylor's *Principles and Practice of Medical Jurisprudence* may to some extent act as a caution to persons who use these dangerous compounds until some law is in force to prevent their sale:—"Cosmetics and hair dyes containing preparations of lead may also produce dangerous effects. I have met with one case in which paralysis of the muscles of one side of the neck arose from the imprudent use of hair dye containing litharge"; this is an oxide of lead. Persons using articles of this kind will do well to bear in mind this—when the symptoms of chromo poisoning by lead make their appearance the skill of the physician is often of but little avail.

CHAS. WATT,
Government Analyst,
30th April, 1880.

No. 2.

The Government Analyst to The Inspector General of Police.

Sir,

17 May, 1880.

I have the honor to report that I have examined the hair washes or dyes received from you and marked as per margin, and that I found each to contain a considerable quantity of a salt of lead in solution.

There cannot be a doubt that much injury may be done to the health by the continuous use of such articles.

I have also to state that the fluid sold under the name of "Zylo-balsam" was found to be quite free from lead.

I have, &c.,
CHAS. WATT,
Government Analyst.

1879.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

THE "TOTALISATOR."

(REPORT OF INSPECTOR GENERAL OF POLICE UPON WORKING OF.)

Ordered by the Legislative Assembly, to be printed, 1st December, 1879.

The Inspector General of Police to The Principal Under Secretary.

Police Department, Inspector General's Office, Sydney, 5 December, 1879.

THE "Totalisator" was worked at Randwick Racecourse simply as an indicator of the number of times each horse in a race (according to his number on the official card) was backed to win, by the deposit of a sovereign and purchase of a ticket.

Any person desiring to bet or take a chance could readily see the number of pounds invested, and consequently calculate the odds about each horse.

The total amount or sweep was at the conclusion of each race divided between those persons who had taken tickets for the winning horse, 5 per cent. being deducted by the proprietor for commission.

If the winning horse should not have been backed at all, the sums deposited would be returned to the ticket-holders, less 10 per cent. commission.

It was pointed out to me by several persons that the instrument could be unfairly manipulated by a signal from a confederate seeing the winning horse pass the post to the operator at the Totalisator, who could readily add several numbers to the chances taken for the winning horse, and so come in for a division of the stakes.

This I had under observation by a careful officer in plain clothes, but he could not discover any such fraud.

It is unnecessary for me to add that no suspicion was directed against Mr. Franck.

The fairness of this system of betting has been urged as the strongest point in its favour, but something might be said on the other side. The fact that the return (if any) for the investment is prompt, equitable, and certain, might be viewed as affording an increased incentive to gambling, and I have no doubt that many persons who never do business with a bookmaker would try a chance in the Totalisator. It is further worthy of notice that boys might readily gamble by obtaining tickets in the Totalisator with fatal facility, whilst it would be less easy for them to do business with a bookmaker.

The chief objection to the instrument if legalized would be that not only would gambling be sanctioned, but that it would be encouraged.

It is quite true as asserted that the law is at present broken by bookmakers receiving cash for wagers beforehand on the ground, but it would be very difficult to prove the offence.

EDMUND FOSBERY,
Inspector General of Police.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MRS. MARY JONES.

(PETITION OF.)

Received by the Legislative Assembly, 21 April, 1880.

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

The humble Petition of Mary Jones, of Crown-street, Sydney, in the Colony of New South Wales, widow,—

RESPECTFULLY SHOWETH:—

That on or about the fifteenth day of June, one thousand eight hundred and thirteen, John Leighton, the father of your petitioner, did, together with one William Wall, purchase from one Nathaniel Lucas, who was then the promisee of a Grant from the Crown of the same certain premises then bounded as follows, namely: On the north by Darling Harbour, three hundred and thirty links; on the east by a line five hundred and thirty links; on the south and south-west by the Mill Road to Sydney, three hundred and forty links; and on the west by two lines to Darling Harbour, seven hundred and twenty links: containing one acre two roods and nine poles, on which premises there stood a Grist Mill, and the said Nathaniel Lucas, by deed bearing the date above-mentioned, duly transferred the said Mill and premises to the said John Leighton and the said William Wall, after the said purchase, the said John Leighton and the said William Wall, duly went into and remained in occupation of the said property.

That on or about the eighteenth day of March, one thousand eight hundred and fourteen, the said John Leighton purchased from the said William Wall, and the said William Wall by deed of that date duly transferred to him all the right, title, and interest of the said William Wall in and to the said property, whereupon the said John Leighton duly obtained and kept sole possession of the same.

That at the end of the year one thousand eight hundred and twelve, the said John Leighton was the owner and possessor of all that piece of land having a frontage of two hundred and fifty feet to or near the southern boundary of the Flag-staff Reserve; bounded on the east by the Military Hospital Garden Land, two hundred and sixty-eight feet; on the west by said garden land, two hundred and sixty-eight feet; and on the north by said Military Hospital Land, two hundred and fifty-feet, situate near the site of the Government Windmills.

That upon this land the said John Leighton built a house, and with his family resided thereon, and cultivated the land as a garden. The said land being required by the Government for military purposes, the said John Leighton gave it up to the Government on further consideration that the said Government should grant and convey to him the land now claimed and described in description annexed to a letter dated the tenth day of April, one thousand eight hundred and twenty-nine, written from the Colonial Secretary's Office, and signed by Alexander McLeay to the said David Leighton.

That in the month of August, one thousand eight hundred and twenty-four, the said John Leighton, who had in the meantime remained in sole possession of the said Mill and premises, died intestate, leaving him surviving—Ann Leighton, his wife; David Leighton, his only son; Mary Leighton, now Mary Jones, your Petitioner; and two other daughters who died intestate.

That the said Ann Leighton who obtained Letters of Administration of the Estate and effects of her said husband, went into possession of the said Mill and premises, and remained in possession until the year one thousand eight hundred and twenty-eight, when she delivered up possession of the same to the said David Leighton.

That the said David Leighton, being so in possession of the said Mill and premises, attained the age of twenty-one years on or about the eleventh day of March, one thousand eight hundred and twenty-nine, and thereupon duly claimed them, as heir-at-law of the said John Leighton.

That on or about the second day of April, one thousand eight hundred and twenty-nine, the said David Leighton, being still in possession of the said property as heir-at-law of his said deceased father, duly presented His Excellency, the then Governor of the Colony, his Petition, showing his right and title to the said property, and praying that a Grant thereof might be issued to him, and on the tenth day of the said month of April he received a letter from Alexander McLeay, Esquire, then Colonial Secretary, transmitting him a description of the said property, being the description set out in the first paragraph of this Petition, and referring to the said property as belonging to the said David Leighton, and informing him that no deeds could be prepared until certain arrangements then in progress were completed.

That many other applications were made by the said David Leighton for a grant of the said property so acknowledged by the Government of the Colony to be the property of the said David Leighton, but no Grant thereof has ever been issued to him.

That in the year one thousand eight hundred and thirty, the said David Leighton having up to that time remained in possession of the said property, was obliged to leave the Colony and live beyond seas without having obtained the said Grant, and he did not return to the Colony until on or about the month of June, one thousand eight hundred and fifty-three.

That your Petitioner's husband, Joseph Henry Jones, to whom she was married on the fifteenth day of May, one thousand eight hundred and forty, died on the twenty-eighth day of October, one thousand eight hundred and fifty-four.

That your Petitioner was unable to discover the whereabouts of the said David Leighton until on or about the _____ of _____, one thousand eight hundred and fifty-six. And that the said David Leighton, by Deed dated the seventh day of March, one thousand eight hundred and seventy-six, duly conveyed the said property to your Petitioner, and the said Deed was duly registered on the twenty-ninth day of March, one thousand eight hundred and seventy-six.

That the Government of the Colony, without application or notice to the said David Leighton, or to your Petitioner, has sub-divided the said property to several persons, applicants to be registered as Proprietors under the Real Property Act, 2 Vic, No. 9, and has issued Grants and Certificates of Title respectively to several of such persons in assumed compliance with the provisions of the said Act; and has received considerable sums of money by reason of such, its dealings with your Petitioner's property.

That under the circumstances herein appearing your Petitioner has (without any fault of her own, but by the action of the Government who had already as aforesaid recognized the title of her brother, from whom she purchased) been deprived of and lost the said property, and is therefore entitled to compensation for such deprivation and loss, and the consequent thereupon.

Your Petitioner therefore humbly prays that you will take into your early and favourable consideration, and afford such relief in the premises as to your Honorable House may seem meet.

And your Petitioner will ever pray, &c.

M. JONES.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

PETITION OF MRS. MARY JONES;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
8 *July*, 1880.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1880.

1879-80.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 89. TUESDAY, 4 MAY, 1880.

11. PETITION OF MRS. MARY JONES:—Mr. Farnell moved, pursuant to Notice,—
- (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report upon the Petition of Mrs. Mary Jones, respecting certain property at Darling Harbour, presented on 21st April, 1880.
- (2.) That such Committee consist of Mr. Barbour, Mr. Burns, Mr. Day, Mr. Garrett, Mr. Hoskins, Mr. Hurley (*Hartley*), Mr. Jacob, Mr. Murphy, Mr. Thompson, and the Mover.
- Question put and passed.
-

VOTES No. 125. THURSDAY, 8 JULY, 1880.

8. PETITION OF MRS. MARY JONES:—Mr. Farnell, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Petition was referred on 4th May, 1880; together with Appendix.
- Ordered to be printed.
-

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1879-80.

PETITION OF MRS. MARY JONES.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 4th May, 1880,—“with power to send for persons and papers, to inquire into and report upon the Petition of Mrs. Mary Jones, respecting certain property at Darling Harbour, presented on 21st April, 1880,”—have agreed to the following Report:—

1. Your Committee having examined the Witnesses named in the List,* * See List, page 5. and carefully considered the Evidence taken, find,—

- (1.) That in and previous to the year 1815 John Leighton, the father of your Petitioner, owned and resided on certain land on Flagstaff Hill.
- (2.) That in about the year 1815, the Government required and took his land for the purposes of a Military Hospital, and in exchange therefor gave him other land at Miller's Point.
- (3.) That the said John Leighton resided and died on the land in question, without applying for or obtaining the deeds of grant.
- (4.) That the heir-at-law (Mr. David Leighton) after the death of his father applied for the said deeds, and received a promise, dated 10th April, 1829, from the then Colonial Secretary, Mr. Alexander Macleay. (See Appendix A 1.)
- (5.) That in the year 1830 Mr. David Leighton left the Colony and lived beyond seas, without having received the said deeds, and without having disposed of his interest in the land.
- (6.) That during the absence of the said David Leighton the Government alienated the said land to various persons.
- (7.) That in or about the year 1860 Mr. David Leighton returned to the Colony and found the land in possession of various persons, purchasers from the Government and assigns of such persons, and a number of buildings erected thereon.
- (8.) That he then took possession of the land, but was compelled to leave it in consequence of the threats of the persons in possession.
- (9.) That he transferred his title and interest in the said land to his sister, Mrs. Mary Jones, whose Petition has been referred to your Committee by your Honorable House. (See Appendix A 3.)

2. Your Committee are of opinion that your Petitioner has a good claim for compensation against the Government, and recommend such claim for favourable consideration.

JAMES. S. FARNELL,
Chairman.

No. 3 Committee Room,
Sydney, 7th July, 1880.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 13 MAY, 1880.

MEMBERS PRESENT :—

Mr. Farnell,	|	Mr. Thompson,
Mr. Murphy,	|	Mr. Day.

Mr. Farnell called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, *read* by the Clerk.

Printed copies of the Petition of Mrs. Mary Jones, before the Committee.

Committee deliberated.

Ordered,—That Mrs. Mary Jones, George Hill, Esq., Mr. Michael Farrell, and Mr. David Leighton, be summoned to give evidence next meeting.

[Adjourned to Thursday next, at *Eleven o'clock*.]

THURSDAY, 20 MAY, 1880.

MEMBERS PRESENT :—

Mr. Farnell in the Chair.		
Mr. Murphy,	|	Mr. Day,
Mr. Thompson.		

John Williamson, Esq. (*Solicitor*), called in and examined.

Witness *handed in* certain documents, which were ordered to be appended. (*See Appendix A 1 to 3.*)

Witness withdrew.

Mrs. Mary Jones called in and examined.

Witness withdrew.

Mr. David Leighton called in and examined.

Witness withdrew.

Committee deliberated.

Re-assembling of the Committee to be arranged by the Chairman.

[Adjourned.]

TUESDAY, 8 JUNE, 1880.

MEMBERS PRESENT :—

Mr. Farnell in the Chair.		
Mr. Murphy,	|	Mr. Thompson.

Mrs. Mary Jones called in and further examined.

Witness withdrew.

George Hill, Esq., J.P., called in and examined.

Witness withdrew.

Mr. Michael Farrell called in and examined.

Witness withdrew.

Mr. Peter Martin called in and examined.

Witness withdrew.

Mr. John Bolton called in and examined.

Witness withdrew.

Committee deliberated.

Re-assembling of the Committee to be arranged by the Chairman.

[Adjourned.]

WEDNESDAY, 7 JULY, 1880.

MEMBERS PRESENT :—

Mr. Farnell in the Chair.		
Mr. Garrett,	|	Mr. Barton,
Mr. Thompson,	|	Mr. Burns,
Mr. Jacob.		

Chairman submitted Draft Report.

Same read and agreed to.

Chairman to report to the House.

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1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

PETITION OF MRS. MARY JONES.

THURSDAY, 20 MAY, 1880.

Present:—

MR. DAY,	|	MR. FARNELL,
MR. MURPHY,	|	MR. THOMPSON.

JAMES SQUIRE FARNELL, Esq., IN THE CHAIR.

John Williamson, Esq., called in and examined:—

1. *Chairman.*] You are a solicitor? Yes.
2. You are aware that Mrs. Mary Jones has petitioned Parliament in reference to a claim to certain land at Miller's Point? Yes.
3. Have you any documents having reference to her claim? I produce a promise of grant, dated 10th April, 1829, and signed by Mr. Alexander M'Leay, then Colonial Secretary, in answer to a petition of one David Leighton. (*Original produced, and copy handed in. See Appendix A 1.*)
4. Is that a true copy? Yes. I also produce an original conveyance of a portion of the same land by one Nathaniel Lucas to William Wall and John Leighton, dated 15th June, 1813, and a copy of that I also put in. (*See Appendix A 2.*) I also produce an original conveyance from David Leighton, transferring his interest to his sister, Mary Jones. I will put in a copy of that also. (*See Appendix A 3.*)
5. Is David Leighton the son of John Leighton? Yes.
6. I suppose you cannot give any further information of your own knowledge? Yes, I have searched in reference to this land, and I find that a great portion of it has been brought under Torrens' Act, especially that part purchased from Lucas.
7. In the names of various proprietors? Yes.
8. Where is this land situated? At Miller's Point. It commences at the corner of the road leading down to Moore's and Towns' Wharves, running along Bettington-street, at that time by the old plan called Miller's Road, down Moore's Wharf Road to a brick house that is now standing—an old brick house which I recollect used to be a gateway at one time, and I have had pointed out to me a stone house upon the ground which was adjoining this building, that Leighton, senior, built and occupied.
9. Here is a tracing, will you put that in? That is a tracing of the position of the land, from the original description mentioned in this letter promising the grant.
10. What is the area of the land comprised in the promise? 1 acre 2 roods 39 perches.
11. The petition says 1 acre 2 roods 9 poles? That is an error in the petition then; it is 1 acre 2 roods 39 perches. From a surveyor's valuation I think the property is now worth £70,000.
12. I suppose you do not know of your own knowledge whether Mrs. Jones ever had possession of this land herself? I know that David Leighton some years ago went on a portion of the land and resumed possession under my instructions, and I saw him turned out of possession by a person claiming a title under Torrens' Act.

J. Williamson,
Esq.
20 May, 1880.

- J. Williamson, Esq.
20 May, 1880.
13. Do you know whether Mrs. Jones has taken any means of trying to get possession of this land by legal process? I do not.
14. Is there any legal process by which she could get possession of this land under the circumstances? None that I am aware of. The Government has sanctioned new titles,—we are always debarred by that answer.
15. Do I understand that the Government have actually sold this land claimed by Mrs. Jones? I am aware of my own knowledge that the Government have issued grants embracing the whole of the land mentioned in this promise. I know that from my own searches in the Surveyor General's Office.
16. Have the grants issued by the Crown for the same land as that promised to Leighton in 1829 been subsequent to the date of that promise? Yes, they have been made subsequent to the promise, I can say that from my own searches; but to find out all the dates would cause great delay,—search would have to be made for every different grant. I think the information could be got from the Surveyor General's Office.
17. *Mr. Day.*] Do I understand you to say that the grants were issued by the Government right down to the Point? Yes, for the whole of it.
18. And on the strength of these Crown grants the property has been brought under Torrens's Act? Yes.
19. So that it is absolutely gone for ever? Yes, absolutely gone from Leighton, through whom Mrs. Jones claims.
20. *Chairman.*] If I understand you rightly, no grant has ever issued in accordance with the promise to David Leighton? No grant has ever issued in accordance with that promise to any of the Leighton family, to the best of my knowledge and my inquiries.
21. Who was legally entitled to this land after the death of John Leighton, the elder? David Leighton, the eldest son and heir-at-law.
22. Has David Leighton disposed of his interest? Only to his sister lately, that I am aware of. I can give the reasons for disposing of his interest to her. He was an invalid and blind, and his sister, Mrs. Jones, had to look after and take care of him.
23. In this petition there is a blank in reference to the time that Mrs. Jones discovered her brother David Leighton,—do you know about what date it was? She can answer that question. It is only of late years, I know, that she found him. I know that some seven or eight years ago I was always speaking of the matter to her, and she was then making inquiries and advertised for him.
24. Do you know whether Mrs. Jones has made application to the Government at any time for compensation for the loss of this land? She has not; if she had I would have known it, because I am the only person in possession of the facts that have been disclosed to you.
25. Is there anything else you desire to state? I do not know whether I might mention that my appearance in the matter is not as a legal adviser; it is merely in a friendly spirit that I am moving in the matter for this old lady.
26. *Mr. Murphy.*] If I understand you rightly, there is nothing to show that this land was ever given up to the Government? I have never seen or heard of any documents showing a surrender; I have searched in the Colonial Secretary's and Surveyor General's Offices, and found nothing.
27. Is there any grant issued to any of the Leighton family? No. In those days there was no such thing as a grant—only a promise.
28. Where is the promise contained? The whole of the promise is contained in the letter of the 10th April, 1829, which I have put in. In those days that was the only thing you got. You first went and settled on your land. It was called a lease in fee; and certain things being done, you got your land.
29. This letter was apparently intended to serve until a deed of grant was issued? Yes, as a security until the grant issued from the Crown.
30. *Chairman.*] I suppose you do not know what claim Mrs. Jones makes upon the Government for the loss of this land? I do not think Mrs. Jones makes any special claim—she merely leaves her case for the consideration of Parliament; whatever they think fit to award her she will accept. Other persons being in possession of the land under indefeasible titles, it is impossible she can ever regain it.
31. *Mr. Murphy.*] She thinks that if she has a claim Parliament will recompense her for it? Yes.

Mrs. Mary Jones called in and examined:—

- Mrs. Mary Jones.
20 May, 1880.
32. *Chairman.*] Are you a widow? Yes.
33. How long has your husband been dead? He died about 1854.
34. Do you remember your father, John Leighton? Perfectly.
35. How old were you when he died? I suppose I must have been sixteen or seventeen.
36. Have you any brothers or sisters? I had one brother and one sister; but only my brother is alive now—my sister is dead.
37. What was your brother's name? David Leighton.
38. Did he reside with you and your father? Yes, until father died.
39. Did your father own some land at Miller's Point? Yes.
40. Had he a mill there? Yes.
41. And a residence? Yes, which he built himself.
42. It was formerly known as "Jack the Miller's Point," was it not? Yes.
43. What is your earliest recollection of when you resided there with your father? I resided there till he died. I took him up in my lap when he fell off the mill, which caused his death.
44. Could you tell me what year that was? In the year 1826.
45. You lived upon the land previous to that? Yes.
46. About what year did your father first go into possession of the land? That would be some years after he purchased the land from Mr. Lucas; it took some time to clear away the rocks and build a residence.
47. Do you remember the year when you first went there to reside with him? No.
48. How old were you when your father died? Sixteen or seventeen.
49. How old were you when you first went to live with your father there? I could not tell.
50. Do you think it was so far back as the year 1815—your earliest recollection of living there? It would be before 1815, because my sister was born there, and mother always said she was born in 1815, behind the hospital—the soldiers' hospital they called it then. It is the Fort-street School now.

51. Your sister was born on the land that belonged to your father, behind what is now the Fort-street School? Yes.

52. Do you remember your father building a mill there? I do not remember his building it, because the outside of the mill was built when Mr. Lucas sold the property, he had to do all the rest himself—all the machinery and everything.

53. Did he build a house to reside in? Yes, he built a house and made improvements.

54. Did he cultivate, or do anything else? He made a garden. He had to bring soil to make a garden, for it was all rocks and scrub. He also put up sheds and all that was required, and fenced it in.

55. What was about the position of the first house that he built? It was well away towards the water. The land ran down to the water.

56. Was there a hospital built there then? Not that I recollect.

57. Do you know the Fort-street School? Yes.

58. Was the Fort-street School a hospital at one time? Yes; I saw it being built—I saw the men at work.

59. Did your father build a house near to the hospital? Yes, not very far from it.

60. Did your father build any more houses there? Only the improvements that were necessary; no other house for a residence; only stables and other things that were necessary.

61. Whereabouts did he build these? Below the house, at the very bottom of the ground.

62. Near what is Kent-street now? I do not recollect where Kent-street is.

63. Did you know a Dr. Martin, a military surgeon here? Yes, of the 73rd regiment.

64. Did you know Colonel O'Connell? I did.

65. Did Dr. Martin and Colonel O'Connell ever call to see your father? Yes, I saw them in conversation with him; not inside the house, but outside.

66. Did they come frequently to see your father? Yes, I saw them two or three times.

67. Do you know what business they came upon? I believe it was about this property. I heard my father say to my mother that they required the land for something for the military.

68. They wanted your father's land and cottage for military purposes? Yes; my mother was grieved at it, I know.

69. Do you recollect any offers having been made as to the purchase of this land or any money consideration? I did not hear any offer, only what my father said to my mother, that money was offered for the land and he said he did not want the money, but he would take land adjoining the mill property.

70. You heard your father telling your mother of the offer made by Dr. Martin and Colonel O'Connell in reference to the purchase of this land, and you heard your father say he was not desirous of selling the land, but would rather exchange it for other land? Yes.

71. Do you know whether they did make that exchange? Yes; they took possession of it. He made a road round the rocks going to the mill—he could not get up to it without. The mill was on a hill, and the house and other improvements were built lower down. Of course the mill was on the highest ground.

72. If I understand you rightly, the Government only wanted a portion of this land that belonged to your father? They wanted it all, and they had it all.

73. And they gave land in exchange for it to your father at Miller's Point? Yes, they told him to take whatever he liked, as he would not receive a money compensation, and he took the two portions adjoining the mill.

74. Do you remember Governor Macquarie coming there to see your father? Very often. He often used to come to see my father's improvements that he had made. Governor Macquarie and his lady often came to the gate, not inside—I never saw them inside the house.

75. Did Governor Macquarie say anything to your father, within your recollection, in reference to this land? Yes, I heard my father often say that the Governor said—"Mr. Leighton, you are very industrious here; you might as well take the whole point;" and he said—"No, thank your Excellency, I have taken sufficient." He said—"I have had a great deal of rocks and scrub here to cut away, at a great deal of expense, and I do not want any more."

76. Do you know whether your father had possession of the whole of the land contained in the promise? He had possession so far as making the road to the mill on the portion which is Bettington-street now. There was a spade-mark, but whether it was his mark or not I could not say.

77. Will you explain what you mean by a spade-mark? A spade-mark, a line along the ground, dug out.

78. A trench dug out? Yes; not a deep trench, but a line made with a spade. It commenced at the road to the mill.

79. *Mr. Thompson.*] Was this spade-mark to carry the water away? I do not know what it was for.

80. *Chairman.*] Do you remember in what year your father died? In 1826.

81. Did your mother continue to reside there after your father's death? Yes.

82. And you lived with her and your brother and sisters? Yes.

83. How long did you reside there after your father died? Until David Leighton threatened to take possession of the land and residence and mill. My mother had the residence and mill till he came of age.

84. After your father died your brother claimed possession of the property? Yes, he tried to get all he could.

85. How many years did you live there with your mother after your father died? Only a short time. I think my brother was seventeen when he died.

86. Did you live there till your brother came of age? No, I got married in the meantime.

87. Did your mother live there? My mother lived there for a time, and then went to the Princes-street property.

88. Did your brother take possession of this land? Yes. Mr. Stephen, Sir Alfred's brother, was his solicitor.

89. Do you know whether your brother applied to the Government for a grant? I believe he did. My mother applied also; she had letters of administration for my father's estate.

90. Did your father make a will? No, not that I know of.

91. *Mr. Day.*] I suppose you do not know the extent of this land? I do not know the extent of it; but there were too large pieces.

92. I suppose when you were there you knew the boundary of it? Yes, there was a fence.

Mrs. Mary Jones.

20 May, 1880.

- Mrs. Mary Jones.
20 May, 1880.
93. Was it fenced in? Yes.
94. What was it fenced with? The paddock part from the house was fenced with dry stone. My father had the rocks broken up and made a good dry wall, running down to the water.
95. Was it fenced all round with that stone wall? No, just from the top of the hill, at the cottage, down to the water, and at the bottom adjoining the garden.
96. So that it formed a paddock? Yes, we used to call it the paddock.
97. *Chairman.*] Was there any other kind of fence upon it besides the stone wall—on the other part? Yes.
98. Was it all fenced in? Yes, fenced in with palings. There were cow-sheds, stables, piggeries, and a store where my father used to store the wheat for the mill.
99. Could you tell the Committee what became of your brother after he took possession of the land—did he leave the Colony? I believe he did.
100. You did not see him for a number of years? I did not.
101. Did you take any means to discover his whereabouts? After he returned from Europe, or wherever he went to, I saw him.
102. *Mr. Day.*] Was that about 1856? I do not know. I got Mr. Colls, of Yass, to advertise for him. I wanted to find him because of this land; I knew he had not sold it, and no other person could.
103. Has your brother conveyed his interest in this property to you? Yes, for a purpose.
104. For the purpose specified in the deed laid before the Committee to-day by Mr. Williamson? Yes.
105. You believe you are entitled to some compensation from the Government, from the fact of the Government having sold this land claimed by you to other persons? Yes.
106. You say letters of administration were granted to your mother? Yes; she paid £18 for them.
107. Where are these documents now? Mr. Williamson has all the documents about the matter.
108. Did these documents convey to your mother this land, or only the chattel property, such as furniture and all that kind of thing—did they give her a right to the land? No, it gave her no right to the land.
109. Did your brother, the heir-at-law, and your mother go to law about this property? Yes.
110. Your mother thought she was entitled to it? Yes, it was the younger children she was fighting for. My brother took the real property—my mother never interfered further about that.

Mr. David Leighton called in and examined:—

- Mr. D. Leighton.
20 May, 1880.
111. *Chairman.*] Are you Mrs. Jones's brother? Yes.
112. Are you the eldest son of your late father, John Leighton? Yes.
113. Where did your father reside? At Miller's Point when he died.
114. Were you born there? No.
115. Could you tell us the year you first went to live there with your father at Miller's Point? No, I cannot exactly bear that in mind.
116. How old were you when you went to live with your father at Miller's Point? Three or four years old; I must have been very young.
117. How old are you now? Seventy-two.
118. The place you lived at is what is called now Flagstaff Hill or Miller's Point? We first went to live at Flagstaff Hill.
119. Then you went to Miller's Point? Yes.
120. Do you remember the Government putting up a grist-mill there? Yes.
121. Did you live near that? Yes, close to it.
122. Do you remember the Military Hospital? Yes.
123. Did you live near that? Yes, within a stone's-throw of it.
124. Did your father build a house there? Yes, he built one in the yard near the Military Hospital.
125. Do you know whether it was on land that he purchased from Mr. Lucas? No, I do not think it was; I think the land he purchased from Mr. Lucas was on the point.
126. On Miller's Point? Yes.
127. Do you know what became of that house? It was taken by the Government for the use of the military.
128. Did any accident happen to it by catching fire, or anything in that way? Not that I am aware of.
129. Do you remember whether any military gentlemen called to see your father upon any occasion, and how often? Colonel O'Connell and Dr. Martin did.
130. Do you remember what their business was with your father? Not particularly; I don't know what their conversation might have been about; I think it was something with regard to the land.
131. Did you ever hear your father say what it was about? I heard him talk about the place that he had taken in lieu of what they took from him.
132. Do you know whether they purchased the place? They offered money for it, but he would not take the money; he took some land adjoining what he purchased from Lucas instead of the land they wanted.
133. Do you remember anything of a letter dated 10th April, 1829? Yes.
134. Does that letter describe this land in any way? I do not think it describes the land—it might—I forget now; I cannot say whether it did or not.
135. You do not remember anything about the letter of 10th April, 1829? I remember there was a letter.
136. Could you identify the document? (*Original letter handed to witness*). That is the letter that came down by the light-horseman; the light-horseman brought that letter down.
137. From Government House? I think it must have been from there it came.
138. Did your father improve this land—fence it in, and so on? Yes, built on it, and fenced it in.
139. And used to carry on the mill business there? Yes.
140. Do you remember the time your father died? Yes.
141. How did he meet his death? By a fall from the mill.
142. After the death of your father, did you assert any right to this property? Yes, I claimed it as my own on account of my being the eldest son; I claimed it as belonging to me.
143. Was there some dispute between your mother and yourself as to who had a right to it? Yes.

144. Did your mother take out letters of administration after your father died? Yes.
145. Do you know whether she claimed this land in virtue of these letters of administration? She claimed it as having a right to it, and I claimed it as the eldest son.
146. The letters of administration gave her no right to the real property? Not that I am aware of.
147. Did you apply for a grant of this land? I did.
148. Was the grant ever issued to you? That is the answer that came down.
149. The letter of 10th April, 1829—was that the answer to your application for a grant? Yes.
150. What did you do after you got that document? I still remained on the property for a short time.
151. How long? It may have been five or six months after that before I left.
152. When you left, where did you go to? To England.
153. Do you know about what year you left for England? I think it was in the year 1830; I almost forget now.
154. How long was it before you returned to this Colony again? Nearly twenty years altogether from the time I left till I got to Sydney again.
155. Are you sure it was not more than twenty years? Well, I was in Van Diemen's Land three or four years, and I was whaling two or three trips after I left England. I dare say it was more than twenty years before I returned to Sydney.
156. Do you remember the year you returned? No.
157. Was it thirty years after you left? It might have been; I did not keep any particular account of it.
158. Did you ever get married? Yes.
159. Where? In Sydney.
160. Is your wife dead? Yes, I am informed so.
161. Did she die while you were away? No.
162. *Mr. Day.*] Did she die after you came back? When I came back we parted, and I never saw anything of her since. I received information that she was dead years ago.
163. *Chairman.*] Could you inform the Committee what was your object in going to England? It was reported that there was some money to be had if I went after it—my wife's fortune; I went on that business.
164. Were you disappointed? I was.
165. Did you ever at any time lose your eye-sight? I did; I have scarcely got my sight now.
166. Did you endeavour, when you returned here, to find your sister, Mrs. Jones? Yes.
167. And you did find her? Yes, after a number of years.
168. Did you reside with her for any length of time? I did.
169. *Mr. Day.*] Where was she living? At Bargo, the other side of Picton.
170. *Chairman.*] Prior to going to England, did you ever sell or transfer this land to any one? I never did.
171. While in England did you deal with the land in any way? Never in any way.
172. Since your return to this Colony have you transferred or conveyed this land to your sister? Yes, on account of her kindness to me and taking care of me when I could not help myself.
173. Do you know whether the Government ever issued any grant for this particular land? I do not.
174. Did you ever authorize any person to obtain a grant for you from the Government? I never did.
175. You are quite positive about that? Quite positive; not in any way whatever.
176. Are you now the only surviving son of your father? Yes.
177. Have you any sisters? They are all dead except Mrs. Jones.
178. As heir-at-law you claim to be the rightful owner of this particular land? I do.
179. Has any information been given to you that the Government have issued grants for this land? No.
180. Do you know whether any of this land has been brought under the Real Property Act? No, I do not.
181. Do you think you could identify the land now if you went to it? I think so.
182. Have you seen the land lately? Yes, a short time ago.
183. At the time you left for England, what do you think was about the value of the land? I could hardly say—it might be worth £30,000.
184. Now? It is worth double that now.
185. Did you ever attempt to take possession of this land? I did.
186. *Mr. Day.*] After you came back from England? Yes, a short time ago. I went and took possession and slept on it for two or three nights; I put up a tent on it.
187. *Chairman.*] What was done with you? I took the tent down after being there two or three days.
188. Did anybody interfere with you? No, only one person came and pulled my tent down by force and threatened to put me off the land.
189. *Mr. Day.*] It is not vacant land now, is it? It has been built on since; some portion is built on.
190. When you slept on it were there any buildings? No, there were houses on some parts of it, but not on the part I slept on. Since that more houses have been put up.
191. *Chairman.*] Did you ever apply to the Government for compensation for this land? Never.
192. You have not received any? No.
193. Do you remember the area of land owned by your father? I should say there ought to be three or four acres altogether, with what was purchased.
194. Do you remember the area of this particular property? No.
195. Was the land enclosed? It was enclosed in my father's lifetime.
196. After your father died, what became of the mill business? After my father died it was my uncle's; my mother rented it to him. I do not know what became of it afterwards.
197. *Mr. Thompson.*] Did you reside on the land from the death of your father till you left the Colony? No, I did not, because I was not of age, and after the death of my father I could not get possession, because it was rented to my uncle. I went down to Port Stephens and remained there till I came of age.
198. Were you in possession at any time? Yes, after I came of age.
199. Were the boundaries defined in any way? Yes, the boundaries were well understood; it was fenced in.
200. Was land in that locality at the time you left, about 1830, of much value? It was of great value then, but not so much as it is now.
201. Your claim to the land was not then disputed in any way? No.
202. It would have been well worth disputing if there had been any rival claim? Yes, the ground was valuable, of course.

Mr. D.
Leighton.
20 May, 1880.

- Mr. D. Leighton.
20 May, 1880.
203. *Mr. Day.*] Do you remember the Military Hospital? I do.
204. The land your father bought from Mr. Lucas adjoined the Military Hospital, did it not? No; what my father purchased from Lucas was on the point.
205. Was any one in possession when you went away to England? No.
206. Was any one in possession when you came back from England? My wife was living there on the ground.
207. When you came back from England? Yes.
208. Did you go to live there? No; my mother and I came on terms before I went away. It was very expensive paying the lawyers. Some land was sold to pay the lawyers when we came on terms with each other. The portion sold was Lucas's land.
209. Your mother sold it? Yes; she laid claim to it, and I laid claim to it.
210. *Mr. Murphy.*] Are we to understand that some part of this land that you took possession of when you came of age was sold by your mother? No, the other part; nothing to do with that part that is in question now at all.
211. *Chairman.*] Nothing to do with the land contained in the promise of the 10th April? Nothing to do with that whatever.
212. Other land belonging to your father? Yes.
213. *Mr. Day.*] You say your wife was in possession when you came back again? Yes.
214. How long ago is that? I cannot recollect.
215. About how long? It might have been forty years ago.
216. Are you aware whether the parties now in possession of the land have got grants from the Crown? I am not aware.
217. Are you aware whether the Government sold it or not? I never heard that they did sell any. I was told down there, when I slept on the ground, that a person wanted to purchase it, but there was no title to show for it.
218. Did you never ask the Government to give you a title to it when you came back? No, I never did.
219. Where were these documents when you went to England? They were in possession of Mrs. Jones.
220. We understand from you that you base your claim to that land upon that letter from Mr. M'Leay, the then Colonial Secretary? I base my claim to the land that my father got in lieu of the land that was taken for military purposes.
221. We understand that you have never disposed of that land to any one but your sister? I never did.
222. Nobody else but you had authority to do so? I should say not. I was the eldest son and heir-at-law, and I never gave any one authority or made it over to any one.

TUESDAY, 8 JUNE, 1880.

Present:—

MR. MURPHY, | MR. THOMPSON.

JAMES SQUIRE FARNELL, ESQ., IN THE CHAIR.

Mrs. Mary Jones called in and further examined:—

- Mrs. Mary Jones.
June, 1880.
223. *Chairman.*] You have already given evidence in reference to the death of your father: can you tell the Committee whether your father survived Mr. Wall or not? Yes, he did, a great many years.
224. And held possession of the property after Mr. Wall's death? Yes.
225. How many years did Mr. Wall die before your father? He died about sixty years ago.
226. How many years before your father's death? My father died in 1826.
227. What year did Mr. Wall die in? That I could not tell you.
228. How many years do you think? I know it was a great many years before my father died; I believe he was found hung in York-street.
229. There was no relationship between your father and Mr. Wall? None whatever.

George Hill, Esq., J.P., called in and examined:—

- George Hill, Esq., J.P.
8 June, 1880.
230. *Chairman.*] You are a native of the Colony? I am.
231. I think you have a vivid recollection of all the early life of the Colony? Pretty well.
232. Do you remember a Mr. Leighton, commonly called Jack the Miller? Yes, John Leighton, near Towns' Wharf, and before Towns' Wharf was there a long while.
233. Do you know whether he was the owner of any property at a place now called Miller's Point? Yes, he owned a windmill there. He and his family were living there from fifty-five to sixty years ago.
234. Do you know whether the land he then occupied is the land upon which the Fort-street Public School now is—the old Military Hospital? No, it was not there; it was on the next point, down to where Towns' Wharf is, on the left-hand side as you turn the elbow round. He had no mill to my knowledge at the place you are speaking of now.
235. You know he occupied the land near Towns' Wharf? Yes, he lived there and had a windmill there.
236. Do you know whether it was enclosed or not? There was a sapling fence round the lower part of it. There has been a road taken out of a piece of it. I mean a road to the south and a road to the west has been taken off the land that he used to claim.
237. Do you know whether anybody held this land prior to him? No; it was a bush when I recollect it.
238. Do you know whether any person had any claim to it prior to him? No, I cannot say that. I know my father was superintendent of Government mills, and there was great acquaintance between himself and Mr. Leighton.
239. You have often been on the land occupied by Mr. Leighton? Yes, hundreds of times I may say. I was there on one occasion when Governor Macquarie was there and Commissary Broughton.

240.

240. On any particular business? I do not know; I did not poke my nose into what was their business. My father was Superintendent of the Government mills, a little to the right of where the school is now; and the Governor, my father and myself walked down, when I was a boy, to Leighton's mill, and Leighton met us at the mill. George Hill,
Esq., J.P.
8 June, 1880.
241. Do you remember about the time of his death? No, I do not.
242. Do you remember how he met his death? No, I do not, only from talk, which is no evidence, you know.
243. Will you tell us what you heard? I heard he was killed in some way at the mill—by some part of the mill.
244. You are aware that he occupied that land for many years? Yes; I cannot say how many years, but for a long time.
245. I suppose you do not know anything of any negotiations between Leighton and the Governor? No. Leighton had a stone house on the left-hand side of the Government mill, on what is now known as the Flagstaff Hill.
246. Did you know that Leighton was the reputed owner of the land he occupied? Yes, he was known as the owner. I know he lived there many years along with his family.
247. Do you know whether the Government took possession of Leighton's land on the Flagstaff Hill? Yes, the Government occupied a portion of it.
248. And built the hospital on it? Yes, the hospital was on a portion of it.
249. Did you ever hear anything of any exchange of land between the Government and Leighton? No.
250. At that time people had only promises of grants for the land they occupied? Yes; if anybody went to His Excellency and said they would like to have lot so-and-so; the Governor's answer would be—"You know the conditions; you will have to build a house if you take it, and fence it in."
251. At the time you went down, that you speak of, was there any conversation between the Governor and Leighton about the land? Not that I heard.
252. *Mr. Thompson.*] Did the land remain in the possession of Leighton's family after his death? Yes, of course it did. I am not so sure upon that point. I knew Mr. and Mrs. Leighton and family. There was a son, David; I do not know what became of him.

Mr. Michael Farrell called in and examined:—

253. *Chairman.*] You are a very old resident? Yes.
254. You know Miller's Point? I do, well.
255. Did you know a Mr. Leighton? A miller.
256. Yes, commonly called Jack the Miller? Yes, I did know him.
257. Do you know whether he had a mill on Miller's Point? I do.
258. He used to carry on business as a miller? Yes.
259. Do you know what area of land he occupied? I cannot say, but it was a very large piece of ground where the mill was; what complement was in it I could not say.
260. Do you know where Mr. Leighton resided prior to the erection of the mill or about the time of the erection of it? I do not.
261. You do not remember him living at the Flagstaff Hill? No, I only remember him living at the Point—Jack the Miller's Point.
262. Do you remember the time of his death? I do, very well.
263. Do you know about what year he died in? I do not.
264. You remember the fact? Yes, I remember the accident he met with.
265. He died from an accident? He did.
266. Do you know whether any of his family occupied this land after his death? I think they did; I am not sure whether they occupied it after the accident occurred to him or not; but they were living there at the time of the accident.
267. *Mr. Murphy.*] Did you always suppose Leighton was the owner of the property? Yes, I always thought so. If a person built a mill and occupied it in those days so long as he did it must have been his own. He only had to ask for the land to get it in those days.
268. *Mr. Thompson.*] Was the land enclosed in any way? Not to my knowledge.
269. You do not remember it? I do not.

Mr. Michael
Farrell.
8 June, 1880.

Mr. Peter Martin called in and examined:—

270. *Chairman.*] Are you a native of the Colony? Yes.
271. Did you know John Leighton? Yes; he went by the name of Jack the Miller.
272. Had he a mill at Miller's Point? Yes, he had a wooden windmill; you had to go up to it by ladders.
273. Were you in the habit of going there? I was.
274. Do you know whether Leighton and his family lived on that land? That I cannot positively say, but when we went there to get corn ground Mr. Leighton was always there.
275. Do you know what area of land Leighton occupied at Miller's Point? I do not.
276. Was the land enclosed in any way? I can recollect an old fence there; it was not very old in those days.
277. *Mr. Thompson.*] Enclosing the land the mill stood on? No, not the land the mill stood on; it was below the mill.
278. *Chairman.*] Did you ever know of Leighton having lived anywhere else? Not to my knowledge; I was only eleven years of age at the time.
279. You do not remember him living at the Flagstaff Hill? I cannot positively say.
280. Do you remember the house that Leighton built on the land where the mill was? I saw a small house there, but I do not remember what the size of the house was or what it was built of.
281. Did you ever see Leighton at work there? Yes, I have seen him come and take the bag from me and my brother.
282. Did he do any other kind of work? Nothing but the grinding that I saw.

Mr. Peter
Martin.
8 June, 1880.

- Mr. Peter Martin.
8 June, 1880.
283. *Mr. Murphy.*] Did you always suppose Leighton to be the owner of the land? Yes, and so did my father. I have often heard him speak of him; he used to call him Jack the Miller.
284. You have heard your father say he was the owner of the property? Yes, I have heard him say it was granted to him.
285. Do you recollect this land being partly enclosed with a stone wall? I recollect a rubble wall being there.
286. That enclosed part of the land that Leighton held possession of? No doubt it did, but I do not know the extent of his ground.

Mr. John Bolton called in and examined:—

- Mr. John Bolton.
8 June, 1880.
287. *Chairman.*] Are you a native of this Colony? Yes.
288. Were you born in Sydney? Yes, on the Rocks in Princes-street.
289. Do you know Miller's Point? Yes.
290. Do you know from whence it derived its name? From Jack the Miller—John Leighton.
291. Did you know John Leighton? Yes.
292. Did you know that he had a mill on certain land at Miller's Point? Yes.
293. Whereabouts is the land on which the mill stood? The highest on to the road going up to Miller's Point now; as near the road as possible it was. There were two other mills stood away back, but I never saw them working; they were different mills to his.
294. Were they Government mills? I do not know.
295. Where did they stand? More towards the Point—towards Cockle Bay.
296. Were they windmills? Yes.
297. Do you know whether Leighton lived on that particular property? Yes; the house he lived in is there at the present time.
298. I suppose you do not know the area of land he occupied? No.
299. Do you know whether the land was enclosed or not? I fancy there was a rubble stone wall at the back of the mill, a good distance off it, and a fence where the house is now. The house he lived in stands back 50 or 60 feet from Moore's Road now. The south side, next to the road that goes to Bettington's wharf, was not enclosed; it was all rocks—a cart could not go up.
300. Was the property reputed to be the property of Leighton? I could not undertake to say.
301. Did you understand it to be his own private property? I was too young at that time to know anything about that.
302. How old were you? Twelve or fifteen.
303. Do you remember Mr. Leighton's death? Yes, but I could not tell you what year it took place in. I remember the circumstance quite well; he fell down the stairs of the mill, 30 feet high I suppose. It was one of those mills that travelled round on a spindle, and the stairs let down from the mill. The other two mills were not the same shape.
304. Was Leighton a married man? He had a wife and two sons and two daughters.
305. Do you know whether they lived on this property after his death? Yes, for a time after his death, and then they went to live at a property they had at Princes-street. The mill stood for ten or twelve years after his death.
306. Did any one else take possession of the mill? I do not remember it. The mill worked very little after his death. David and Joseph Leighton I knew well.
307. Which was the elder? David.
308. *Mr. Murphy.*] Leighton exercised the right of ownership over the property, as far as you know? Yes; he lived there from the time I can first remember till the time of his death.
-

PETITION OF MRS. MARY JONES.

APPENDIX.

[To the Evidence of John Williamson, Esq., 19 May, 1880.]

A 1.

The Colonial Secretary to Mr. David Leighton.

Sir,

Colonial Secretary's Office, Sydney, 10 April, 1829.

With reference to your petition, received the 2nd instant, for a grant of your premises in Darling Harbour, I am directed by His Excellency the Governor to transmit you the accompanying description of the boundaries of the same, but to inform you that no deeds can be prepared until the arrangements now in progress are completed.

I am, &c.,

ALEX. McLEAY.

Bounded on the north by Darling Harbour three hundred and thirty links, and on the east by a line five hundred and thirty links; on the south and south-west by the Mill Road to Sydney three hundred and forty links; and on the west by two lines to Darling Harbour seven hundred and twenty links, containing one acre two roods and thirty-nine poles.

A 2.

15 June, 1813. Sale and transfer of a Grist Post Mill, from Mr. Nathaniel Lucas to Messrs. Wm. Wall and John Leighton.

This indenture had made and concluded this fifteenth day of June in the year of our Lord one thousand eight hundred and thirteen between Nathaniel Lucas of Sydney on the one part and Mr. William Wall of Sydney gentleman and Mr. John Leighton of the same place on the other part as follows Whereas the aforesaid Nathaniel Lucas is seized and possessed of a grist post mill with the apparatus and appurtenances thereto appertaining situate at Phillip Point Sydney in the territory of New South Wales aforesaid together with three-quarters of an acre of ground thereto belonging and attached and immediately occupied and enjoyed therewith as member of and appurtenant thereto by the said Nathaniel Lucas his heirs executors and administrators And the said Nathaniel Lucas being desirous to sell the same Mr. William Wall and Mr. John Leighton of Sydney aforesaid have agreed to become the purchasers Now this indenture witnesseth that the said Nathaniel Lucas for and in consideration of the sum of four hundred pounds of lawful money of Great Britain to him in hand fully paid the receipt whereof in every part he doth hereby acknowledge hath sold bargained assigned and transferred unto the said William Wall and John Leighton their executors administrators and assigns the said post mill with its apparatus and appurtenances thereunto belonging And also the said three-quarters of an acre of ground hereinbefore expressed to be enjoyed by the said William Wall and John Leighton and their executors administrators and assigns And the said Nathaniel Lucas doth hereby declare that he hath never executed any deed of gift grant mortgage or sale unto any person or persons whatsoever or whomsoever and that he will truly warrant and defend the right of possession unto the said William Wall and John Leighton their executors administrators and assigns in the full possession and enjoyment as held and enjoyed by him the aforesaid Nathaniel Lucas against any person or persons claiming or to claim for ever against the said William Wall and John Leighton their executors administrators or assigns In witness whereof we have hereunto set our hands and seals (no stamps being used in the Colony) the day and year above written.

Signed sealed and delivered in the presence of,—

JAMES VANDERCOM.
W. E. BENNETT.

NATHANIEL LUCAS. (L.S.)
WILLIAM WALL. (L.S.)
JOHN LEIGHTON. (L.S.)

Registered in the Judge Advocate's Office, Sydney, 28th August, 1813, No. 1,067.

JAMES J. FOSTER,

Principal Clerk.

A 3.

Dated 7 March, 1876. Mr. David Leighton to Mrs. Mary Jones. Conveyance.

This indenture made the seventh day of March in the year of our Lord one thousand eight hundred and seventy-six between David Leighton of Aborombie River but now of 542 Bourke-street Sydney in the Colony of New South Wales miller of the one part and Mary Jones formerly of Bargo but now of Sydney in the said Colony widow of the other part Whereas John Leighton formerly of Sydney miller departed this life in or about the month of July one thousand eight hundred and twenty-six leaving the said David Leighton his eldest son heir-at-law him surviving And whereas the said John Leighton was at the time of his death seized of or well entitled to certain pieces of land hereinafter mentioned situated in the city of Sydney together with certain promises from the Government of New South Wales for certain grants of pieces of land which had not been completed at the time of the death of the said John Leighton And whereas the said David Leighton has contracted and agreed with the said Mary Jones for the absolute sale to her of all his right title and interest to any real estate hereinafter mentioned or any personal estate whatsoever which he was or might have been entitled to as eldest son and heir-at-law of the said John Leighton at or for the sum of ten pounds Now this indenture witnesseth that in pursuance of the said contract and in consideration of the sum of ten pounds of lawful British money in hand paid by the said Mary Jones to the said David Leighton the receipt whereof is hereby acknowledged he the said David Leighton doth hereby grant bargain sell alien release transfer and convey unto the said Mary Jones her heirs executors administrators and assigns all those pieces or parcels of land situate in Cumberland-street Sydney at the corner of Frazer's land and formerly occupied by David B. Long And also all that property situate in Gloucester-street known as the "Whale Fishery Public House" then occupied by Jasper Tunn And also all those pieces or parcels of land situate at Miller's Point Sydney And also all those pieces or parcels of land situate in Prince-street and Cumberland-street Sydney And also all that piece or parcel of land situate in George-street Windsor opposite "Freeman's Cricketers' Arms" and known by the name of the "Goat House" Together with all houses lands messuages and premises hereby described or any part thereof belonging or in anywise appertaining And all the estate and interest claim and demand of him the said David Leighton in or to the said hereditaments and premises or any part thereof To have and to hold the said hereditaments and premises unto the said Mary Jones her heirs and assigns for ever And this indenture also witnesseth that in further pursuance of the said agreement and for the consideration aforesaid he the said David Leighton doth hereby sell assign transfer and set over unto the said Mary Jones her heirs executors administrators and assigns all his right title interest benefit claim and demand he may have or be entitled to under the promises of grants made by the Government of New South Wales to the said John Leighton deceased or any payment allowance or consideration which he would or might be entitled to as aforesaid and all the estate and interest of the said David Leighton in to or out of the said premises hereby sold and assigned or intended so to be And the said David Leighton for himself his heirs executors and administrators hereby covenants with the said Mary Jones her heirs executors administrators and assigns that he the said David Leighton now hath good right full power and absolute authority to grant convey and assure the said hereditaments and premises and every part thereof unto the said Mary Jones her heirs and assigns free from all incumbrances And that it shall be lawful for the said Mary Jones her heirs executors administrators and assigns at all times hereafter to hold and enjoy the said hereditaments and premises respectively and receive the rents and profits thereof and every part thereof to and for her own absolute use and benefit And that the said David Leighton his executors administrators and assigns and every person claiming under him or them will at all times upon the request and at the costs of the said Mary Jones her executors administrators and assigns do make and perfect all acts for more perfectly assuring the said hereditaments and premises as by the said Mary Jones her heirs executors administrators and assigns or her or their counsel in the law shall be required or advised In witness whereof the said parties to these presents have herunto set their hands and affixed their seals the day and year first above written.

DAVID LEIGHTON. (L.S.)

Signed sealed and delivered by the said David Leighton in the presence of—

JOHN WILLIAMSON, Solicitor, Sydney.

Received

Received the day and year first within written of and from the within-named Mary Jones the sum of (£10) ten pounds being the full consideration money in and by the foregoing indenture expressed to be paid by her to me.

Witness—JOHN WILLIAMSON.

DAVID LEIGHTON.

Received into the Office for the Registration of Deeds &c. at Sydney this twenty-ninth day of March A.D. 1876 at twenty-five minutes to twelve o'clock in the forenoon from William John West a true copy of the within deed verified by the said William John West and numbered 4 Book 158.

C. J. MUDDLE, Deputy Registrar General.

We hereby certify that the three preceding pages contain a true copy of the original deed of conveyance of which it purports to be a copy the same having been carefully compared and examined therewith by us this twenty-ninth day of May, A.D. 1880.

WILL. J. WEST, } Clerks to John Williamson, Solicitor, Williamson's
J. A. FLYNN, } Chambers, King-street, Sydney.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LANDS FOR PUBLIC PURPOSES ACQUISITION BILL.
(MESSAGE No. 25.)

Ordered by the Legislative Assembly to be printed, 4 March, 1880.

AUGUSTUS LOFTUS,
Governor.

Message No. 25.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with a Bill to provide for the acquisition by Government of Lands for Public Purposes.

Government House,
Sydney, 3 March, 1880.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MR. AUSTIN FORREST WILSHIRE.

(PETITION OF.)

Received by the Legislative Assembly, 18 May, 1880.

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

The humble Petition of Austin Forrest Wilshire,—

SHOWETH AS FOLLOWS:—

In the year one thousand eight hundred and five my father, Mr. James Wilshire, established a fellmongery and a manufactory of leather, soap, candles, parchment, &c., on a spot outside of what was then called the Camp of Sydney. A grant of an adjacent piece of land was subsequently made to my father by Governor Macquarie for the especial purpose of extending the manufacture of leather in this Colony, upon which my father carried on the business of a tanner, without any complaint being made against the establishment until his death, which occurred in the year one thousand eight hundred and forty. The tannery and its appurtenances fell to the share of my brother, the late Mr. James Robert Wilshire and myself, by whom in fact it had been principally managed for some time previously. The tannery was in full operation in the year one thousand eight hundred and forty-nine, and in the month of October in that year the Act 13 Victoria number 42 was passed, coming into operation on the first day of January, one thousand eight hundred and fifty, and directing that after the lapse of ten years from the latter date various trades, among others that of tanning and currying, should not be carried on within the limits of the city of Sydney.

As originally introduced, the Act did not include tanning and currying among the prohibited businesses, but an alteration was made in the Bill during its passage through your Honorable House so as to include them. My brother and I were only warned of the intended prohibition on the day that the alteration for that purpose was made, and had but time to prepare a hasty Petition against such prohibition. But our representations were unheeded, and the Bill in its altered shape was hastily passed the same evening. It so far came into operation on the first day of January, one thousand eight hundred and fifty, that the ten years allowed for the removal of tanneries, &c., began to run from that date. Foreseeing the ruinous losses which the enforcement of this law would entail upon us, my brother and myself petitioned Parliament for the amendment of such law by the exemption of tanning currying from its operation.

Other Petitions on the same subject were presented, and a proposition for the amendment of this Act was actually before Parliament. The whole matter was referred to a Select Committee of the Legislative Assembly on the twenty-ninth day of February, one thousand eight hundred and sixty, but the proceedings of this Committee were stopped by a prorogation. In October, 1860, the subject was revived, and another Committee was appointed, but the action of this second Committee was stayed by a dissolution of the Assembly.

A third Committee was named in March, 1861, which shared the fate of its predecessors, its proceedings being stopped by prorogation.

In August, 1862, a fourth Committee was appointed, and on the nineteenth day of September, in the same year, a report was brought up from this Committee. They considered it undesirable to have the business of tanners and curriers carried on within the limits of the city of Sydney, "and were therefore not prepared to recommend any relaxation of the provisions of the Act 13 Victoria, No. 42." This was in effect the whole of their report. It left the question of compensation wholly untouched. In the meantime (in the year 1860) my brother had died, and on the division of our properties his interest in the tannery passed to myself, a large allowance being made for it to his family in adjusting such division. From various causes my claim remained in the background until March, 1865, when I petitioned the Legislative Assembly to take it into consideration. My Petition, in accordance with the rules of the House, was nothing more than a dry statement of the principal facts, but its object was to obtain some pecuniary compensation for the very heavy losses to which the action of the Legislature had subjected me—losses which if I had had no other resources would have reduced me from comparative affluence to absolute penury, and which as it is have entailed little short of utter ruin. It was no longer a question with me as to whether I should be compelled to abandon a lucrative business (for this in obedience to the law I had already done), but whether the representatives of the people who had deemed it necessary to decree such abandonment should not, as has hitherto been the rule in all such cases as mine, relieve me from at least

least some portion of the difficulties created by their decree. A Select Committee was appointed to consider my application. I laid before the Committee various documents showing the nature and extent of the losses to which I had been subjected. I proved that the total profits of the business for six years, from 1852 to 1857, were ten thousand three hundred and six pounds fourteen shillings and five pence, giving an average profit per annum during that period of one thousand seven hundred and seventeen pounds fifteen shillings and nine pence. I proved that in 1843 the land with the tannery upon it was estimated to be worth at least six thousand pounds, and that upon the stoppage of the tannery it had become depreciated in value at least one half; and on the eighth day of June, 1865, the Committee reported to your Honorable House that my case was one which "deserved to be taken into consideration by the Government." Nothing further was done on this occasion.

My brother, the late James Robert Wilshire, died in the year 1860, and I then became the sole proprietor of the tannery, having allowed the sum of five thousand one hundred and seventy-two pounds in adjustment of account with the representatives of my deceased brother, which sum was much beyond the market value of the property with the tannery closed, but was agreed to by me in the expectation of fair compensation being made by the Government.

In the year 1868 I published a statement of my case in the form of a letter to Sir James Martin, and the result was that the Government placed upon the Estimates the comparatively small sum of two thousand pounds as compensation to me; but your Honorable House, in Committee of Supply, on the second day of April, 1868, refused to pass the item by a majority of sixteen against nine, but several members who voted in the majority subsequently assured me that had they been more fully informed about the matter they should have voted differently. Since that time I have fully experienced the bitterness of hope deferred "which maketh the heart sick," and I have pressed upon the Members of many successive Governments a claim which if it has become stale is no fault of mine, and which in justice to my family I can never abandon while my life lasts, and I now appeal to your Honorable House in the hope that you will not allow a grievous wrong to remain longer unredressed.

Your Petitioner therefore humbly prays that your Honorable House will be pleased to take his case into your favourable consideration, and grant your Petitioner such relief as your Honorable House may deem meet.

And your Petitioner, as in duty bound, will ever pray.

A. F. WILSHIRE.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

BUTCHERS' SHOPS.
(PETITION FROM CITIZENS OF SYDNEY.)

Received by the Legislative Assembly, 10 June, 1880.

To the Honorable the Legislative Assembly, in Parliament assembled.

The Petition of the undersigned Citizens of Sydney beg to bring under the notice of your Honorable House that butchers' shops are permitted to be open on Sundays for trading purposes, and compelling the enforced labour of a hardworking portion of the community, namely, journeyman butchers; and as it is not necessary for the public good, but on the contrary has a most demoralizing effect, we pray your Honorable House to pass a law enforcing the closing of butchers' shops from Saturday night to Monday morning.

And your Petitioners, as in duty bound, will ever pray.

[*Here follow 411 signatures.*]

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

ANIMALS PROTECTION BILL.
(PETITION FROM MAYOR AND OTHER RESIDENTS OF WEST MAITLAND.)

Received by the Legislative Assembly, 17 June, 1880.

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

The Petition of the undersigned,—

HUMBLY SHOWETH:—

1. That the attention of your Petitioners has been engaged by a Notice tabled by an Honorable Member of your Honorable House to go into Committee to consider the expediency of bringing in a Bill to protect birds and animals.

2. That your Petitioners, influenced by a surmise that the deliberations of such Committee may terminate in a desire to alter the present law for the protection of birds and animals, would respectfully submit for your favourable consideration certain alterations which may be thought desirable.

3. That an experience of the habits of feathered game in this Colony has taught your Petitioners that the breeding season does not commence until and after the month of September; and that the progeny of such game is not fully developed and strong on the wing until the end of the month of March.

4. That, in the opinion of your Petitioners, the omission of the mention of quail in the Schedule to the existing Game Act was judicious, inasmuch as the habits of quail are known to be migratory upon well recognized authorities.

Your Petitioners would therefore respectfully urge upon your favourable consideration that the most suitable season for the protection of game from destruction would be from the beginning of the month of September until the end of the month of March; and that the migratory habits of quail render it unnecessary that they should be protected, and pray your Honorable House to make provisions accordingly.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 46 signatures.]

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

GRASSHOPPER PLAGUE.

(PETITION FROM INHABITANTS OF SOUTHERN RIVERINA.)

Received by the Legislative Assembly, 17 March, 1880.

To the Honorable the Speaker and Members of the Legislative Assembly of New South Wales, in Parliament assembled.

The humble Petition of the undersigned inhabitants of Southern Riverina, in the Colony of New South Wales,—

RESPECTFULLY SHOWETH:—

- (1.) That your Petitioners are residents in that portion of the Colony known as Southern Riverina.
- (2.) That your Petitioners are dependent for their support either directly or indirectly upon the prosperity of the pastoral and agricultural interests in the said district of Southern Riverina.
- (3.) That your Petitioners view with serious apprehension the threatened extinction of the interests before mentioned, in consequence of the ravages of the insect known as the grasshopper.
- (4.) That your Petitioners can vouch for the fact that formerly only a few of these insects were to be seen each season, and no serious inconvenience or loss was then felt, but of late years they have appeared in myriads and have occasioned enormous losses.
- (5.) That your Petitioners have known many instances of individual loss arising from the total destruction of pastures, cultivated crops, and gardens, by these pests, almost incredible to those not familiar with the extent of the desolation they cause, and the total of which losses really amounts to a public calamity.
- (6.) That your Petitioners ascribe the surprising increase in the number of these insects to the destruction in season and out of season of the native birds—their natural enemies.
- (7.) That your Petitioners therefore humbly pray that you will cause a special enactment to be passed into law during the present session of Parliament, prohibiting the destruction in any part of Southern Riverina of the following birds or their eggs for a period of three years, namely—the emu, turkey, ibis, native companion, wild duck, magpie, and such other birds as your Honorable House may in its wisdom think fit to preserve for your Petitioners' relief.

And your Petitioners will ever pray, &c., &c., &c.

[Here follow 196 signatures.]

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LICENSING BILL.

(MESSAGE No. 32.)

Ordered by the Legislative Assembly to be printed, 13 April, 1880.

AUGUSTUS LOFTUS,

Governor.

Message No. 32.

In accordance with the provisions contained in the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with a Bill to provide for the establishment of General Licensing Courts and for the regulation of Licensed Trades.

Government House,

Sydney, 13 April, 1880.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING BILL.

(PETITION IN FAVOUR OF—MINISTER AND OTHERS OF ST. BARNABAS' CHURCH.)

Received by the Legislative Assembly, 27 May, 1880.

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

The Petition of the undersigned Minister and others of St. Barnabas' Church,—

HUMBLY SHOWETH :—

That your Petitioners having for many years observed the evils arising from defective licensing laws, desire to express their approval of the measure introduced by the present Government as an improvement of the laws now in force, and would humbly pray your Honorable House, in Parliament assembled, to pass the said measure into law.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 62 signatures.]

Similar Petitions were received, on 27th May,—

From the Ministers and Members of the Sacred Heart Church, Darlinghurst; 9 signatures.

From the Minister, Members, and others of the Wesleyan Church, Woollahra; 8 signatures.

From the Officers and Members of the "Australia's Hope" Degree Temple, Sydney; 32 signatures.

From the Particular Baptists Church; 46 signatures.

From the Minister, Members, and others of the Mariners Church, Sydney; 86 signatures.

From Members and others of the Presbyterian Church, Balmain; 50 signatures.

From the Ministers, Deacons, and others of the Congregational Church, Ocean-street, Woollahra; 10 signatures.

From Members of the Young Men's Christian Association of Sydney; 28 signatures.

From Officers and Members of the Pioneer Lodge No. 1 Independent Order of Good Templars; 17 signatures.

From the Minister and Members of the Congregational Church, Pitt-street, Sydney; 41 signatures.

From Magistrates of the City of Sydney; 19 signatures.

From Students of Camden College; 2 signatures.

From Members and others of the Baptist Church, Balmain; 41 signatures.

From Members and others of the Congregational Church, Liverpool and Sussex Streets; 19 signatures.

From the Ministers and People of the Primitive Methodist Church, Kent-street; 34 signatures.

From the Members and Friends of the "Gladstone" Lodge No. 80 Independent Order of Good Templars; 14 signatures.

From the Minister, Members, and others of the Congregational Church, Bourke-street; 97 signatures.

From Officers, Members, and others of the Wesleyan Church, Bourke-street; 27 signatures.

From Officers and Members of New South Wales Alliance for the Suppression of Intemperance; 35 signatures.

From Members and others of the Wesleyan Church, Balmain; 24 signatures.

From U. W. Carpenter, Chairman of a Public Meeting of Citizens of Sydney; 1 signature.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LICENSING BILL.

(PETITION IN FAVOUR OF—CHAIRMAN OF A PUBLIC MEETING OF INHABITANTS OF PADDINGTON.)

Received by the Legislative Assembly, 2 June, 1880.

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

The Petition of the Inhabitants of Paddington and Woollahra, in Public Meeting assembled,—

HUMBLY SHOWETH:—

That your Petitioners, having for many years observed the evils arising from defective licensing laws, desire to express their approval of the measure introduced by the present Government as an improvement of the laws now in force, and would humbly pray your Honorable House in Parliament assembled to pass the said measure into law.

And your Petitioners, as in duty bound, will ever pray, &c.

Paddington, May 29th, 1880.

D. McBEATH,
Chairman.

Similar Petitions were received:—

On 2nd June, from Thomas L. Nicholson, Chairman of a Public Meeting of Members of the Independent Order of Good Templars under the jurisdiction of the Right Worthy Grand Lodge of the World, and others; 1 signature.

On 4th June, from residents of the Police District of Cooma; 371 signatures.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING BILL.

(PETITION IN FAVOUR OF—MINISTERS AND DEACONS OF THE CONGREGATIONAL CHURCH,
PARRAMATTA.)

Received by the Legislative Assembly, 8 June, 1880.

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

The Petition of the undersigned members of the Congregational Church, Parramatta, in Church meeting assembled,—

SHOWETH :—

That your Petitioners having for many years observed the fearful and enormous evils arising from the present licensing laws, desire to express their approval of the measure introduced by the Government as a very great improvement upon the laws now in force in this Colony, and would humbly pray your Honorable House in Parliament assembled to pass the said measure into law.

And your Petitioners, as in duty bound, will ever pray.

Signed on behalf of the Church.

(Here follow 4 signatures.)

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING BILL.

(PETITION IN FAVOUR OF—MEMBERS AND FRIENDS OF THE INDEPENDENT ORDER OF GOOD
TEMPLARS UNDER THE RIGHT WORTHY GRAND LODGE OF THE WORLD, AND OTHERS.)

Received by the Legislative Assembly, 15 June, 1880.

To the Honorable the Speaker and the Honorable the Members of the Legislative Assembly of New South
Wales, in Parliament assembled.

The Petition of the undersigned Members and Friends of the Independent Order of Good Templars,
under the jurisdiction of the Right Worthy Grand Lodge of the World, and others residing at
Rocky Mouth, Maclean, and other parts of the Lower Clarence,—

HUMBLY SHOWETH :—

That your Petitioners have been assiduously striving for the diminution of drunkenness and
the numerous evils arising therefrom ; and fully recognizing the many glaring defects of the existing liquor
traffic, hail with satisfaction the efforts of the Government to reform the present licensing laws. That
whereas the houses licensed for the sale of intoxicating drinks are presumably so licensed for the convenience
and accommodation of the public, and, moreover, that the cost of the crime, pauperism, and other con-
comitant evils arising from such sale has to be borne by the people ; your Petitioners, therefore, while
recognizing in the new Licensing Bill now before your Honorable House many improvements as compared
with the existing laws there anent, humbly submit the following amendments for your earnest consideration
and approval, viz. :—

- 1st. That the proposed licensing Boards be constituted on an elective in contradistinction to a
nominee basis, and that the principle of " local option " be strictly adhered to in respect to the
granting of licenses and transfers, and by which any licensing district shall have the power to
veto the traffic in their midst ; also, to make the necessary provisions for the faithful carrying
out of these fundamental principles.
- 2nd. That, with the view of preventing the desecration of the Sabbath day and the midnight
drinking practices and orgies that now prevail to such an alarming extent, provision be made
for the entire closing of all public-houses on Sundays, and on the other days of the week at
not later than 10 o'clock p.m.
- 3rd. That clauses 46 and 47 be struck out, with a view of effectually preventing the pernicious
practice that obtains in the transfer of licenses, such being a privilege which has hitherto been
prostituted for the purpose of opening up new drinking shops, some of them of the lowest
type, in neighbourhoods where they have not been asked for nor required.
- 4th. That clause 53 be amended by striking out " twelve years " and substituting " sixteen years," so
that no youth under the latter age shall be supplied with intoxicating drinks under any pre-
text whatever at such licensed houses.

We humbly pray that you will take the foregoing premises into your most favourable consideration,
and that they, with other amendments and additions as you may deem advisable in the interests of humanity
and justice, be embodied in the new Licensing Bill, and passed into law with the least possible delay.

And your Petitioners, as in duty bound, will ever pray.

[*Here follow 23 signatures.*]

Similar Petitions were received :—

- On 15th June, from Members and Friends of the Independent Order of Good Templars under the
jurisdiction of the Right Worthy Grand Lodge of the World, and others in public meeting
assembled at Public Hall, Pyrmont ; 2 signatures.
- On 15th June, from Ministers and Elders of the Presbyterian Church of New South Wales ; 6 signa-
tures.
- From Members and Friends of the Independent Order of Good Templars under the jurisdiction of the
Right Worthy Grand Lodge of the World, and others residing at Milton ; 81 signatures.
- On 17th June, from Members and Friends of the Independent Order of Good Templars under the
jurisdiction of the Right Worthy Grand Lodge of the World, and others residing at Bathurst ;
405 signatures.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LICENSING BILL.

(PETITION IN FAVOUR OF—MEMBERS AND FRIENDS OF THE INDEPENDENT ORDER OF GOOD TEMPLARS UNDER THE RIGHT WORTHY GRAND LODGE OF THE WORLD, AND OTHERS RESIDING AT HAY.)

Received by the Legislative Assembly, 23 June, 1880.

To the Honorable the Speaker and the Honorable the Members of the Legislative Assembly of New South Wales, in Parliament assembled.

The Petition of the undersigned Members and Friends of the Independent Order of Good Templars, under the jurisdiction of the Right Worthy Grand Lodge of the World, and others residing at Hay, in the Colony of New South Wales,—

HUMBLY SHOWETH:—

That your Petitioners have been assiduously striving for the diminution of drunkenness and the numerous evils arising therefrom; and fully recognizing the many glaring defects of the existing liquor traffic, hail with satisfaction the efforts of the Government to reform the present licensing laws. That whereas the houses licensed for the sale of intoxicating drinks are presumably so licensed for the convenience and accommodation of the public, and moreover, that the cost of the crime and pauperism and other concomitant evils arising from such sale has to be borne by the people; your Petitioners, therefore, while recognizing in the new Licensing Bill now before your Honorable House many improvements as compared with the existing laws there anent, humbly submit the following amendments for your earnest consideration and approval, viz. :—

- 1st. That the proposed licensing Boards be constituted on an elective in contradistinction to a nominee basis, and that the principle of "local option" be strictly adhered to in respect to the granting of licenses and transfers, and by which any licensing district shall have the power to veto the traffic in their midst; also, to make the necessary provisions for the faithful carrying out of these fundamental principles.
- 2nd. That, with the view of preventing the desecration of the Sabbath day and the midnight drinking practices and orgies that now prevail to such an alarming extent, provision be made for the entire closing of all public-houses on Sundays, and on the other days of the week at not later than 10 o'clock p.m.
- 3rd. That clauses 46 and 47 be struck out, with a view of effectually preventing the pernicious practice that obtains in the transfer of licenses, such being a privilege which has hitherto been prostituted for the purpose of opening up new drinking shops, some of them of the lowest type, in neighbourhoods where they have not been asked for nor required.
- 4th. That clause 53 be amended by striking out "twelve years" and substituting "sixteen years," so that no youth under the latter age shall be supplied with intoxicating drinks under any pretext whatever at such licensed houses.

We humbly pray that you will take the foregoing premises into your most favourable consideration, and that they, with other amendments and additions as you may deem advisable in the interests of humanity and justice, be embodied in the new Licensing Bill, and passed into law with the least possible delay.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 164 signatures.]

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING BILL.

(PETITION FROM J. B. OLLIFFE, CHAIRMAN OF THE LICENSED VICTUALLERS' ASSOCIATION OF NEW SOUTH WALES.)

Received by the Legislative Assembly, 20 May, 1880.

To the Honorable Sir George Wigram Allen, Knight, Speaker of the Legislative Assembly of New South Wales, and to the Members of the said Legislative Assembly.

The Petition of the Licensed Victuallers' Association of New South Wales,—

HUMBLY SHOWETH:—

That at a public meeting held by your Petitioners at the Guild Hall, in the city of Sydney, on the tenth day of May instant, your Petitioners for the first time heard the clauses read of a Bill introduced into your Honorable House, for the purpose of providing "the establishment of General Licensing Courts, and for the regulation of licensed trades"; and that at such meeting it was unanimously resolved to present a Petition to your Honorable House, as to the injurious effects of such a measure as that proposed being passed into law without amendment.

That your Petitioners respectfully ask your serious consideration of the sixth section of the proposed Bill, as to the constitution and composition of Licensing Courts, officers, &c., and ask of your Honorable House that, in lieu of the provisions proposed, the Licensing Court or Board should for the city of Sydney be comprised of the Mayor for the time being of the city, assisted by two of the Police Magistrates and three other gentlemen nominated by the Governor in Council.

That should Honorable Members be opposed to such a constitution being adopted, your Petitioners beg to suggest that the Court should be held and presided over by a responsible and professional gentleman, having powers vested in him analogous to the Recorders for the cities of London or Dublin.

That the tenth clause would be a serious injury to persons holding licenses in country districts, as, under sub-section four, no license could be granted where any retail store existed in the same building, and that the production of plans and skilled witnesses in remote districts would be in most cases an utter impossibility for any ordinary applicant, unless the applicant incurred ruinous expenditure.

That your Petitioners submit the twenty-fourth section of Part two would confer unnecessary and excessive powers to persons, under colour of performing duty in breaking and entering into licensed or unlicensed premises, either by night or day, as they might consider proper.

That under the thirtieth section of Part two, parties therein mentioned are permitted to sell liquor in quantities very little in excess of that for which we are so highly taxed, and that it is not contemplated by the proposed Act to subject these persons to the restrictions imposed on our trade.

That the thirty-fourth clause (of said Part two) clothes the officers therein mentioned with most unusual powers, although the public have no guarantee as to their capabilities for performing the responsible and extra professional duties intended to be vested in them.

That under the thirty-eighth section, your Petitioners submit they would have no certainty of their recovering costs from parties making objections to applicants for licenses; and your Petitioners suggest that, in order to preclude unnecessary objections being made, that all parties at the time of lodging objections should deposit with the officer of the Court a sum of ten pounds each at the least, to provide for the applicant's costs being discharged in event of such objections not being sustained by the Court.

That the increased charge for licenses contemplated by the forty-third clause would, at this depressed period, have a very disastrous effect upon legitimate industry, because a great number of persons connected with the trade and otherwise have, at considerable cost and risk, built and established hotels for public accommodation when no such imposition was contemplated; which, with the additional two shillings per gallon which we are paying on spirits since the commencement of the present year, would cause a considerable reduction in the value of house property to innocent parties.

That we submit the forty-ninth section should be omitted, in order to permit members of the trade to obtain licenses as other ordinary members of our community.

That as the city of Sydney is lighted with gas, and no other traders are compelled by law to keep lamps burning before their houses, we submit the fiftieth clause, so far as it refers to the city, should be omitted, and thus place us in the same position as our other fellow-citizens, and with whom we are equally taxed for lighting the public thoroughfares.

That, so far as country districts are concerned, we believe the spirit of the Act would be more effectually fulfilled by the fifty-fourth section being amended, so as to vest power in any of Her Majesty's Justices to grant certificates authorizing the performances of theatrical or other amusements to be held or exhibited in any licensed house which may be situate in a country district.

That under the one hundred and sixty-fifth clause the power of appeal would be greatly restricted; and we submit that all parties appealing should have the liberty, if they were so advised, of prosecuting their appeals before their Honors the Judges of the Supreme Court.

That the 148th and 149th sections would, if enacted, have a most disastrous effect, not only on persons holding licenses but also on all owners of licensed hotels or other property, and we submit the said sections are very uncertain in meaning and would be oppressive on the subjects of Her Majesty.

That the one hundred and seventy-first section would, if passed, vest in the Court a permission to reject or receive evidence or proof as therein mentioned, and that the vesting of any discretion as contemplated should not be permissive but mandatory.

That, as your Petitioners contribute very largely to the revenue of this territory, and as such revenue is payable by us before we derive any profit from the trade affected by the proposed Bill, we most respectfully pray your Honorable House that the several sections of the proposed Act of Parliament hereinbefore referred to may be amended; and that you may be also pleased to give your Petitioners such further or other relief as to you may seem fit.

And your Petitioners, as in duty bound will ever pray.

J. B. OLLIFFE,
Chairman.

For and on behalf of the said Association.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING BILL.

(PETITION FROM JOSEPH ORAM, CHAIRMAN OF THE WESLEYAN CONFERENCE OF NEW SOUTH WALES AND QUEENSLAND.)

Received by the Legislative Assembly, 20 May, 1880.

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

The Petition of the undersigned,—

HUMBLY SHOWETH:—

1. That the Wesleyan Conference for New South Wales and Queensland did, at its Session in January last, appoint a Committee of its Ministerial and Lay Members to take such steps during the current year as to them might seem expedient, with a view to bring about amendments of the present Liquor Licensing Laws of this Colony.

2. That the said Committee, now your Petitioners, through their Chairman, has learned with great satisfaction that a very comprehensive measure for the above-named purpose has been laid by the Government before your Honorable House.

3. Your Petitioners desire especially to express their approval of those clauses of the Bill which make better provision for granting and cancelling licenses, for the due entrance of public-houses by the Police, for an authorized inspection of licensed premises and the liquor sold therein, and of other clauses whose effect must be to prevent such immoralities as abound under the present system.

4. Your Petitioners desire also humbly to suggest the expediency of so amending the Bill that barmaids may not be employed in any City or Town public-house; that bars in public-houses should be altered and improved, with a view to prevent the present obnoxious habit of disorderly persons congregating thereat, to the great danger of the public peace, and that redress should be obtainable in a Court of Justice against any publican who has sold liquor to any customer so as to seriously damage his health and estate.

5. Your Petitioners, therefore, humbly pray that your Honorable House will take the foregoing premises into your favourable consideration, and grant such redress as in your wisdom may seem meet.

And your Petitioners, as in duty bound, will ever pray.

Signed for and on behalf of the said Committee, now your Petitioners,
Sydney, May 20th, 1880.

JOSEPH ORAM, Chairman.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING BILL.

PETITION FROM VICE-PRESIDENTS AND TREASURER OF THE CITY AND PROVINCIAL LICENSED VICTUALLERS ASSOCIATION.)

Received by the Legislative Assembly, 27 May, 1880.

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

The Humble Petition of the undersigned members of the City and Provincial Licensed Victuallers' Association,—

SHOWETH:—

That your Petitioners have read the Bill recently introduced into Parliament for the establishment of general Licensing Courts and regulation of licensing trades.

That your Petitioners have held a meeting of their members to consider the provisions of the said Bill, and at such meeting it was resolved that a petition should be presented to Parliament, protesting against the Bill becoming law.

That your Petitioners therefore humbly protest against the following clauses in the said Bill, viz.:—

Clause 6. The appointment of the Inspector General of Police as one of the Board, as he would have the power to instruct his subordinates and then sit in judgment on their actions; but your Petitioners would humbly suggest that instead thereof a Recorder or Judge be appointed, similar to the practice in England and Ireland.

Clause 10. Your Petitioners humbly suggest that in sub-clause 4 the provision as to a retail store should not apply to houses in the country parts.

Clause 21. Your Petitioners humbly protest against the appointment of any member of the police force below the grade or rank of a sub-inspector being appointed to any office under this section.

Clause 22. Your Petitioners humbly protest against the power proposed to be given to inspectors to enter any part of any licensed premises, and suggest that the power to enter and search should be limited to the bar where the liquors are sold, or to the cellars where the same are kept. Your Petitioners also protest against the powers given to any inspector to take a list of their stock, and suggest that, owing to the large interests involved and the revenue derived from the duties on spirits, the Government should appoint an analytical chemist to analyze all liquors before they leave the bonded warehouse or wine and spirit merchants' stores, and issue a voucher for same.

Clause 24. Your Petitioners most humbly protest against this clause, as being most arbitrary and despotic.

Part II, Clause 25. Your Petitioners humbly suggest that, in sub-clause 5, liquors should not be allowed to be sold to any civilian under a penalty; and that, in sub-clause 6, liquors should only be sold to members of the club, under a penalty for any breach thereof.

Clause 27. Your Petitioners suggest that the hour of selling be altered from 6 o'clock in the morning to 4 o'clock, as provided for in the 66th section.

Clause 29. Your Petitioners humbly suggest that a holder of a colonial wine license shall not permit wine to be consumed on the premises, and that not less than one pint bottle shall be sold, and the license fee increased to £10.

Clause 30. Your Petitioners humbly protest against the bottle license proposed by this clause, and suggest that no wine and spirit merchant be allowed to sell less than four gallons at one time of the same spirit or liquor to others than licensed victuallers.

Clause 32. Your Petitioners humbly object to this clause requiring notice of intended applicants for licenses having to post notices of their intention on their doors, and inserting the same in newspapers. And your Petitioners would also humbly suggest that all board and lodging houses should be licensed, and the keepers be made to contribute towards the revenue.

Clause 34. Your Petitioners humbly protest against this clause, as being antagonistic to the interests of the licensed victuallers, and tending to decrease the number of first-class hotels, and to the increase of low public-houses or drinking shops.

- Clause 38. Your Petitioners humbly object to the five sub-clauses of this section, and to the seventh ground of objection to the granting of a license.
- Clause 43. Your Petitioners humbly protest against this clause, and suggest that £25 per year ought to be the standard fee for a license, as in the neighbouring Colonies. That no sliding scale of fees will work successfully. That bush hotels should pay a less license fee, and the distance be four miles apart. And that no fee be charged for a booth license, as holding a publican's license, the holder ought to have the privilege of using his license at races or other places without a fee.
- Clause 47. Your Petitioners humbly protest against the power given to the owner of premises being allowed to object to the removal of a license, as great hardship might be cast upon a publican whose lease of premises might expire, and having paid for his license, have to forfeit it, unless he could get the consent of his landlord to remove it.
- Clause 49. Your Petitioners humbly protest against this clause, as a loan may be made by a publican to a relative, another publican, which would give him an interest in the house and license; or a publican may be the holder of a license for one hotel and be the owner of another, and so would have a beneficial interest in each, which would make him liable to a penalty.
- Clause 50. Your Petitioners humbly protest against this clause requiring publicans in the city of Sydney to keep a light burning all night, and humbly suggest that a proviso should be introduced into the clause exempting any publican within the city from keeping a light burning after the hour of closing his hotel.
- Clause 51. Your Petitioners humbly suggest that upon any conviction under this section an informer should get half the fine.
- Clause 60. Your Petitioners humbly suggest that a new clause be inserted as an amendment as follows—the first part of which is objected to, that publicans be able to sue for liquors sold by the bottle or in larger quantities, but not consumed on the premises.
- Clause 66. Your Petitioners humbly suggest that the hours for selling on a Sunday should be the same as those mentioned for Good Friday and Christmas Day, and that liquors be allowed to be consumed on the premises.
- Clause 67. Your Petitioners humbly suggest that the distance for travellers be reduced to one mile, and that it should not be compellable to prove a customer as a *bonâ fide* traveller by the person selling.
- Clause 73. Your Petitioners humbly suggest that brewers should not be allowed to sell less than ten gallons of beer at one time to others than licensed victuallers.
- Clause 95. That the objections against a publican's being competent to hold a partnership in any business, and hold as many privileges as any other tradesman, your Petitioners humbly deem most oppressive.
- Clause 148. Your Petitioners also humbly protest against this clause, as being most arbitrary and despotic; and they wish to draw the attention of the Legislature to this fact,—that if a publican should be convicted of the most trifling offences under the Act on three occasions for a period of three years previously he becomes disqualified from holding a license for a period of three years, and this disqualification he would be subject to if convicted three times for not having a light over his door.
- Clause 157. Your Petitioners humbly suggest that the police acting under this clause should wear some badge or other mark of distinction.
- Clause 159. Your Petitioners humbly suggest that this clause be expunged, as they think they ought not to be made the subjects of any proceeding under this clause any more than any other tradesman.
- Clause 160. Your Petitioners humbly suggest that the words "to remain in or knowingly harbouring" should be inserted in this clause.

Your Petitioners therefore humbly pray that your Honorable House will take their case and the several matters referred to in this Petition into your favourable consideration, and afford them such relief and assistance as to your Honorable House shall seem meet.

And your Petitioners, as in duty bound, will ever pray, &c.

(For and on behalf of the City and Provincial Licensed Victuallers' Association.)

Dated the 27th day of May, 1880.

[Here follow 3 signatures.]

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING BILL.

(PETITION FROM LICENSED VICTUALLERS, HOUSEHOLDERS, AND INHABITANTS OF DENILIKUIN)

Received by the Legislative Assembly, 8 June, 1880.

To the Honorable Sir George Wigram Allen, Knight, Speaker of the Legislative Assembly of New South Wales, and to the Members of the said Legislative Assembly.

The Petition of Licensed Victuallers, Householders, and Inhabitants of Deniliquin,—

HUMBLY SHOWETH :—

That your Petitioners have read a Bill introduced into your Honorable House for the purpose of providing "the establishment of General Licensing Courts, and for the regulation of licensed trades."

That your Petitioners submit that as they live in remote districts the above Bill, if passed into law, would be very detrimental to their interests and business transactions and cause great inconvenience and annoyance to travellers or others passing through or living in their district.

That your Petitioners respectfully ask your serious consideration of the sixth section of the proposed Bill, as to the constitution and composition of Licensing Courts and officers, and ask of your Honorable House that, in lieu of the provisions proposed, the Licensing Court or Board for this and other country districts should be composed of two of the Police Magistrates and three other gentlemen nominated by the Governor in Council.

That should Honorable Members be opposed to such a constitution being adopted, your Petitioners beg to suggest that a Court should be held and presided over by one of the District Court Judges.

That the tenth clause would be a serious injury to us, as, under sub-section four, no license could be granted where any retail store existed in the same building, and that the production of plans and skilled witnesses in remote districts would be in most cases an utter impossibility for any ordinary applicant, unless the applicant incurred ruinous expenditure.

That if such clause be passed no storekeeper could accommodate travellers, and that in very remote districts it would be impossible for publicans to live from the profits of an hotel business or publican's license unless he kept a store to assist him in his business.

That your Petitioners submit the twenty-fourth section of Part Two would confer unnecessary and excessive powers to persons, under colour of performing duty, in breaking and entering into licensed or unlicensed premises, by night or day, as they might consider proper.

That the thirty-fourth clause (of said Part Two) clothes the officers therein mentioned with most unusual powers, although the public have no guarantee as to their capabilities for performing the responsible and extra professional duties intended to be vested in them.

That under the thirty-eighth section your Petitioners submit they would have no certainty of their recovering costs from parties making objections to applicants for licenses; and your Petitioners suggest, that in order to preclude unnecessary objections being made, that all parties at the time of lodging objections should deposit with the officer of the Court a sum of ten pounds each at the least, to provide for the applicant's costs being discharged in event of such objections not being sustained by the Court, and also leave their addresses, and that no person unless a ratepayer of the district should be permitted to lodge objections.

That the increased charge for licenses would, at this depressed period, have a very disastrous effect upon our trade, where in country districts trade is fluctuating; and as several of your Petitioners and others not connected with the trade and otherwise have, at considerable cost and risk, built and established hotels for public accommodation when no such imposition or restrictive legislation was contemplated, and, coupled with the additional two shillings per gallon which we are paying on spirits since the commencement of the present year, would cause a considerable reduction in the value of hotel and store property to innocent parties.

That we submit the forty-ninth section should be omitted, in order to permit members of the trade to obtain licenses as other ordinary members of our community.

We submit that in this and other country districts the spirit of the Act would be more effectually fulfilled by having the fifty-fourth section amended, so as to vest the power in any of Her Majesty's Justices to grant certificates authorizing the performances of theatrical or other amusements to be held or exhibited in any licensed house which may be situate in a country district.

That

That under the one hundred and sixty-fifth clause the power of appeal would be greatly restricted ; and we submit that all parties appealing should have the liberty, if they were so advised, of prosecuting their appeals before their Honors the Judges of the Supreme Court.

That the 148th and 149th sections would, if enacted, have a most disastrous effect, not only on persons holding licenses but also on all owners of licensed hotels or other property, and we submit the said sections are very uncertain in meaning and would be oppressive on the subjects of Her Majesty.

That the one hundred and seventy-first section would, if passed, vest in the Court a permission to reject or receive evidence or proof as therein mentioned, and that the vesting of any discretion as contemplated should not be permissive but mandatory.

Your Petitioners therefore pray that, as they contribute very largely to the revenue of this territory, and as such revenue is payable by many of us before we derive any profit from the trade intended to be affected by the proposed Bill, and as a considerable number of your Petitioners have during the most inclement seasons of the year to travel long distances from our homes, we most respectfully pray of your Honorable House that the several sections of the proposed Act of Parliament may be amended ; and that you may be also pleased to give your Petitioners such further or other relief as to you may seem fit.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 168 signatures.]

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LICENSING BILL.

(PETITION FROM CHAIRMAN OF A PUBLIC MEETING HELD AT ORANGE.)

Received by the Legislative Assembly, 24 June, 1880.

The Honorable the Speaker and Legislative Assembly, Sydney.

The humble Petition of the undersigned,—

RESPECTFULLY SHOWETH :—

That your Petitioner was the duly constituted Chairman of a Public Meeting held in the School of Arts, Orange, on Monday, 21st June, 1880, at which the following resolutions were unanimously carried :—

1. That, in the opinion of this Meeting, the Licensing Bill introduced into Parliament is unsatisfactory ; inasmuch as it does not provide for the entire closing of all public-houses on Sundays ; makes no provision for any diminution in the liquor traffic, but introduces a single-bottle system, which would probably grow to gigantic proportions ; and generally would make no thorough change in the existing law.

2. That inasmuch as the ancient and avowed object of licensing the sale of intoxicating liquors is to supply a supposed public want without detriment to the public welfare, this Meeting is of opinion that a legal power of restraining the issue or renewal of licenses should be placed in the hands of the persons most deeply interested and affected, namely, the inhabitants themselves, who are entitled to protection from the injurious consequences of the present system, by some efficient measure of "local option" through the ballot box.

3. That the foregoing resolutions be embodied in a Petition to the Legislative Assembly, and signed by the Chairman on behalf of this Meeting.

Your Petitioner therefore humbly prays your Honorable House to take this Petition into your earnest consideration.

And your Petitioner will ever pray, &c.

JOSIAH PARKER, J.P.

1879.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PUBLICANS LICENSING ACT.

(PETITION—GENERAL ASSEMBLY OF THE PRESBYTERIAN CHURCH OF NEW SOUTH WALES.)

Received by the Legislative Assembly, 18 November, 1879.

Unto the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

The Petition of the General Assembly of the Presbyterian Church of New South Wales,—

HUMBLY SHOWETH :—

That the General Assembly being met, and duly constituted, adopted the following resolutions in regard to the licensing of public-houses :—

1. That the power of licensing should be transferred to local Boards.
2. That these Boards should have power to reduce, where necessary, and to limit the number of public-houses and in all respects to regulate the liquor traffic, each in its own district.
3. That public-houses should be closed not later than 10 p.m. on week-days, and that on the Sabbath hotels shall supply refreshments only to resident lodgers and *bonâ fide* travellers.

The General Assembly therefore prays the Honorable the Legislative Assembly to take the premises into its favourable consideration in the proposed amendment of the licensing law of the Colony.

And your Petitioners, as in duty bound, will ever pray.

Signed in the name and by the authority of the General Assembly of the Presbyterian Church of New South Wales,—

GEO. GRIMM,
Moderator.JAMES S. LAING,
Clerk.

1879-80.

—
LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

PUBLICANS' LICENSING ACT.
(PETITION—CHAIRMAN OF CONGREGATIONAL UNION.)

Received by the Legislative Assembly, 20th January, 1880.

Liquor License Amendment.

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

The humble Petition of the Congregational Union of New South Wales,—

RESPECTFULLY SHOWETH :—

That your Petitioners believe the present licensing system to be extremely defective and a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts.

They therefore believe it necessary to the welfare of the community that the Act under which publicans' licenses are now granted should be amended in such a manner as :—

1st. To place in the hands of the electors or residents of districts the power to prevent public-houses being forced upon them against their will.

2nd. To compel publicans, like other tradesmen, to close their places of business on the Sunday.

3rd. To suspend the granting of additional licenses for a period of three years.

Lastly, that a thorough system of police supervision be provided for.

Your Petitioners therefore humbly pray that your Honorable House will make such amendment in the present Act as may be deemed necessary to secure the foregoing objects.

And your Petitioners will, as in duty bound, every pray.

Signed on behalf of the Congregational Union of New South Wales.

Sydney, 8th January, 1880.

J. C. KIRBY,
Chairman.

1879.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SALE OF LIQUORS LICENSING ACT.
(PETITION FOR AMENDMENT OF—RESIDENTS OF MOLONG.)

Received by the Legislative Assembly, 16 December, 1879.

To the Honorable the Speaker and Members of the Legislative Assembly, in Parliament assembled.

The Petition of the Residents of the District of Molong,—

RESPECTFULLY SHOWETH:—

1. That at a public meeting held at Molong, on the 12th day of November, 1879, it was resolved that in the opinion of such meeting it was desirable that there should be a reform in the "Sale of Liquors Licensing Act"; and that such reform should embody clauses giving to the people a controlling voice, by the institution of elective District Boards, to regulate the granting, renewal, and transfer of publicans' licenses; and that the franchise of the electors be household suffrage.

2. That at such meeting it was further resolved that, in order to strengthen the power of such Board, no new licenses should be granted unless recommended by a two-thirds vote of the electors in the immediate neighbourhood.

3. That a Bill for the purpose of amending the "Sale of Liquors Licensing Act" being urgently desired by the public throughout the Colony, your Petitioners respectfully pray your consideration of the foregoing resolutions.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 98 signatures.]

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING PUBLIC-HOUSES.

(PETITION FROM THE PRESIDENT OF THE SYNOD OF THE DIOCESE OF SYDNEY.)

Received by the Legislative Assembly, 1 July, 1880.

To the Honorable the Speaker and the Members of the Legislative Assembly, in Parliament assembled.

The Petition of the undersigned, the President of the Synod of the Diocese of Sydney, being in
Synod of the United Churches of England and Ireland, in the Colony of New South Wales,—

HUMBLY SHOWETH:—

That your Petitioner views with grave apprehension the evils arising from a continuance of the present system of licensing public-houses.

That your Petitioner prays your Honorable House to pass such measures as in your wisdom may seem fit for the amendment of the same, or for the temporary suspension of licenses in the County of Cumberland.

And your Petitioner will ever pray.

F. SYDNEY,

President of the Synod of the Diocese of Sydney.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MEDICAL BILL.
(PETITION FROM RESIDENTS OF MAITLAND.)

Received by the Legislative Assembly, 5 February, 1880.

To the Honorable the Legislative Assembly of New South Wales.

The Petition of the undersigned Residents of Maitland and surrounding District,—

HUMBLY SHOWETH:—

That your Petitioners pray that in any legislation on medical practice by your Honorable House, the interests of a large and increasing portion of the population who have embraced more economic and modern treatment of disease may be provided for.

That such legislation may not be retrospective, or affect a present class of practitioners of years standing.

That any School of Medicine or Hospital receiving State-aid shall be open to medical students without any stipulation as to their choice of practice.

That any Medical Board formed shall not be exclusive but representative, and that students or persons holding diplomas from accredited Colleges in any part of the world may obtain certificates to practise.

That before any Bill be adopted by your Honorable House, your Honorable House may admit Counsel at the Bar on the subject aforesaid.

And your Petitioners pray that you may be pleased to take the said premises into consideration, and will, as in duty bound, ever pray.

[Here follow 653 signatures.]

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MEDICAL BILL.
(PETITION FROM HOMŒOPATHIC PRACTITIONERS.)

Received by the Legislative Assembly, 18 February, 1880.

To the Honorable the Legislative Assembly of New South Wales,

The Petition of the undersigned Homœopathic Practitioners of New South Wales.—

HUMBLY SHOWETH:—

That your Petitioners pray that in any legislation on medical practice by your Honorable House, the interests of a large and increasing portion of the population who have embraced more economic and modern treatment of disease may be provided for.

That such legislation may not be retrospective, or affect a present class of practitioners of years standing.

That any School of Medicine or Hospital receiving State-aid shall be open to medical students without any stipulation as to their choice of practice.

That any Medical Board formed shall not be exclusive but representative, and that students or persons holding diplomas from accredited Colleges in any part of the world may obtain certificates to practise.

That before any Bill be adopted by your Honorable House, your Honorable House may admit Counsel at the Bar on the subject aforesaid.

And your Petitioners pray that you may be pleased to take the said premises into consideration, and will, as in duty bound, ever pray.

[Here follow 9 signatures.]

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MEDICAL BILL.

(PETITION RESPECTING—PRESIDENT AND MEMBERS OF THE PHARMACEUTICAL COUNCIL.)

Received by the Legislative Assembly, 9 March, 1880.

To the Honorable the Members of the Legislative Assembly, in Parliament assembled.

The humble Petition of the undersigned President and Members of the Pharmaceutical Council,
representing the Pharmaceutical Society of New South Wales,—

SHOWETH :—

That this Council cannot but observe with much regret and apprehension the introduction of the last paragraph of section three of the Medical Bill introduced by Dr. Bowker, now before Parliament, as materially affecting the established rights, privileges, immunities and customs enjoyed by the chemist and druggist all over the world, by virtue of Pharmacy Acts introduced by various Governments (several of which are enumerated below), and they therefore feel bound to offer it their most strenuous opposition.

That in addition to the above objections your Petitioners feel that, if the said Bill passed as it now stands, the pharmaceutical chemist would be liable to the most vexatious prosecution and constant penalties, injurious to the chemist as well as to the public, seeing that it cannot be denied that, without infringing upon the province of the medical practitioner, the chemist is frequently called upon to prescribe simple remedies, especially to the poor who could not afford medical advice; and in cases of emergency such as poisoning it may safely be contended that it is the chemist's duty to at once administer an antidote, as delay might eventuate in death.

That Pharmacy Acts have been passed in the following countries, viz., in

	A.D.		A.D.		A.D.
Great Britain	1841	New York	1832	Quebec (B.N.A.) ...	1845
France	1803	Germany	1820	Antwerp	1835
Russia	1839	China	1846	Mexico	1843
Norway	1672	Belgium	1641	Portugal	1836
Philadelphia	1820	Poland	1839	Spain	1845

and in Denmark and Switzerland, as well as in the sister Colonies of Victoria and Van Diemen's Land.

That Schools of Pharmacy are being founded in all parts of the civilized world, to extend the knowledge of chemistry, botany, materia medica, practical pharmacy, and toxicology.

Your Petitioners, therefore, humbly pray that a clause may be introduced into the said Bill for the purpose of securing to the pharmaceutical chemist rights and privileges similar to that contained in the Apothecaries Act passed by the Imperial Parliament in 1815, and exempting him in the exercise of his accustomed business from the penalties of that Act; and also that your Honorable House, upon taking the premises into your consideration, will be pleased to insert, after the words "medical services," on the thirty-fourth line of the third section of the said Bill, and in lieu of the remaining portion thereof, the following amendment :—

Provided always and be it enacted that nothing in this Act contained shall extend to prejudice or affect the trade or business of a pharmaceutical chemist in the buying preparing or compounding dispensing and vending drugs medicines and medicinal compounds wholesale or retail but all persons using or who shall hereafter use the said trade or business may carry on the same in such manner and as fully to all intents and purposes as the same trade or business was carried on by chemists and druggists before the passing of this Act.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 6 signatures.]

Sydney, 4th March, 1880.

1879-80.

—

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

—

MEDICAL BILL.

(PETITION FROM RICHARD SADLEIR, R.N.)

—

Received by the Legislative Assembly, 14 May, 1880.

—

To the Honorable the Legislative Assembly, New South Wales.

The humble Petition of Richard Sadleir, R.N., J.P., &c.,—

HUMBLY SHOWETH:—

That the proposed Medical Bill now before your Honorable House is unsuitable to the scattered state of population of this Colony.

That numerous signed Petitions have been presented to your Honorable House, both this and last Session, against said Bill.

That the proposed Council would be partly elective and partly nominated by the retention of the old Board and mode of construction to the exclusion of the lay element, in matters deeply affecting them.

That the proposal to entitle persons who have practised for seven years, and then to undergo an examination when there would be no Board qualified to examine, unless the Board be partly composed of medical men of different Schools of Medicine, and there is no school of medicine established in the Colony,—would be holding out a futile hope to persons who have large constituencies and incurred much expense.

That by the letter (a) in the schedule persons holding diplomas from Homœopathic Colleges would be excluded from practice in New South Wales.

That the Bill would establish a Medical Corporation, all medical men to try misdemeanours possessing no power of committal or otherwise, if so established, should have the lay element in it.

That the proposed scheme of election would secure to Sydney large majorities, and an exclusive Council or Board, and would be better vested in hospitals and infirmaries, wherein the lay element would have a voice and interest in a question deeply affecting them.

Your Petitioner fully acknowledges the necessity of qualification for practitioners, but not to be exclusive to one school of medicine, which at present prevails in all public departments at a heavy cost to the State.

And your Petitioner prays the consideration of your Honorable House to aforesaid premises; and will, as in duty bound, ever pray, &c.

Sydney, May, 1880.

RICHARD SADLEIR.

—

1879.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

ST. LEONARDS ROMAN CATHOLIC SCHOOL
LAND SALE BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

20 *November*, 1879.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1879.

1879.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES, No. 11. THURSDAY, 13 NOVEMBER, 1879.

4. ST. LEONARDS ROMAN CATHOLIC SCHOOL LAND SALE BILL (*Formal Motion*):—Mr. Farnell moved, pursuant to Notice,—
- (1.) That the St. Leonards Roman Catholic School Land Sale Bill be referred to a Select Committee for consideration and report.
- (2.) That such Committee consist of Mr. Jacob, Mr. Burns, Mr. Day, Mr. Cameron, Mr. Torry, Mr. Teece, Mr. Kerr, Mr. J. Davies, Mr. Thompson, and the Mover.
- Question put and passed.

VOTES, No. 15. THURSDAY, 20 NOVEMBER, 1879.

6. ST. LEONARDS ROMAN CATHOLIC SCHOOL LAND SALE BILL:—Mr. Farnell, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before the Select Committee for whose consideration and report this Bill was referred on 13th November, 1879; together with a copy of the Bill as agreed to in the Committee.
- Ordered to be printed.

* * * * *

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1879.

ST. LEONARDS ROMAN CATHOLIC SCHOOL LAND SALE BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, to whom was referred for consideration and report, on the 13th November, 1879,—“*The St. Leonards Roman Catholic School Land Sale Bill*,”—beg to report to your Honorable House:—

That they have examined the Witnesses named in the List* (whose evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several Clauses and the Schedule of the Bill, in which it was not deemed necessary to make any Amendment. * See List, page 4.

Your Committee now beg to lay before your Honorable House the Bill without amendment.

JAMES S. FARNELL,
Chairman.

No. 2 Committee Room,
Sydney, 20th November, 1879.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 20 NOVEMBER, 1879.

MEMBERS PRESENT:—

Mr. Farnell,	|	Mr. Burns,
Mr. Jacob,	|	Mr. Kerr,
Mr. Day,	|	Mr. Thompson.

Mr. Farnell called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, *read* by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present:—H. M. Makinson, Esq. (*Solicitor for the Bill*).

The Reverend Joseph Dalton called in and examined.

Witness withdrew.

H. M. Makinson, Esq., examined.

Witness *produced* the Deeds referred to in the Preamble, and *handed in* copies of the same.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,” put and passed.

Solicitor called in and informed.

Clauses 1 and 2 read and agreed to.

Schedule read and agreed to.

Chairman to report the Bill without amendment to the House.

LIST OF WITNESSES.

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1879.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

ST. LEONARD'S ROMAN CATHOLIC SCHOOL LAND
SALE BILL.

THURSDAY, 20 NOVEMBER, 1879.

Present:—

MR. BURNS,

MR. DAY,

MR. FARNELL,

MR. JACOB,

MR. KERR,

MR. THOMPSON.

J. S. FARNELL, Esq., IN THE CHAIR.

H. M. Makinson, Esq., appeared as Solicitor on behalf of the Promoters of the Bill.

The Rev. Joseph Dalton examined:—

1. *Mr. Makinson.*] You are one of the trustees under the indenture of the 9th of January, 1879, mentioned in this Bill? I am.
2. You are aware of the purport of this Bill? I am.
3. It has been brought in at your request, and that of your co-trustees, the Most Reverend Roger Bede Vaughan, Roman Catholic Archbishop of Sydney, and the Reverend James Kennedy? Yes.
4. You know the land alluded to in the Schedule to this Bill? Yes.
5. I believe there is a school for Roman Catholic children built upon this land? Yes; it is a wooden structure which was built some years ago, and it is in a very bad state at present.
6. This Bill contains a recital that "the said land and the said school thereon are by reason of insufficient size and the increase of population in the said borough inadequate to supply the requirements of the Roman Catholic children of the locality." Is that true to your knowledge? It is.
7. The population there has increased fivefold since that school was built? It has increased greatly.
8. In fact, you now have it in contemplation to secure, or have secured, a larger and better site in a more central position? Yes.
9. You wish to sell the old building and land, and to apply the proceeds of such sale, together with other money you are raising, in securing a more suitable site and in the erection of a school? Yes.
10. I believe the land you propose to purchase with the proceeds of the sale of this, and to dedicate for a school, is adjacent to the land which has been secured as the site for a church and a clergyman's residence? Yes.
11. It is a large block surrounded by four streets? Yes.
12. Besides being the trustees of this land, I believe yourself and the Reverend James Kennedy mentioned in this Bill, have charge of all that district or parish? Yes, of St. Leonards and the North Shore.
13. *Chairman.*] You intend, in the event of this Bill passing, to apply the proceeds of the sale of this land to a like purpose to that for which it was granted? Yes, for a similar purpose and no other.
14. This land is too small to afford the accommodation now necessary owing to the increase in population in that part of the district? Much too small.
15. Do your co-trustees concur with you in this application? Entirely; my co-trustee, Father Kennedy, was not aware that the Bill was coming on, or he would have been here to have given his evidence if necessary.

The Rev. J.
Dalton.

20 Nov., 1879.

Henry Massey Makinson, Esq., said :—

- H. M. Makinson, Esq.
20 Nov., 1879.
16. I produce the deed, bearing date 17 May, 1865, mentioned in the preamble. (*The witness produced the same, marked A.*) The purport of that deed is truly stated in the preamble. The Bill recites that the "said Most Reverend John Bede Polding and the said Very Reverend Peter Powell have since both departed this life." That is since the date of this deed. That is within my knowledge. Afterwards Thomas Cooper Makinson, the sole surviving trustee, executed a deed dated 9th January, 1879. That I also produce. (*The witness produced the same, marked B.*) By this indenture Mr. Makinson, in the exercise of his power as trustee, did appoint the Most Reverend Roger Bede Vaughan, Roman Catholic Archbishop of Sydney, and the Reverend Joseph Dalton, and the Rev. James Kennedy, in lieu of the original deceased trustees, and himself as survivor. The land proposed to be sold is not a Crown grant for school purposes, but a private gift by the late Thomas John Fisher, as appears by the first recited deed.
17. *Chairman.*] The present school is only a temporary building, and was erected in 1865? Yes; it is much decayed, and is not of much value. I believe it is still used.
18. Is it necessary to build a new school? It is.
19. And you want a new school on a more commodious site? Yes; in fact they have selected a large piece of land in the centre of St. Leonards, at the intersection of four streets, and it is intended to apply the proceeds of this land with other moneys to the purchase of part of this site and the erection upon it of a school.
20. *Mr. Day.*] What is the value of this piece of land? I cannot say.
21. *Chairman.*] How many feet frontage is there to Mount-street? The area is one rood six perches. The frontage to Mount-street is 95 feet. I think it is worth about £600 or £700.
22. *Mr. Day.*] This land is unfit for the purpose for which it was originally conveyed? I think so; it is not sufficiently large to have a playground or a separate school for girls. The place we have now secured for the church and school contains in all 3 acres.
23. *Mr. Jacob.*] Is it near the present school? It is more central than this—it is part of Mr. Lord's subdivision.
24. *Chairman.*] It is not 200 yards away I think? No.
25. *Mr. Day.*] What were the trusts originally? The trusts are truly recited in the preamble—"upon trust for the erection thereon of a school for the education of Roman Catholic children."
26. The reason of your desire to sell this land is that it is not sufficiently large for the purpose? It is not sufficiently large for the purpose, and it is necessary now to build a good school. This land is not sufficient.
27. You think by the sale of this land you will be enabled to purchase a better site? They have purchased it, but have not sufficient funds; and the proceeds of the sale of this land will go a small way towards the purchase of a better site and the erection of a more suitable building.
28. Then it is simply an alteration of the trust to provide a better site? It is simply transferring the trust property to a better site.
29. *Chairman.*] It is necessary in the erection of new schools to have ample space for playgrounds for the children, which you could not have on this piece of land? No.
30. *Mr. Jacob.*] I suppose there is nothing in the deed of grant to show that the grantor wished the school to be in this position? No; the whole object of the trust is the erection of a school for the education of Roman Catholic children.
31. Was the grantor of the land the proprietor of the land adjoining, do you know? Mr. Fisher was the proprietor of a great deal of land on the North Shore—his property extended for a long distance on both sides of this grant.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

MERRIWA CHURCH AND PRESBYTERY LAND
SALE BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
31 *March*, 1880.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1880.

1879-80.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 68. TUESDAY, 16 MARCH, 1880.

5. **MERRIWA CHURCH AND PRESBYTERY LAND SALE BILL** (*Formal Motion*):—Mr. Coonan moved, pursuant to Notice,—
- (1.) That the Merriwa Church and Presbytery Land Sale Bill be referred to a Select Committee for consideration and report, and that such Committee have power to send for persons and papers.
- (2.) That such Committee consist of Mr. Beyers, Mr. Burns, Mr. Day, Mr. McElhone, Mr. Murphy, Mr. Thompson, Mr. Cameron, Mr. Moses, Mr. Bowman, and the Mover.
- Question put and passed.
-

VOTES No. 75. WEDNESDAY, 31 MARCH, 1880.

10. **MERRIWA CHURCH AND PRESBYTERY LAND SALE BILL**:—*Mr. Cameron*, for Mr. Coonan, Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before the Select Committee, for whose consideration and report this Bill was referred on 16th March, 1880; together with a copy of the Bill as agreed to in the Committee.
- Ordered to be printed.

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1879-80.

MERRIWA CHURCH AND PRESBYTERY LAND SALE BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on 16th March, 1880,—“*the Merriwa Church and Presbytery Land Sale Bill*,”—beg to report to your Honorable House :—

That they have examined the witness* named in the margin (whose evidence will be found appended hereto), and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the Clauses and Schedules of the Bill in which it was not deemed necessary to make any amendment.

* The Rev.
Patrick Purcell
Ryan.

Your Committee now beg to lay before your Honorable House the Bill without amendment.

W. T. COONAN,
Chairman.

No. 3 Committee Room,
Sydney, 24th March, 1880.

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 24 MARCH, 1880.

MEMBERS PRESENT :—

Mr. Coonan,	|	Mr. Thompson,
Mr. Murphy,	|	Mr. Bowman,
	Mr. Beyers.	

Mr. Coonan called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, *read* by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

The Reverend Patrick Purcell Ryan (*one of the Trustees*), called in and examined.

Witness *produced* Deeds of Grant referred to in the preamble and *handed in* certified copies of the same.

Witness withdrew.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Clauses 1 and 2 read and agreed to.

Schedules read and agreed to.

Chairman to report the Bill without amendment to the House.

1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

MERRIWA CHURCH AND PRESBYTERY LAND SALE
BILL.

WEDNESDAY, 24 MARCH, 1880.

Present :—

MR. BEYERS,	|	MR. COONAN,
MR. BOWMAN,	|	MR. MURPHY,
MR. THOMPSON.		

WALTER THOMAS COONAN, ESQ., IN THE CHAIR.

The Reverend Patrick Purcell Ryan called in and examined :—

1. *Chairman.*] You are a clergyman of the Roman Catholic Church stationed at Lambton, and formerly at Merriwa? Yes.
2. You are one of the trustees for certain land at Merriwa? Yes.
3. Do you produce the deeds of that land? I do. (*Deeds produced.*)
4. You produce two grants from the Crown, bearing date, respectively, 4th December, 1879? Yes.
5. In these two grants you, in conjunction with the Right Reverend James Murray and Mr. Charles Joseph Gallagher, are appointed trustee of this land for the purposes therein mentioned? Yes.
6. The sites given by these grants are not eligible for the purposes for which they were granted? No.
7. And you have purchased other sites since then? Yes.
8. And you wish to sell these sites for the purpose of investing the proceeds arising therefrom in paying the purchase money of the other sites, and in erecting a Church and Presbytery thereon? Yes.
9. There has been no opposition whatever to the sale of this ground, or to the purchase of the other? I am not aware of any.
10. In fact, so far as you know, the congregation have been made thoroughly aware of the fact by reason of your having purchased the other land, and going on with the erection of the church? Yes.
11. So that the sale of this land and the purchase of the other land meets with the total concurrence of the congregation? Yes.

Rev. P. P.
Ryan.
24 Mar., 1880.

1879-80.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

ARCHIBALD THOMPSON'S TRUST ESTATE BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
9th April, 1880.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1880.

1879-80.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 75. WEDNESDAY, 31 MARCH, 1880.

5. ARCHIBALD THOMPSON'S TRUST ESTATE BILL (*Formal Motion*) :—*Mr. Burns*, for *Mr. Cohen*, moved, pursuant to Notice,—
- (1.) That Archibald Thompson's Trust Estate Bill be referred to a Select Committee for consideration and report.
- (2.) That such Committee consist of *Mr. Fitzpatrick*, *Mr. Moses*, *Mr. Terry*, *Mr. Garrett*, *Mr. Barbour*, *Mr. Thompson*, *Mr. Burns*, *Mr. Day*, and the Mover.
- Question put and passed.

VOTES No. 80. FRIDAY, 9 APRIL, 1880.

4. ARCHIBALD THOMPSON'S TRUST ESTATE BILL :—*Mr. Cohen*, as Chairman, brought up the Report from, and laid upon the Table, the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 31st March, 1880; together with a copy of the Bill as agreed to in the Committee.
- Ordered to be printed.

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1879-80.

ARCHIBALD THOMPSON'S TRUST ESTATE BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred on 31st March, 1880,—“*Archibald Thompson's Trust Estate Bill*,”—beg to report to your Honorable House:—

That they have examined the witnesses named in the List* (whose * See List, page 4. evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several Clauses and Schedule of the Bill, in which it was not deemed necessary to make any amendment.

Your Committee now beg to lay before your Honorable House the Bill without amendment.

H. E. COHEN,
Chairman.

No. 3 Committee Room,
Sydney, 9th April, 1880.

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 9 APRIL, 1880.

MEMBERS PRESENT:—

Mr. Cohen,	Mr. Terry,
Mr. Barbour,	Mr. Thompson,
Mr. Day,	Mr. Fitzpatrick.

Mr. Cohen called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, *read* by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present,—Elliott Meyer, Esq. (*Solicitor for the Bill*).

Thomas Thompson, Esq. (*one of the Trustees*), called in and examined.

Witness *produced* Probate of the Will of Archibald Thompson, and *handed in* an attested copy of the same.

Witness withdrew.

Gustave A. Morell, Esq. (*Architect*), called in and examined.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,” put and passed.

Solicitor called in and informed.

Clauses 1, 2, and 3, read and agreed to.

Schedule read and agreed to.

Chairman to report the Bill, without amendment, to the House.

LIST OF WITNESSES.

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Morell, Gustave A., Esq.	6
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1879-80.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

ARCHIBALD THOMPSON'S TRUST ESTATE BILL.

FRIDAY, 9 APRIL, 1880.

Present :—

MR. BARBOUR,
MR. COHEN,
MR. DAY,MR. FITZPATRICK,
MR. TERRY,
MR. THOMPSON.

HENRY EMANUEL COHEN, Esq., IN THE CHAIR.

Mr. Elliott Meyer appeared as Solicitor for the Bill.

Thomas Thompson, Esq., called in and examined :—

1. *Mr. Meyer.*] You reside in Sydney? Yes.
2. You are the brother of the late Archibald Thompson, of Sydney, wine merchant? Yes.
3. When did your brother die? On the 22nd February, 1879.
4. You produce the probate copy of his will, do you not? Yes. (*Produced and copy handed in.*)
5. You are one of the executors appointed by that will? Yes.
6. Who was the other? Mr. Stephen Campbell Brown.
7. Probate of this will was granted to you on the 4th day of April, 1879, was it not? Yes.
8. Since that date Mr. Brown has renounced probate, has he not? Yes.
9. By the will your brother bequeathed all his real and personal estate to his trustees upon trust to convert his personal estate and to stand possessed thereof upon trust after payment of his debts and legacies to invest the balance upon the securities mentioned in the will? Yes.
10. Under the will you are empowered only to invest upon real or Government securities in New South Wales, or in the stocks, shares, or debentures of any public company, except mining companies? Yes.
11. And under the will you are to divide the annual income, share and share alike, among the testator's wife, Jane Thompson, and all his children, and the issue of any deceased child or children, during their respective lives, or until the final distribution of the estate as therein provided? Yes.
12. The corpus of the estate is to be distributed upon the death of all his children? Yes.
13. The testator left a wife, Jane Thompson, and eleven children, I believe? Yes.
14. Nine of whom are under the age of twenty-one years? Yes. One of them was born after his death, making the eleventh.
15. I believe you have paid the debts and legacies under the will, and you have a balance in hand amounting to 4,700 and odd pounds? Yes.
16. A portion of the real estate of the testator consists of a block of land in Pitt-street, Redfern, does it not? Yes.
17. The land, I believe, has about 240 feet frontage to Pitt-street, by a like depth? Yes.
18. Upon this land a house called Redfern Lodge is erected? Yes.

T. Thompson,
Esq.
9 April, 1880.

- T. Thompson, Esq.
9 April, 1880.
19. At one side of the house called Redfern Lodge there is a vacant block of land 120 feet by 240? Yes.
20. I believe under the testator's will you have only power to lease real estate for fourteen years? Yes.
21. It is upon this vacant land that you desire to erect a terrace of houses? Yes, on 120 feet south of Redfern Lodge.
22. I believe you have been advised by counsel that you have no power to expend the personal estate in building upon the realty, nor could the Court give you any such power? Counsel so advised.
23. And the only course is to apply for an Act to enable you to do so? Yes.
24. Do you think you could get a fair rent for this block of land for the short term you are authorized to lease it for? No; I endeavoured to let it upon building leases, and could not.
25. Nobody would lease it for only fourteen years? No.
26. I believe you have had plans and specifications prepared for a terrace of six houses proposed to be erected on this land? Yes.
27. How many rooms will there be in each house? Ten rooms in all in each house.
28. How much do you expect these houses will be erected for? £4,200.
29. What rent do you suppose you would get for them? At the lowest estimate about £90 each. The land is in one of the best letting positions in Redfern.
30. With regard to Redfern Lodge itself, that, I believe, is now in a bad state of repair? Yes.
31. And you desire to have power also to expend part of this money you have in hand in improving that house? Yes, and adding to it.
32. By doing so, will you get a much larger rent for it than you can in its present state? Yes. It is too small for the block of ground it is standing upon, and for the class of tenants that would occupy it.
33. I believe you have given this matter your serious thought; do you think it would be beneficial to expend the moneys of the estate in this manner? I have not a doubt of it. I have considered the matter fully, but it really admits of no doubt; it is obviously the best course for the estate and those interested.
34. Do the parties interested, Mrs. Thompson and her children, approve of the course you have taken? Yes.
35. *Chairman.*] You said you propose to erect six houses, and that each of them will return a rental of £90 per annum? Yes, at the lowest estimate.
36. You can fairly estimate that you will get £90 as a net rental? Yes.
37. That would give £540 a year? Yes.
38. I see you have about £4,700 in hand? Yes.
39. At what rate of interest is it invested? At present it is invested in the Bank at 6 per cent., but the time has nearly run out, and I cannot get more than 5 per cent.
40. Could you lease this vacant block of land at all, do you think? Only as pasturage for cows, nothing else.
41. What rent would it fetch for that purpose? £25 a year.
42. That would give £260 a year as the income from the land and the money invested according to the will? Yes.
43. What increased rent would you get from Redfern Lodge if improved in the manner suggested? £52 a year.
44. Extra? Yes.
45. So that by taking the course proposed by the Bill before us the income would be increased by the difference between £592 and £260 a year? Quite so.
46. You would get £332 extra income by investing the money in the manner proposed by the Bill? Yes.
47. I suppose you have satisfied yourself that the houses proposed to be erected will be substantial houses? Yes; I have the advice of one of the very best architects in Sydney, Mr. Morell, as to the probable cost. We have gone through the plans carefully. (*Plans exhibited.*) I may state that I submitted the matter to the family before I took any steps in it.
48. *Mr. Day.*] How old is the eldest child? About twenty-five.
49. You have not the slightest doubt that there would be no difficulty in getting tenants for these houses if erected? I feel sure there will not be the slightest difficulty. I reckon I could let them at present for £100 a year at least, and that £90 a year can be relied on as the net income from each of them. We get £2 a week for Redfern Lodge, which is very much inferior at present to any of these houses. It was in fact my late brother's wish and intention to have built these houses himself.
50. *Mr. Fitzpatrick.*] This Bill pre-supposes that the whole of the balance of the personal estate will be invested in the Redfern property? Yes.
51. *Chairman.*] The trusts of the will with regard to the personal estate are the same as the trusts with regard to the real estate? Quite so.
52. *Mr. Day.*] I suppose these buildings will be of brick on a stone foundation and cemented? Yes.
53. Have you had any experience in building? Yes, I have had some experience.
54. Do you not think that £700 each is a very cheap rate for such houses as these? Not for a terrace. It is not my opinion; it is Mr. Morell's, who feels sure that at present prices he could get them done for the money. He thought they could be built for about £4,000, but to make sure I have put them down at £700 each.
55. I suppose you know that in nearly every building there are a lot of extras? Yes. I have had some £12,000 expended under Mr. Morell's direction, and I have never had to pay £50 extra for any work entrusted to him; he seems to make provision for everything, every nail almost.
56. Suppose the money you have in hand should not be sufficient to complete these buildings, could you borrow money to do so? I have not power to borrow. The fact is there is in hand £4,700 at least, and I would have to improve Redfern Lodge according to my means with the balance that was left.
57. *Mr. Fitzpatrick.*] You would build all these houses first, and improve Redfern Lodge afterwards with what money might be available? Yes.

Gustave Alphonse Morell, Esquire, called in and examined:—

- G. A. Morell, Esq.
9 April, 1880.
58. *Mr. Meyer.*] You are an architect, practising in Sydney? Yes.
59. You know the land adjoining Redfern Lodge? Yes.
60. I believe you have prepared plans and specifications for a terrace of houses proposed to be built upon the vacant land to the south of Redfern Lodge? Yes.

G. A. Morell,
Esq.
9 April, 1880.

61. Those houses are to contain ten rooms each? Yes, besides bath-room and the usual out-houses.
62. Of what material are the houses to be built? Brick, on stone foundations, slate roofs, and cemented outside.
63. Will the houses be of a substantial character? Yes, as substantial as any houses of that description. Although not within the city, they will be built pretty well in conformity with the provisions of the City of Sydney Improvement Act.
64. What would this terrace of houses cost? About £700 each, or £4,200 for the six. The cost might be 2½ or 3 per cent. more or less; but there is great competition just now among builders, and they will probably be lower. I have built similar houses and they have not cost more.
65. Do you think the position is one in which such houses will readily let? Yes; it is better than any other in the locality. There are no houses empty in that locality now. The situation is convenient and close to the park and the University land.
66. Then you think it a very good site for houses of this description? Yes; it is only fit for dwelling-houses, not for shops.
67. What rent is likely to be obtained for these houses? Similar houses on the other side of the road, built a short time ago, are letting now for £2 a week—houses not quite so good as these will be. I am certain they will produce 35s. a week, if not more. There will be greater likelihood of getting £2 than 35s.
68. You consider that from the way in which these houses are to be finished they will bring £2 a week? Yes.
69. Do you think rents in that locality, and for that class of house, are more likely to improve or to decline? I think rents will improve, because the space between these houses and the park is inconsiderable, and they will always be desirable residences on account of the fresh air coming across the park to them.
70. Have these other houses in the neighbourhood, fetching from 35s. to £2 a week, the same amount of land attached to them as these will have? No. These will be about 18 feet frontage, with a depth of 120 feet.
71. These houses will also have the advantage of a large paddock at the rear? Yes.
72. Have these other houses any such advantage? No, nothing of the kind.
73. Will you look at the description in the Schedule and tell me whether that is a correct description of the land on which these houses are proposed to be built? It is, exactly.
74. Do you know the house called Redfern Lodge? Yes.
75. That house, I believe, is at present in a rather bad condition, in want of repair? Yes. A better rental could be got if it was improved.
76. *Chairman.*] Do you think you could reasonably rely on getting a net rental of £90 a year for each of these houses—35s. a week net? Yes, I think so.
77. What do you think would be the increased rental of Redfern Lodge if improved? From a sketch I prepared some time ago I fancy that an outlay of £700 or £800 would produce an increased rental of about £100 a year. Say £800 was spent upon the house in putting additional rooms, raising the roof, verandah, and so on, I think they could get £100 a year more than the present rental.
78. By spending £500 on it, could an increased rent in proportion be obtained? Yes. There is so much extra ground, accommodation for stables, and so on, that they could always get a good rental for a house of that kind.
79. *Mr. Day.*] How long do you think these houses will last without repair? I do not think they will require much repair beyond painting for the next twenty-five or thirty years. All the general work, if well done, is sure to last for that time at least. The cementing may require painting occasionally, but that will not cost much? In thirty years they will be almost as good as new if kept painted.
80. The reason I ask the question is that £700 seems a low price for ten-roomed houses? It is; but being a terrace it comes cheaper. A single house of the same sort would probably cost £850. Contractors are content with less profit on each house when a number are taken together.
81. Will there not be some additional outlay for what are called extras? Very little, if any. The specifications are carefully drawn. £100 will certainly cover everything in that way.

R. A. R.

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